

Planning Committee – 5th December 2023

Item 1

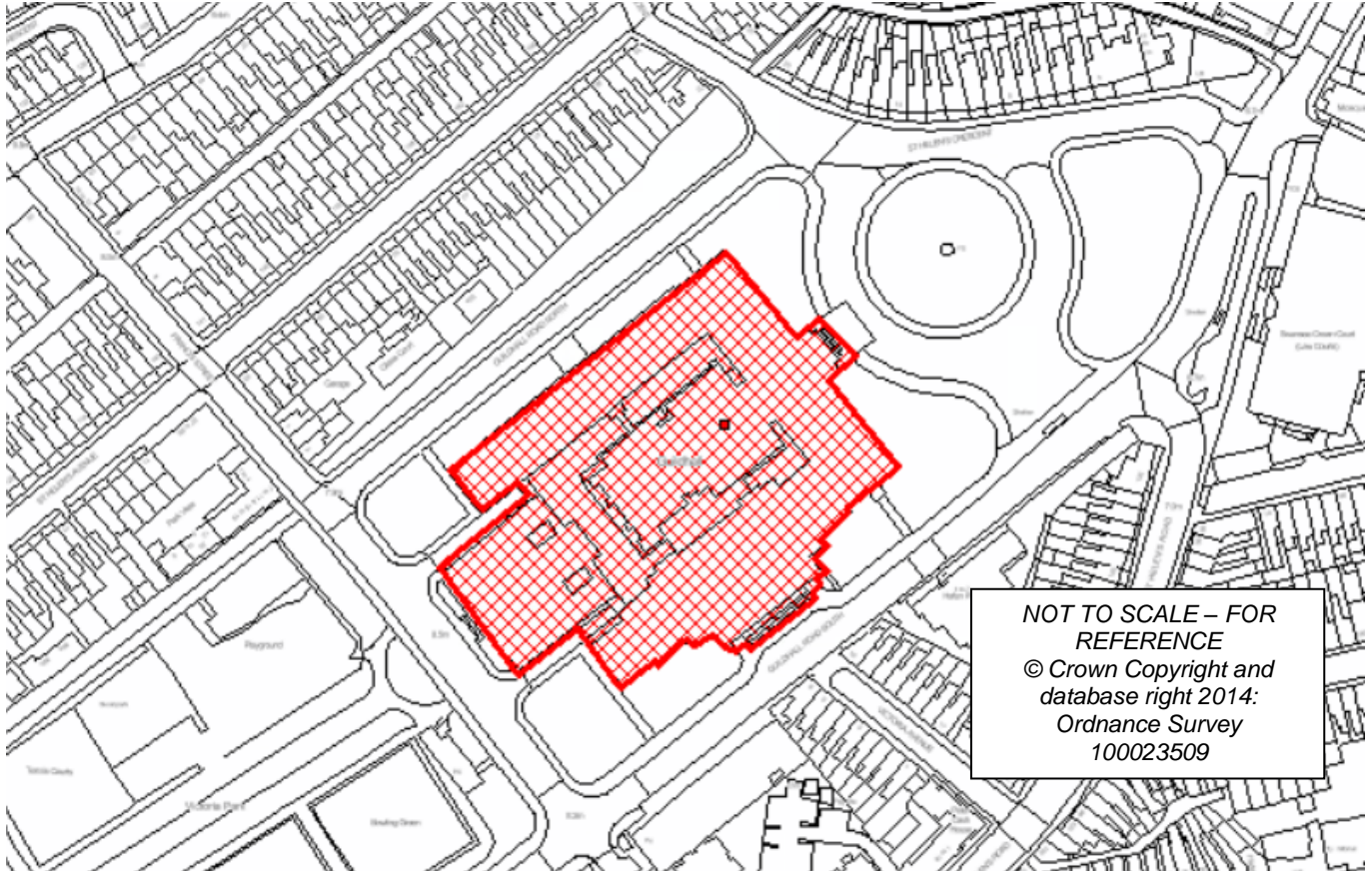
Application Number: 2023/2111/LBC

Ward: Uplands - Bay Area

Location: The Guildhall, St Helens Crescent, Brynmill, Swansea, SA1 4PE

Proposal: To install a screen in court 2 to match court 1 to enhance the AV system within the Guildhall Courts (application for Listed Building Consent)

Applicant: Mr Martin Lowe



Background

This application is being reported to Planning Committee for decision because the Council is both the applicant and the regulatory body, this means that this listed building application cannot therefore be determined via Delegated Powers.

This requirement to refer to Committee is due to The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2021.

It should be highlighted that this application is for listed building consent only and full planning consent is not required.

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Relevant Planning History

There have been a number of planning applications and listed building consent applications at The Guildhall, St Helens Crescent. This includes a similar consent for the installation of an Audio Visual system, ref: 2021/0574/LBC.

