

DELEGATED REPORT / CASE OFFICER'S ASSESSMENT

Ref No: ST/0948/21/LBC
Proposal: Listed Building Consent sought for alterations to 1, 3 and 3a Beach Road to provide high quality residential properties including four apartments at 1 Beach Road, one bed apartment at 3a and a three bed maisonette at 3 Beach Road. Alterations of site plan including the creation of a communal walled garden and the demolition of derelict rear coach house and connecting store.
Location: 1, 3 and 3a Beach Road
South Shields
NE33 2QA

Site Visit Made: 14/02/2022 & 07/04/2022

Relevant policies/SPDs

South Shields Town Centre & Waterfront AAP (SSAAP)

SS12 – Protecting the Built Environment Assets of South Shields

South Tyneside Development Management Policies (STDMP)

DM6 – Heritage Assets and Archaeology

Description of the site and of the proposals

The application site comprises 3 properties known as 1, 3 and 3a Beach Road including their respective curtilage areas. The properties are Grade II Listed, 3 storeys in height plus basements and occupy an end of terrace location close to the junction of Beach Road with Fowler Street. The properties are currently vacant but have previously been used as business offices, with the coach house at No.3 having previously been used as a taxi booking office. The overall site area is around 0.1 hectares.

The surrounding locality is characterized by a mix of uses. To the north and west lie a mix of retail and catering establishments on Fowler Street. To the east are a variety of uses on Beach Road including offices immediately adjacent but also dwelling uses further to the east. To the south lies South Shields Town Hall on the opposite side of Beach Road.

A related application for full planning permission (ST/1082/21/FUL) is submitted for consideration alongside this application for listed building consent. Under the application for full planning permission, approval is sought for the change of use of the properties from offices to 6 self-contained residential dwellings comprising 4 apartments (2x 2bed, 1x 3 bed and 1x 1bed) at 1 Beach Road, 1x 1bed flat within the basement of 3a and 1x 3bed maisonette at 3 Beach Road (Use Class C3). Associated external alterations are also proposed comprising the formation of a rear communal garden area, demolition of a former coach house and adjoining outbuilding to the rear of No.3/3a, provision of a car port, car parking spaces, bin store, bollards and new boundary walls to the rear.

This application for listed building consent relates to demolition of the former coach house and adjoining outbuilding to the rear of No.3/3a as well as certain external and internal alterations proposed in connection with the proposed conversion of the properties to residential use. External alterations comprise enlargement of an existing lightwell to the front elevation basement area of No.3a, the addition of conservation roof windows to the Fowler Street and rear roof slopes (4 to the rear and 2 to Fowler

Street), removal of a window to the rear elevation at No.1, chimney stack repairs, structural stitching work at No.1, brickwork repointing and the replacement/repair of rainwater goods. External window replacement/repair works are also proposed. It is considered that front and side elevation windows at No.1 may need to be replaced with double glazed units in order to provide for a satisfactory internal residential environment in terms of noise and if this is the case, the applicant's timber specialist considers that it would be possible to provide replacement windows of a similar sliding sash design with similarly dimensioned glazing bars to the existing windows. It is also proposed that front elevation windows at Nos.3a & 3 will need to be replaced due to their poor condition. Replacements would be single glazed and of a similar design & profile to existing. It is envisaged that existing windows to the rear elevations of Nos. 1 and 3 can be retained and repaired where required. Internal alterations comprise the removal of some existing walls, creation of door openings in existing walls, blocking up of existing door openings with relocation of doors elsewhere within the property, removal of a later staircase from the basement to ground floor at No.3a, erection of new partition walls, installation of mechanical and electrical systems, re-levelling of floors, fire proofing works, examination of chimney breasts including refurbishment of any original fireplaces uncovered and refurbishment of internal timber window shutters.

Publicity / Consultations (Expiry date 14 December 2021)

1) Neighbour responses

1 letter of representation in support of the application has been received. The respondent 100% agrees with the application and has suggested the restoration stone to use.

2) Other Consultee responses

Historic Environment Officer – No objection subject to conditions on this and the related listed building consent application regarding various detailed matters.

