

Committee Report

Item No: 3

Reference: B/17/01069

Case Officer: Samantha Summers

Ward: Lavenham.

Ward Member/s: Cllr William Shropshire.

RECOMMENDATION – GRANT LISTED BUILDING CONSENT WITH CONDITIONS

Description of Development

Application for Listed Building Consent- Replacement street light luminaire (bracket to be retained).

Location

11 Market Place, Lavenham, Sudbury, CO10 9QZ

Parish: Lavenham

Expiry Date: 21/06/2017

Application Type: LBC - Listed Building Consent

Development Type: Listed Building Consent - alterations

Applicant: Mrs Bellward

Agent: Embrace Architecture Ltd.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The Corporate Manager - Growth & Sustainable Planning considers the application to be of a controversial nature having regard to the location of the application and its sensitive context.

Details of Previous Committee / Resolutions and any member site visit

None

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

CN08 - Development in/near conservation areas

Lavenham Neighbourhood Plan

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Lavenham Parish Council
Support

Heritage Team
Less than substantial harm.

SCC - Highways
No objection.

Suffolk Preservation Society
Objects to the scheme due to the modern style and design of the scheme.

Historic England
Historic England has concerns regarding the application on heritage grounds.
We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of the NPPF.

B: Representations

Objections have been received from 4 different local properties. The comments can be found in full on the Council's website. The comments are summarised below

- More appropriate design should be used
- Development not in keeping with the character of the area
- Harm to listed building and Conservation Area
- Retrospective should not be allowed

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application building is a Grade II Listed Building located within the Lavenham Conservation Area.

2. The Proposal

- 2.1. The applicant seeks retrospective consent for the installation of a new street light on the gabled frontage of 11 Market Place. This is to replace an existing light and would utilise the existing bracket. The light fitting at 11 Market Place is contemporary in its design. It comprises a flat panel with a slight upward curve, coloured black with a number of small circular led lights. A grey circular box sits on top of the panel. It projects some distance from the façade of the building on the existing bracket.

3. The Principle of Development

- 3.1 The National Planning Policy Framework (NPPF 2018) provides, “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.”
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- 3.2 The Conservation Area Designation Appraisal and Management Advice Note 1 (Historic England) provides overarching guidance on Heritage matters. It recommends a detailed audit of the public realm to identify the best way to minimise physical obstruction and visual clutter and integrate new signs or street furniture in the design of the street as a whole. The Streets for All regional manuals (Historic England) show how streets can be managed to retain and enhance local character. The East of England manual (Historic England) contains a section on street lighting. It advises, "Use light fixtures which are appropriate to their context in material, scale, design and illumination. When using traditional designs of lighting, head and column must be in proportion, as an oversized light on a slender or short support will appear awkward and top heavy. Lights should be effective but unobtrusive. Avoid the temptation to over provide, leading to clutter and potential light pollution. Particular care should be taken in rural settings where over-illumination can generate distinctly urban streets, inappropriate to the location."
- 3.3 Local Plan policies CN06 and CN08 deal with Listed Buildings and Conservation Areas. CN06 states, "Proposals for the alteration of a Listed Building should preserve the historic fabric of the building, and ensure that all proposals to remove by demolition, or alter any part of the building are justified in terms of preserving the special character of the building and will cause the minimum possible impact." CN08 states, "Proposals for the alteration in a Conservation Area should preserve or enhance the character of the Conservation Area or its setting."

4. Design and Layout [Impact on Street Scene]

- 4.1. In 2015 Lavenham changed their street lighting to LED units following advice from Suffolk County Council Street Lighting that they were no longer able to support the outdated system of lighting. Many of the street lamps in Lavenham are attached to free standing lamp posts. However, some units are attached to buildings.
- 4.2 In the case of this application, the electrical fittings to the listed building are existing and were originally the pipes to serve the gas light fitting. Therefore, the bracket which extend from the front elevation of the building is unchanged and it is only the actual light unit that has been replaced.
- 4.3 The light unit is a slim black contemporary panel which has a number of circular LED lights facing down to the street. The panel projects from the bracket giving a greater illumination to the street below than the previous pendant type lamp.
- 4.4 Suffolk County Council have confirmed that the following villages and towns in Suffolk have also received LED lights within their Conservation Areas. Within Babergh – Bildeston, Boxford, Bures St Mary, Glemsford, Hadleigh, Long Melford, Monks Eleigh, Nayland-with-Wissington, Polstead, Stoke-by-Nayland and Sudbury. Elsewhere in Suffolk – Aldeburgh, Bardwell, Barnham, Botesdale, Bury St Edmunds, Cavendish, Clare, Culford, Debenham, Eye, Fakenham Magna, Felsham, Fornham All Saints, Framlingham, Flepton-cum-Hengrave, Fressingfield, Great Livermere, Great Thurlow, Great Whelnetham, Great Wrating, Haughley, Haverhill, Honington-cum-Sapiston, Hopton-cum-Knettishall, Horringer-cum-Ixworth, Hundon, Ixworth, Leiston, Lidgate, Melton, Mendlesham, Needham Market, Pakenham, Palgrave, Rickingham Superior, Risby, Saxmundham, Stanton, Stoke-by-Clare, Stowmarket, Stradbroke, Stradishall, Tuddenham St Mary, Walsham-le-Willows, West Stow, Whepstead, Wickham Market, Withersfield, Woodbridge and Woolpit.
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5. Heritage Issues [Including The Impact on The Character and Appearance of The Conservation Area and On the Setting of Neighbouring Listed Buildings]