Site Location

The application site is positioned adjacent to Victoria Park and near to Mumbles Road, within the local ward of Uplands. The building is Grade I listed and was conceived as a Civic Centre, including municipal offices, council suites, law courts, public hall (Brangwyn Hall). Uniquely at the time of construction, where these functions were usually combined in one block, the plan for the Guildhall divided them into four parts, each part being allocated to a separate block on one side of the square, central courtyard.

Description of Development

This is a listed building consent application to install a screen in Court 2 to match Court 1 to enhance the AV system within the Guildhall Courts at The Guildhall, St Helens Crescent, Brynmill.

The application has been made by the City and County of Swansea.

There are no physical changes proposed to the Courts spaces, instead the proposals focus on Audio Visual upgrades much of which have been previously consented and installed under the previous consent 2021/0574/LBC. It should be noted that these spaces already have AV provision, cables etc from the past use by Ministry of Justice.

The proposed alterations to the listed building include:

- New wall mounted digital screen in Court 2
- New conduits associated with the digital screen

The application has been accompanied by a 'Heritage Impact Assessment for Proposed Works at the Guildhall, Swansea', which sets out in detail the proposed works.

Planning Policy

The National Development Framework: Future Wales - the National Plan 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

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Policy 9 - Resilient ecological networks and Green infrastructure
Policy 28 - National Growth Area - Swansea Bay and Llanelli

Planning Policy Wales (11th Edition) 2021

Good Design Making Better Places

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.

3.4 Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

Access and Inclusivity

3.5 Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

3.6 Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport.

Conserving and Enhancing the Historic Environment and its Assets

6.1.4 - The Ancient Monuments and Archaeological Areas Act 1979, Planning (Listed Buildings and Conservation Areas) Act 1990 and Historic Environment (Wales) Act 2016 provide the legislative framework for the protection and sustainable management of the historic environment in Wales. PPW provides the national planning policy framework for the consideration of the historic environment and this is supplemented by guidance contained in Technical Advice Note 24: Distinctive & Natural Places.

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6.1.7 - It is important that the planning system looks to protect, conserve and enhance the significance of historic assets. This will include consideration of the setting of an historic asset which might extend beyond its curtilage. Any change that impacts on an historic asset or its setting should be managed in a sensitive and sustainable way.

Listed Buildings

6.1.10 - There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses.

6.1.11 For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future

6.1.13 Applicants for listed building consent must be able to justify their proposals, show why the alteration or demolition of a listed building is desirable or necessary and consider the impact of any change upon its significance. This must be included in a heritage impact statement, which will be proportionate both to the significance of the building and to the degree of change proposed.

Technical Advice Note 24: The Historic Environment (TAN 24)

5.13 When determining a listed building consent application, the local planning authority should consider the following issues:

- The importance and grade of the building and its intrinsic architectural or historic interest.
- The physical features of the building which justify its listing and contribute to its significance, (for example its form and layout, materials, construction and detail) including any features of importance such as the interior, which may have come to light after the building's inclusion on the list.
- The contribution of curtilage and setting to the significance of the building, as well as its contribution to its local scene.
- The impact of the proposed works on the significance of the building.
- The extent to which the proposed works would bring substantial community benefits for example, by contributing to the area's economy or the enhancement of its local environment. The listing grade may be a material consideration, but is not in itself a reliable guide to the sensitivity of a building to alteration or extension. For example, many grade II buildings are humble, once common building types, listed precisely because they are relatively unaltered examples of their kind and their special interest can be damaged by inappropriate alteration or extension.

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5.14 Many listed buildings can sustain a degree of sensitive alteration and extension to accommodate continuing or new uses. Past changes that reflect the history of use and ownership may themselves be aspects of the special interest of the listed building. When applicants and the local planning authority assess the heritage values and significance of a listed building, which is the subject of a consent application, they must consider the sensitivity of that building to the proposed changes. Sustaining the special interest and significance of a listed building through the process of alteration, extension or re-use is exacting, and should always be based on specialist knowledge and skill in order to realise the benefits that well-designed interventions can bring.

Adopted Swansea Local Development Plan (2010-2025)

PS 2 Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

HC 1 Historic and Cultural Environment - Proposals must preserve and enhance the County's distinctive historic and cultural environment in compliance with policy principles.

HC 2 Preservation or Enhancement of Buildings and Features - Proposals must preserve or enhance the County's buildings and features of historic importance in compliance with Policy principles.

Consultations:

The application was advertised by a site notice and press notice placed in the South Wales Evening Post on 23rd October 2023.

No responses were received to the public consultation.

Swansea Council Placemaking and Heritage Lead:

The Swansea Guildhall complex is Grade I Listed. Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 sets out the statutory requirement in determining application for 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'. Paragraph 5.13 of TAN 24: The Historic Environment and PPW 11 provides further explanation of the considerations and these are mirrored in Policy HC2 of the Swansea LDP.