National Amenity Societies – No comments received.

Assessment

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent for works which affect a listed building or its setting, the local planning authority shall 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.

The statutory development plan comprises the Council's adopted Local Development Framework development plan documents. Those of relevance to this application are the South Shields Town Centre & Waterfront Area Action Plan (SSAAP) and the South Tyneside Development Management Policies (STDMP).

As a consequence of the Council not having a 5 year housing land supply and the Council's Housing Delivery Test results showing that the delivery of housing was substantially below the housing requirement over the previous three years the tilted balance in NPPF paragraph 11d) applies which states that relevant development plan policies in such circumstances are considered out-of-date and that permission should be granted unless:

- i) The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

This means that very significant weight should also be given to the NPPF as a material consideration in deciding this application.

The Council are in the process of preparing a new Local Plan. Consultation has taken place on a Pre-Publication Draft (Regulation 18) Plan published in August 2019 but following on from that consultation it has been decided that a revised Regulation 18 Plan is to be prepared which is yet to be published for consultation. As such the new Local Plan remains at an early stage and therefore can be afforded only negligible weight in decision making on planning applications. As such, detailed reference has not been made to the emerging plan in this report.

In deciding whether to grant listed building consent the Council must have due regard to the 3 equality aims contained in Section 149 of the Equality Act 2010 (the public sector equality duty). A preliminary assessment of the potential equality impacts of any grant of listed building consent in this case has been undertaken. There are no apparent equality impacts of the proposed development which give rise to the need to undertake a more detailed equality impact assessment.

The main issue relevant to the assessment of this proposal is the impact of the proposed works on the special features of architectural and historic interest in respect of these listed buildings.

SSAAP Policy SS12 states that the built environment assets of the South Shields town centre area will be protected, together with their settings. Finally, STDMP Policy DM6 states that the Council will support development proposals that protect, preserve and where possible enhance the historic, cultural and architectural character and heritage, visual appearance and contextual importance of our heritage assets and their settings.

National planning policy on heritage matters is set down in the NPPF.

The NPPF advises at paragraph 194 that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 195 states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 197 states 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.

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 200 continues by stating that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and

convincing justification with further detail then being provided regarding considerations in respect of substantial and less than substantial harm.

Paragraph 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.

The buildings on site are in a poor physical condition due to having been vacant for some years and are continuing to deteriorate as time passes. The proposals would provide for retention of the vast majority of the buildings on site and bring them back into use as 6 dwellings. The only building proposed for demolition is a coach house at the rear of No.3 and a relatively recent structure that links this with the main property at No.3. The coach house and associated link structure are in very poor condition and a structural survey report in respect of these has been submitted by the applicant to provide justification for their demolition. This survey report confirms that these building elements are in a very poor condition. The roof structure and west wall of the coach house are beyond repair and would require complete demolition and rebuilding as would all internal floors. Settlement distortion has taken place as well as long term water penetration which has compromised the structural integrity of these elements. The coach house has also been extensively and unsympathetically altered both internally and externally. The surveyor concludes that the coach house and associated link structure are no longer viable structures and recommends they be demolished.

The Council's Historic Environment Officer agrees with the analysis provided by the surveyor and raises no objection to demolition of the coach house and associated link structure subject to a replacement structure being provided on the footprint of the coach house to provide some indication of its former location. Discussions have taken place with the applicant on the nature and design of this replacement structure and it has been agreed that a simple, contemporary car port would be appropriate. The applicant has supplied amended plans which show a metal framed car port with horizontal timber elements applied to its east elevation. This is considered acceptable in design terms and it is also considered that the proposed car port would preserve the setting of the listed buildings. The Council's Historic Environment Officer considers the proposed car port to be acceptable. Listed Building Consent is not required for the replacement carport as this would not be physically attached to the listed building at No.3. However, its provision is to be secured under related planning application ST/1082/21/FUL.