- 5.1. The Market Place is within the Conservation Area of Lavenham and contains the Grade I Listed Guildhall. Therefore, Historic England was consulted on the application because of the impact of the proposal on the setting of the Grade I Listed Building. Their advice is as follows: "Use light fixtures which are appropriate to their context in material, scale, design and illumination. When using traditional designs of lighting, head and column must be in proportion, as an oversized light on a slender or short support will appear awkward and top heavy."
- 5.2. Lights should be effective but unobtrusive. Avoid the temptation to over provide, leading to clutter and potential light pollution. Particular care should be taken in rural settings where over-illumination can generate distinctly urban streets, inappropriate to the location."
- 5.3. Lavenham is a place that is renowned for its historic character. The historic core has survived with remarkably little modern intrusion. This gives it a very distinctive and coherent character that powerfully conveys a sense of history. In this respect it is unusual as many places have experienced a much higher level of change in the modern era. Lavenham is therefore particularly sensitive to change. Although in some situations individual street lights may be relatively small-scale changes, cumulatively the approach to street lighting within the conservation area could have a big impact on the character of the place. For this reason, a holistic approach to street lighting within the town that considers both the design, number and position of the new lights is recommended.
- 5.4. The light fitting proposed at 11 Market Place is contemporary in its design. It comprises a flat panel with a slight upward curve, coloured black with a number of small circular LED lights. A grey circular box sits on top of the panel. It projects some distance from the façade of the building on the existing bracket.
- 5.5. The contemporary character of the light contrasts starkly with the very traditional streetscape of Lavenham. This contrast between the character of the light fitting and its surroundings draws attention to the fitting in a way which is undesirable. As discussed above, Historic England advice requires street furniture to be of a high quality but unobtrusive. Although the shallow depth of the flat panel helps to minimise the appearance of the fitting in certain views, this is undermined by the contrasting circular grey box above it. In other views the underside of the lighting panel is more visible, the size of the panel and the very contemporary design make it an assertive feature within the streetscape.
- 5.6. The Heritage Team state that the LED light unit would cause less than substantial harm to the Listed Building and wider Conservation Area.

PART FOUR – CONCLUSION

6. Planning Balance and Conclusion

- 6.1 With reference to the overall treatment of the submitted application, the Council embraces its statutory duties and responsibilities, notably; Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to have "special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses", and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 "to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas."
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- 6.2. Paragraph 196 of the NPPF states, “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.”
- 6.3 The public benefits of this particular scheme are that the previous lighting system could no longer be supported by the County Council and therefore a more environmentally friendly, cost effective and better lighting system was installed in the village. In addition, the contemporary design of the unit is considered by Historic England to contrast starkly with the surroundings. The alternatives are to either fit a more pastiche light fitting or to install a free-standing lamp post in front of a Listed Building in a Conservation Area. The lamp post option is considered to be more harmful to the setting of both the Listed Building and Conservation Area and can be carried out under permitted development by the Parish Council without planning permission under The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 12, Class A.
- 6.4 The principle of this type of lighting within a Conservation Area has been accepted with many historic villages and towns in Suffolk already benefitting from the lighting system. It is accepted that Lavenham has a particular character that is unique. The planning balance is whether the street lamp is detrimental to the Listed Building and the Conservation Area and any harm caused is outweighed by the public benefit.
- 6.5 The lighting attached to the Listed Building shows an addition to a historic building which is contemporary and of its time. The village is moving with the times, whilst preserving its historic core to ensure that it is an attractive place to live and also for visitors to experience. Street lighting was an addition to the building several decades ago but was by no means a historic feature. Indeed, in the future a new means of street lighting will come forward and again this assessment will be necessary. Historic England have raised concerns over the lighting in the context of the Conservation Area as a whole but have not defined the level of harm. The harm identified by the Heritage Team is “limited less than substantial harm”. It is accepted that there is harm to the setting of the Listed Building and the Conservation Area because of the contemporary design of the lamp. The public benefits to residents, tourists and shop owners within the Market Place are considered to outweigh the “limited less than substantial harm” caused by this development, by making the Market Place a safe and secure place to be during dark hours in addition to the cost saving and environmental benefits of this type of lighting. Therefore, whilst considerable importance is impressed upon the desire to preserve assets, the public benefits are compelling and outweigh the limited harm identified. As a matter of planning judgement, it is agreed that the harm would be limiting where consideration on the effect upon the significance of heritage assets would not be significantly undermined; having weighed all relevant considerations and opinions, the way that those assets would be experienced would be affected only to a limited degree.

RECOMMENDATION

That authority be delegated to Corporate Manager - Growth & Sustainable Planning to grant Listed Building Consent subject to conditions including:

- Approved Plans and Documents
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