The grade I listed Guildhall and Courts complex forms the civic and administrative focus for Swansea Council. The formal Court rooms are of high significance and are largely original. They have recently been brought back into use as the Coroners' Courts with the Criminal Court becoming Coroners' Court 1 and Civil Court becoming Coroners' Court 2.

There are no physical changes proposed to the Courts spaces, instead the proposals focus on Audio Visual (AV) upgrades much of which has been previously consented and installed under 2021/0574/LBC. It should be noted that these spaces already have AV provision, cables etc from the past use by Ministry of Justice.

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The proposed alterations to the listed building include:

- New wall mounted digital screen in court 2
- New conduits associated with the digital screen

As this work requires alteration of an area of high quality finishes and important historic fabric it will be important to ensure protection of surfaces and awareness of all working in the space.

Therefore a protection plan and toolbox talk can be required by condition.

Taking each alteration in turn:

New digital wall mounted screen in court 2

The previous consent ref 2021/0574/LBC obtained consent for two 75" screens in court 1 and one 75" screen in court 2. The proposal is now to install a second 75" screen in court 2 to match court 1. This new screen is proposed located centrally within an arch area fixed into plain plaster and is reversible as per the previous installations. The additional screen has a standard black frame which is slender to match previous installations.

The screens are prominent new additions into the courtrooms and will be very visible but they are essential for the contemporary use of the courts space and are supported.

New conduits

There are existing data and cable runs plus floor boxes in both Courts from past use by the Ministry of Justice. In the main these can be reused for the AV upgrade. However for the wall digital screens, this requires new wall mounted conduits.

Much of this new conduit is proposed as surface mounted and painted out to match the walls. This is reversible and will not be prominent.

The higher level new cables will drop to wall bench seating and timber wall panelling. In these areas the conduit will run horizontally along the top of the timber wall panelling to a suitable location and then continue vertically as a face fixed conduit into the existing ducts. This will require timber conduits stained to match the existing timber and a method statement for any fixing to the timber panelling.

No size is given for these surface mounted conduits - these must be the smallest possible to minimise the visual intrusion and this can be controlled via condition.

Summary

The installation of a second digital screen into Court 2 is supported to ensure contemporary use of the Grade I listed courts spaces by the Coroners' Court and to mirror the agreed installation in Court 1. The proposed works are sensitive to the internal character of the spaces of high significance. There is no harm to historic fabric and all work is reversible. Therefore the proposals accord with Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 and also accords with Policy HC2 as set out in the Swansea Local Development Plan.

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As this is a Council Listed Building Consent application, recent legal advice is that all such applications are reported to planning committee and subsequently referred to Cadw.

Conditions to control the following aspects of detail are suggested:

- Protection plan for surfaces and toolbox talks for operatives
- Details of new conduits
- size and paint finish to wall mounted conduits
- size, design and stained timber colour to conduits running along top of existing wall panels.

APPRAISAL

Main Issues

The main issues to consider in the determination of this application relate to the impact of the proposed works on the special and historic character of the building having regard to the prevailing provisions of the relevant LDP Policies and National Policy guidance. There are considered to be no additional issues arising from the provisions of the Human Rights Act.

Impact upon the special and historic character of the building

The application has been supported by a detailed Heritage Impact Statement. The proposed works are internal only with no alterations to the external fabric of the building. It is noted that the proposed screens will be highly visible internally, however they are required for the function of the building as a contemporary court space, and therefore justified.

It is considered that the proposed works would have an acceptable impact on the special and historic character of the building, surrounding conservation area and historic park, and this is supported by the Council's Placemaking and Heritage officer. Therefore the proposed works would accord with Swansea LDP Policies PS2, HC1 and HC2.

Conclusion

It is considered the proposed works acceptably and sensitively impact the historic fabric of the building. In this respect, it is considered that the development, would accord with both national and local planning policies. For these reason, and subject to the conditions recommended below, the proposal is considered to be acceptable and compliant with the provisions of Policies PS2, HC1 and HC2 of the City & County of Swansea Local Development Plan 2010-2025.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

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RECOMMENDATION

APPROVE, subject to the following conditions and referral to Welsh Ministers via Cadw;

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The development shall be carried out in accordance with the following approved plans and documents: M3745-01 location plan, M3745-02 courts location, M3745-03 proposed plan, M3745-04 equipment plan, M3745-05 proposed trunking location, court 2 - system installation, court 2 - audio visual installation, Heritage Impact Assessment for Proposed Works at the Guildhall, Swansea received on 4th October 2023.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 No works shall commence until a protection plan for surfaces and toolbox talks for operatives have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 4 No works shall commence until details of size and paint finish to wall mounted conduits have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
- 5 No works shall commence until details of size, design and stained timber colour to conditions running along top of existing wall panels have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in full accordance with the approved details.
Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the building under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: Policies PS2, HC1 and HC2.
 - 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
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