



LISTED BUILDING AND ADVERTISEMENT CONSENT

Site: 77-79 Calverley Road, Tunbridge Wells, TN1 2UY

Client: Robin Read

Prepared by: DHA Planning

Reference: JB/JJH/32497

Date: February 2024

1.1 Introduction

- 1.1.1 This Statement has been prepared on behalf of the applicant, Robin Read, in relation to Listed Building and advertisement consent for the proposed signage and lighting at 77-79 Calverley Road.
- 1.1.2 The site recently received Full Planning Permission (23/03072/FULL) and Listed Building Consent (23/03073/LBC) for internal alterations to include new kitchen extraction equipment and the addition of external insulated duct fans, which in turn enables the site to function as a restaurant.
- 1.1.3 This Statement provides an overview of the application site, the proposed works, addresses historic planning decisions on the site and subsequently concludes the development is acceptable and therefore requests that advertisement and Listed Building consent be granted for the above works.
- 1.1.4 This Statement is intended to be read in conjunction with the following suite of plans and documents:

Reference	Document	Author
JB/JJH/32947	Planning Statement	DHA Planning
DHA/32243/01	Site Location Plan	DHA Urban Design
DHA/32243/02	Existing Site Layout Plan	DHA Urban Design
DHA/32243/04	Existing Elevations	DHA Urban Design
hsl.0008938	Proposed Elevations and Signage Details	Hallmark Signs Ltd

1.2 Site Location, Planning History and Context

Application Site and Surroundings

- 1.2.1 The site is 77-79 Calverley Road, Tunbridge Wells, a combination of two buildings along Calverley Road which are both currently in commercial use.
- 1.2.2 The site accommodates the basement, ground, first and second floors of 77 Calverley Road and the basement of 79 Calverley Road.
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- 1.2.3 The application site is located on the north side of the central area of Calverley Road, a thoroughfare running east west within the centre of Tunbridge Wells. The road is characterised by numerous restaurants, bars and shops.
- 1.2.4 As previously mentioned within this statement, the site recently received Full Planning Permission (23/03072/FULL) and Listed Building Consent (23/03073/LBC) for internal alterations to include new kitchen extraction equipment and addition of external insulated duct fans, which in turn enables the site to function as a restaurant.
- 1.2.5 Calverley Road is largely characterised by eateries and drinking establishments, where it is considered that the advertisement proposal will be consistent within the area. Ultimately, the proposed advertisement is entirely necessary to promote the business of The Counter/Salotto.

1.3 Statutory Designations

- 1.3.1 The site comprises part of statutory listed building: 63-79, Calverley Road. The building is Grade II listed under Listing Entry 1223583. An extract of the listing is detailed below:

CALVERLEY ROAD 1. 1746 (North East Side) 6.7.72 No 57 No 59 6.7.72 No 61 - Nos 63 to 79 (odd) TQ 5839 NE 6/77 II GV 2. These buildings were originally detached blocks of 2 or more houses of different sizes but with similar facades, but these have all been joined to each other by modern buildings. Circa 1835. Decimus Burton architect. 3 storeys and basement with area (though in some cases, where the houses have been converted into shops, the basement can no longer be seen from the street). Built in Tunbridge Wells stone. Parapet with pediment above the 2 centre windows of the block. Eaves cornice and cornice above 1st floor. Stringcourse above ground floor. Most of the glazing bars are missing. No 57 has 4 windows and a modern shop front with no basement. Nos 61 and 65 have 4 windows and No 63 has an extension of 1 window to the east. Nos 65, 67, 69 and 71 have 8 windows and 1 blocked window space in the centre. The outer houses of these (Nos 65 and 71) each have an extension of lower elevation (2 storeys and 1 window each) on the outer side. Nos 67 and 69 have modern shop fronts and no basement. Nos 73 and 75 have 4 windows and No 73 has an extension of 2 storeys and 1 window on the north west, a modern shop front and no basement. Nos 77 and 79 have 4 windows. Nos 57 to 79 (odd) form a group.

- 1.3.2 The site is situated within the urban confines of Tunbridge Wells and the Tunbridge Wells Conservation Area. The site is also within the Economic Development Area, Key Employment Area and Central Parking Zone (both for commercial and residential), and Primary Shopping Area.
- 1.3.3 The site falls within Flood Zone 1 which means that it is at low risk of flooding from nearby rivers.

1.4 Planning History

1.4.1 A review of TWBC's public access system has revealed a number of planning applications of relevance to both 77 and 79 Calverley Road which date back to the establishment of modern town planning in 1947.