Demolition of the coach house would result in less than substantial harm to the significance of these heritage assets. The associated link structure between the coach house and main building at No.3 is a modern addition lacking heritage significance. Whilst the coach house is of heritage significance this significance has been substantially diminished as a result of previous unsympathetic alterations and as stated above, it is in a very poor physical condition and is not considered any longer to be a viable structure that could be retained without having to be substantially rebuilt. Set against such harm, the properties have been vacant for many years and are deteriorating as time progresses. The proposals would allow for the properties to be brought back into use thus arresting their overall physical decline and improving their visual appearance.

As stated earlier, proposed external alterations comprise enlargement of an existing lightwell to the front elevation basement area of No.3a, the addition of conservation roof windows to the Fowler Street and rear roof slopes (4 to the rear and 2 to Fowler Street), removal of a window to the rear elevation at No.1, chimney stack repairs, structural stitching work at No.1, brickwork repointing and the replacement/repair of rainwater goods.

These works are considered acceptable subject to conditions regarding specification details for the lightwell enlargement at No.3 which provide for retention of the existing curved stonework to this lightwell, specification details for the conservation roof windows, sample details of the matching brick to infill the rear elevation window opening at No.1 and recessing of such brickwork. Conditions are also suggested regarding the specification details for chimney stack repairs, structural stitching work at No.1, brickwork repointing and the repair/replacement of rainwater goods.

External window replacement/repair works are also proposed. It is considered that front and side elevation windows at No.1 may need to be replaced with double glazed units in order to provide for a satisfactory internal residential environment in terms of noise and if this is the case, the applicant's timber specialist considers that it would be possible to provide replacement windows of a similar sliding sash design with similarly dimensioned glazing bars to the existing windows. It is also proposed that front elevation windows at Nos.3a & 3 will need to be replaced due to their poor condition. Replacements would be single glazed and of a similar design & profile to existing. It is envisaged that existing windows to the rear elevations of Nos. 1 and 3 can be retained and repaired where required. Such works are considered acceptable in principle and a condition is suggested regarding these matters.

Internal alterations comprise the removal of some existing walls, creation of door openings in existing walls, blocking up of existing door openings with relocation of doors elsewhere within the property, removal of a later staircase from the basement to ground floor at No.3a, erection of new partition walls, installation of mechanical and electrical systems, re-levelling of floors, fire proofing works, examination of chimney breasts including refurbishment of any original fireplaces uncovered and refurbishment of internal timber window shutters.

Again, these works are considered acceptable subject to conditions regarding specification details.

Conclusion

Overall, it is considered that loss of the coach house and its associated link structure at No.3 is acceptable giving the wider public benefits arising as a consequence of the proposed development bringing the listed buildings back into use and improving the physical appearance of those buildings and their curtilages. It is also considered that the proposed internal/external alterations would preserve the features of special architectural and historic interest in respect of these listed buildings subject to conditions re specification details.

In assessing this application due regard has been had to the requirement of section 149 of the Equality Act 2010.

Recommendation

Grant Permission with Conditions

Conditions

- 1 The development to which this permission relates must be commenced not later than 3 years from the date of this permission.

As required by Section 18A of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the development is carried out within a reasonable time.

- 2 The works hereby permitted shall not be carried out other than in complete accordance with the details contained within the following approved plans/documents:

20063-EArch-PL-CM-DR-A-0011 PO8 - Proposed Site Plan, received 31/03/2022.

20063-EArch-PL-BL-DR-A-0119 PO7 - Existing and Proposed Basement Floor GA received 07/03/2022;

20063-EArch-PL-GF-DR-A-0120 PO7 - Existing and Proposed Ground Floor GA received 07/03/2022;