REFERENCE	ADDRESS	DESCRIPTON	DECISION
89/00018/CEU	77 Calverley Road Tunbridge Wells Kent TN1 2UY	Established use certificate - offices of stone and marble masons and display of monuments	Refused 27/02/1989
23/03072/FULL	77 Calverley Road Royal Tunbridge Wells Kent TN1 2UY	Internal alterations to include new kitchen extraction equipment and addition of external insulated duct fans	Approved 23/12/2023

REFERENCE	ADDRESS	DESCRIPTON	DECISION
02/00260/ADV	79 Calverley Road Tunbridge Wells Kent TN1 2UY	Advertisement - Projecting sign with external trough lights and fascia sign.	Approved 13/05/2002
02/00278/FUL	79 Calverley Road Tunbridge Wells Kent TN1 2UY	Installation of air conditioning.	Approved 13/05/2002
04/01326/FUL	79 Calverley Road Tunbridge Wells Kent TN1 2UY	New shop front	Withdrawn 22/10/2004
05/03000/FUL	79 Calverley Road Tunbridge Wells Kent TN1 2UY	Change of Use from A1 to B1	Withdrawn 06/01/2006
21/00170/FULL	79 Calverley Road Tunbridge Wells Kent TN1 2UY	Change of use of the building from storage to a retail showroom, with ancillary office and store. Replacement of the existing roofs with new roofs, erection of garden wall and the installation of a new shopfront	Approved 26/03/2021

1.4.2 In addition, a number of listed building consents have also been approved at 77 and 79 Calverley Road, as listed below.

REFERENCE	DESCRIPTON	DECISION
MO/2020/2289	Repairs and restoration works to roof areas and associated masonry including handmade clay tiles to sloping surfaces, natural slating to slated surfaces, chimney repairs, recovering of concealed flat roofs, lead detailing, rainwater goods refurbishment, stone and masonry detail	Approved 02/03/2021

REFERENCE	DESCRIPTON	DECISION
	repairs (application for Listed Building Consent).	
MO/2021/0440	Removal and rebuilding of a section of garden wall.	Approved 15/06/2021
MO/2018/0658	Erect all-weather multi use games area, 80 x 40 metres, with 1.2 metre high boundary fence. (Application for Listed Building Consent).	Approved 11/05/2018
23/03073/LBC	Listed Building Consent - Internal alterations to include new kitchen extraction equipment and addition of external insulated duct fans	Approved 23/12/2023

1.5 Planning Policy Framework

Introduction

- 1.5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70 of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.5.2 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2017 requires that planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, and any other relevant factors.
- 1.5.3 For the purpose of this application, the adopted Development Plan for Tunbridge Wells Borough Council relevant to the Listed Building and Advertisement Consent at hand comprises of:
- TWBC Core Strategy (June 2010)
 - TWBC Local Plan 2006 Saved Policies
- 1.5.4 This section sets out the relevant policies of the statutory development plan and refers to any other material considerations that should be taken into account in determining this application.

Policy EN5- Conservation Zone

- 1.5.5 Policy EN5 states that proposals for development within, or affecting the character of, a conservation area will only be permitted if all of the following criteria are satisfied:

- (1) The proposal would preserve or enhance the buildings, related spaces, vegetation and activities which combine to form the character and appearance of the area;
- (2) The siting of development would be similar to adjoining building frontage lines where this is important to the character of the conservation area;
- (3) The layout and arrangement of the building(s) would follow the pattern of existing development and spacing of adjoining plot widths where this is important to the character of the conservation area;
- (4) The scale, massing, roofscape, use of materials, detailing, boundary treatment and landscaping would preserve or enhance the character of that part of the conservation area in which the proposal would be situated;
- (5) The use, or intensity of use, would be in sympathy with the character and appearance of that part of the conservation area in which the proposal would be situated;
- (6) The proposal would not result in the loss of trees, shrubs, hedges or other features important to the character of that part of the conservation area in which the proposal would be situated; and
- (7) In meeting the car parking and access requirements, the character and amenity of the area would not be adversely affected.

Policy EN7- Advertisements

- 1.5.6 Policy EN7 states that no advertisement should be obtrusive in appearance, appear dominant or overbearing in the street scene or landscape, cause visual clutter or result in a proliferation of signs, or cause significant harm to the appearance of any building or site on which it would be displayed because of its size, design, construction, or materials. No advertisement should be so distracting or confusing that it would endanger highway or public safety.
- 1.5.7 The National Planning Policy Framework ('NPPF' or 'the Framework', 2023) and the accompanying Planning Practice Guidance ('PPG') are capable of being a material consideration for the purposes of this application.