20063-EArch-PL-FF-DR-A-0121 PO6 - Existing and Proposed First Floor GA received

07/03/2022;
 20063-EArch-PL-SF-DR-A-0122 PO6 - Existing and Proposed Second Floor GA received 07/03/2022;
 20063-EArch-PL-RL-DR-A-0123 PO6 - Existing and Proposed Roof GA received 07/03/2022;
 20063-EArch-PL-BL-DR-A-0150 PO2 - Internal Key Features Basement received 07/03/2022;
 20063-EArch-PL-GF-DR-A-0151 PO2 - Internal Key Features Ground Floor received 07/03/2022;
 20063-EArch-PL-FF-DR-A-0152 PO2 - Internal Key Features First Floor received 07/03/2022;
 20063-EArch-PL-SF-DR-A-0153 PO4 - Internal Key Features Second Floor, received 13/04/2022;
 20063-EArch-PL-EL-DR-A-0135 PO6 - Proposed Front and Side 2 Elevations, received 26/04/2022;
 20063-EArch-PL-EL-DR-A-0136 PO5 - Proposed Rear and Side 1 Elevations, received 31/03/2022;
 20063-EArch-PL-XX-DR-A-0172 PO1 - Scribing Detail received 08/02/2022;
 20063-EArch-PL-XX-DR-A-0431 PO2 - Existing Stair to Building 2 received 15/12/2021;
 Damp Survey received 17/03/2022;
 Visual Structural Defect Appraisal received 08/02/2022.

To ensure the development is carried out in accordance with the approved plans in the interests of proper planning.

- 3 Alteration works to the front elevation light well at No.3a Beach Road shall be undertaken in full accordance with specification details to be submitted to and approved in writing by the local planning authority with such details providing for retention of the existing curved stonework to this light well.

To ensure that features of special architectural and historic interest are preserved in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 4 The conservation roof windows to be installed in the side and rear elevations of the properties shall be in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such features respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 5 The external brickwork and internal wall treatment in respect of the area to be infilled following removal of the first floor rear elevation window shown on the approved plans shall be in full accordance with specification details to be submitted to and approved in writing by the local planning authority and shall provide for the use of external brickwork which is similar in appearance to brickwork used on the rear elevation of the existing property at No.1 Beach Road with such brickwork being recessed to reflect the position of the window to be removed.

To ensure that this feature respects the special architectural and historic interest of the listed building at No.1 Beach Road in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 6 All replacement/refurbishment works in respect of external windows and associated internal window shutters shall be undertaken in full accordance with details to be submitted to and approved in writing by the Local Planning Authority. Such details shall include a schedule outlining those windows to be refurbished and those to be replaced together with specification and materials details for all refurbishment works and replacement windows. All replacement windows shall be of a timber framed construction and where existing windows have internal shutters these shall be retained and refurbished. Replacement double glazed windows shall only be permitted to the front and side elevations at No.1 Beach Road and only if it has been demonstrated to the satisfaction of the Local Planning Authority through submission of a Noise Assessment that such windows are required in order to achieve a satisfactory internal residential noise environment.

To ensure that features of special architectural and historic interest are preserved and that any new windows/shutters respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 7 Chimney stack repairs shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 8 Structural stitching work at No.1 Beach Road shall be undertaken in accordance with the Visual Structural Defect Appraisal dated 15/03/2021 and in accordance with specification details in respect of such stitching works to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of this listed building in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 9 Brickwork repointing shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 10 Works in respect of external rainwater goods shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority and shall provide for retention of original rainwater goods where possible.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 11 Mechanical and electrical systems installed in respect of the proposed dwellings shall be in accordance with specification details to be submitted to and approved in writing by the local planning authority and shall provide for any external features associated with such systems to be sited on the rear elevations only of the application properties.

To ensure that such works respect the special architectural and historic interest of these

listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 12 Internal floor re-levelling works shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 13 Works in respect of the blocking up of existing internal door openings shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 14 Internal fire proofing works shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

- 15 As part of the internal alteration works hereby permitted all internal chimney breasts without exposed fireplaces shall be inspected and if these are found to contain fireplaces then any works to such chimney breasts/fireplaces shall be undertaken in accordance with specification details to be submitted to and approved in writing by the local planning authority. All currently exposed fireplaces shall be retained in their present locations.

To ensure that such works respect the special architectural and historic interest of these listed buildings in accordance with Policies SS12 and DM6 of the South Tyneside Local Development Framework and the NPPF.

Informatives

- 1 In dealing with this application the Council has implemented the requirements of the National Planning Policy Framework to seek to approve applications for sustainable development where possible.

Case officer: Geoff Horsman
Signed: Geoff Horsman
Date: 28/04/2022

Authorised Signatory:
Date:

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