National Planning Policy Framework (2023)

- 1.5.8 Paragraph 38 relates to 'decision-making' and states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 1.5.9 Paragraph 141 relates to advertisements and states:

"The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

- 1.5.10 With regards to heritage assets, paragraph 201 states that in determining applications, local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- 1.5.11 In determining applications, Paragraph 203 states that 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.
- 1.5.12 Paragraph 205 further 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).
- 1.5.13 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. Substantial harm to or loss of Grade II listed buildings should be exceptional.
- 1.5.14 Paragraph 212 states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 1.5.15 Paragraph 213 outlines that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance.

National Planning Policy Guidance

- 1.5.16 Paragraph 14 Reference ID: 18b-014-20140306 is clear that all advertisements, whether they require consent or not, are subject to the standard conditions in Schedule 2 of the Regulations. These are:

- *"no advertisement is to be displayed without the permission of the owner of the site on which they are displayed (this includes the highway authority, if the sign is to be placed on highway land);*
- *no advertisement is to be displayed which would obscure, or hinder the interpretation of, official road, rail, waterway or aircraft signs, or otherwise make hazardous the use of these types of transport;*
- *any advertisement must be maintained in a condition that does not impair the visual amenity of the site;*
- *any advertisement hoarding or structure is to be kept in a condition which does not endanger the public; and*
- *if an advertisement is required to be removed, the site must be left in a condition that does not endanger the public or impair visual amenity".*

1.6 Planning Considerations for Advertisement Consent

1.6.1 The following signs are proposed:

- 1 x Fascia Entrance Sign
- 1 X Overhead double-sided trough light for Fascia Sign
- 1 X Hanging Entrance Sign
- 1 X Overhead double-sided trough light for Fascia Sign

1.6.2 Further details of the sign can be found within the accompanying drawings, however, to assist the decision-maker, some text is provided below.

Fascia Sign

- Length = 600mm
- Height = 240mm
- Depth = 0mm
- Material = Painted
- Luminance = none

Overhead double-sided trough light above fascia sign

- Length = 750mm
- Height = 50mm
- Depth = 100mm
- Material = Black painted aluminium and internal LED's with acrylic face diffuser
- Luminance = 1650 Lumen (14.4w per metre)

Hanging Entrance Sign

- Length = 1000mm

- Height = 700mm
- Depth = 50mm
- Material = External foam PVC
- Luminance = none

Overhead double-sided trough light above hanging sign

- Length = 750mm
- Height = 50mm
- Depth = 500mm
- Material = Black painted aluminium and internal LED's with acrylic face diffuser
- Luminance = 1650 Lumen (14.4w per metre)

1.7 Heritage Impact

- 1.7.1 Policy EN1 of the TWBLP requires proposals to not result in the loss of significant buildings, related spaces, trees, shrubs, hedges, or other features important to the character of the built up area or landscape.
- 1.7.2 The fascia sign and proposed lighting are not considered to have any impact on the special interest of the listed building, as the proposals are to be located on a modern part of the listed building. This part of the building has accommodated a number of commercial operators during its lifetime, where minor works to advertise the business will have minimal impact on the fabric of the listed building.
- 1.7.3 The bracket which the swing sign and associated lighting will hang from is already fitted, where it will simply be a case of attaching the sign and lighting to the bracket. Clearly, the swing sign can and lighting be removed without any material change to the current situation, at any time. Accordingly, the proposals are not harmful in heritage terms.

1.8 Amenity and Public Safety

- 1.8.1 The proposed advertisement is entirely necessary to promote the business of The Counter by Robin Read at 77-79 Calverley Road and will in no way impact on the amenity of the area or raise any public safety concerns.
- 1.8.2 The proposed signage and lighting will in no way hinder the users of the road network and will not cause any safety concerns.

1.9 Conclusion

- 1.9.1 This Planning Statement has been prepared on behalf of Robin Read in support of the proposed development at 77-79 Calverley Road, Tunbridge Wells.
- 1.9.2 As set out in this Statement, it is considered that the alterations to the building will be minimal and respect the historic character of the building.

- 1.9.3 In addition, the proposed scheme presents an opportunity to enhance economic viability in Tunbridge Wells enabling the applicant to adequately indicate the location of their business.
- 1.9.4 This Statement has demonstrated through the analysis of the site constraints and opportunities and an appropriately designed scheme, there are no adverse impacts that would arise as a result of the proposal.
- 1.9.5 For the reasons above, we respectfully request that the Council give this application favourable consideration and grant planning permission for the proposed development.