

**HIGH PEAK BOROUGH COUNCIL
DEVELOPMENT CONTROL COMMITTEE**

Date 13th November 2023

Application No:	HPK/2023/0087	
Location	Market Hall, Market Place, Glossop	
Proposal	Retrospective Listed Building Consent for the Installation of heating and ventilation grilles and associated plenum boxes into new ceilings within the first floor town hall spaces	
Applicant	High Peak Borough Council	
Agent	AHR Building Consultancy Ltd	
Parish/ward	N.A / Howard Town	Date registered 7 th March 2023
If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk		

1. SUMMARY OF RECOMMENDATION

Approve with Conditions

1. REASON FOR COMMITTEE DETERMINATION

- 1.1 This application has been brought before the Development Control Committee because the applicant is High Peak Borough Council

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application relates to Glossop Town Hall; a Grade II Listed Building that is located in the town centre of Glossop and within the, immediately south of High Street West, and north of the public car park accessed from Victoria Street.
- 2.2 As shown by Figure 1 within the accompanying updated Heritage Statement, the site is home to multiple uses. The Town Hall, which faces the High Street, currently accommodates retail tenants at ground floor level in an arcade with the first floor being vacant.
- 2.3 The Market Hall which sits behind the Town Hall arcade is currently vacant and historically was occupied by market traders.

- 2.4 South of the Market Hall is the Municipal Building which is partly occupied by Derbyshire County Council and High Peak Borough Council served by a pay and display car park.
- 2.5 To the west of the Market Hall building is an open external market area made up of timber market stalls which is ordinarily occupied on a Friday and Saturday by market traders.
- 2.6 The Town Hall is thought to date from the mid 1830's and is of a solid sand stone construction incorporating a stone string course at first floor level and stone brackets above the central first floor windows. The roof is of a hipped construction with a slate covering and parapet gutters line with lead flashings. Central to the roof is a clock turret of timber construction. A flat roof incorporating a roof lantern encloses the toilet accommodation located to the rear of the arcade. To the front elevation are five round arch openings supported by stone columns which lead directly into the shopping arcade with further round arch openings over stone columns. Windows are of timber construction with a combination of sliding sash and casement styles, set into moulded surrounds.
- 2.7 The Market Hall dates from the mid 1840's and together with the Municipal Buildings that came later in the early 1920's, are also constructed of a solid rusticated sandstone brickwork construction.
- 2.8 The front southern elevation of the Municipal Building incorporates a range of historic features including quoins and stone columns with an ashlar plinth over the main entrance. The roof is made up of a series of pitched roofs with a natural slate covering and a flat roof to the Municipal Building with a felt covering below stone chippings incorporating two roof lanterns.
- 2.9 The pitched roofs to the Municipal Building on the east side include two large rooflights offering borrowed light to the drill hall below. There are two lightwells to either side of the main stairwell in the Municipal Building.
- 2.10 Windows are of painted timber sliding sash to the external elevations with metal style stained glass windows which face into the lightwells.
- 2.11 Members will be aware that Full Planning and Listed Building Consent was granted for various internal and external works to the Hall to facilitate a new mixed use scheme made up of retail and office spaces under HPK/2021/0645 & HPK/2021/0646 granted on 7th June 2022.
- 2.12 Multiple applications to discharge conditions attached to the Listed Building Consent approved under HPK/2021/0646 are currently being considered by Officers, with the majority of pre-commencement conditions having been discharged.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 Following the granting of Full Planning permission and Listed Building Consent for various internal and external works to the Market Hall to facilitate a significant regeneration project that brings with it substantial socio-economic benefits from Glossop, this application seeks Listed Building Consent for the installation of a heating and ventilation system into the ceilings at first floor level.
- 3.2 Due to the sensitivity and architectural and historic significance of the building, any alterations and introduction of modern systems and infrastructure must be handled in a sensitive manner.
- 3.3 The works that are the subject of this Listed Building application are summarised as follows:
- Installation of ceiling recessed linear extract grilles to main courtroom;
 - Installation of ceiling recessed linear extract grilles to courtroom 2;
 - Installation of 4-way blow ceiling cassettes to meeting room (former Mayors Parlour);
 - Positioning ventilation units within ceiling voids;
 - Routing services such as cabling, pipework and condensate within ceiling voids;
 - Installation of safe access routes within the ceiling voids to aid with future maintenance and servicing
- 3.4 Works have already commenced on site, and as such the application now seeks retrospective consent.
- 3.5 Throughout the consultation process, and in light of comments raised by Mel Morris, Heritage Consultant acting on behalf of and advising the Planning Authority on all matters relating to Heritage Conservation, the applicant has been asked to consider a range of potential options, exploring the benefits and constraints associated with each, and an assessment of the potential harm to the Listed Building.
- 3.6 Section 3.0 of the updated Heritage Statement (October 2023) considers 4no. potential options summarised as follows:
- Option 1 Natural ventilation of the space
 - Option 2 Installation of flush square heating and ventilation cassettes
 - Option 3 Installation of flush linear ventilation grilles
 - Option 4 Installation of low level ventilation in place of existing cast radiators

3.7 As a result of a detailed and comprehensive appraisal, the applicant is seeking to implement Option 3, as shown on the supporting plans.

3.8 All plans and documentation associated with this application can be viewed online at the following link <http://planning.highpeak.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=260051>

4. RELEVANT PLANNING HISTORY

4.1 The site has been subject to the following planning history:

HPK/0003/7189 Alterations to arcade (Approved 29/06/1998)

HPK/0003/7205 Refurbishment of Glossop Arcade (Approved 29/06/1998)

HPK/2020/0171 Refurbishment of the existing pitched roof coverings, comprising of removal and salvage existing slates, new battens and counter battens, new breathable membrane, re-installation of salvaged slate and import new slate where required. Replacement leadwork, flashings and valley gutters. Making good timber fascias and soffits, replacement rainwater gutters. Replacement patent glazing and glazed lanterns. Replacement flat roof coverings with built-up mineral felt system. Installation of new glazed lanterns over existing atriums. Installation of roof access ladder and walkway system. Internal works to the Market Hall will comprise of removal of existing suspended ceiling systems, isolation and removal of M&E services installations, removal of market traders stalls, partitions, raised access floors (Approved 15/07/2020)

HPK/2020/0428 Listed Building Consent to form new opening in the existing roof pitched roof over the market hall area and installation of patent glazing system to the apex of the roof (Approved 16/12/2020)

HPK/2021/0645 &
HPK/2021/0646 Full Planning and Listed Building Consent for Refurbishment and alteration of the market hall - installation of new mezzanine, stairwells and installation of retail units at ground and mezzanine floor level. Alteration and replacement of windows and external doors and new access ramps and steps to West facing elevation. Installation of external mechanical plant area to East facing side of building and new louvered screen and gates. Alteration of ground floor toilet areas. General refurbishment of the arcade area and existing ground floor and refurbishment and restoration of the first floor

town hall. Replacement of the platform lift currently located in the stairwell (Approved 7th June 2022)

5. RELEVANT PLANNING POLICIES

High Peak Local Plan 2016

- S1 Sustainable Development Principles
- S1a Presumption in Favour of Sustainable Development
- S5 Glossopdale Sub-area Strategy
- EQ7 Built and Historic Environment

National Planning Policy Framework 2023

Achieving Sustainable Development
 Conserving and Enhancing the Historic Environment

Chapter 2
 Chapter 15

6. CONSULTATIONS CARRIED OUT

Site notice	Expiry date for comments: 27 th April 2023
Neighbour letters	Expiry date for comments: 3 rd April 2023
Press Notice	Expiry date for comments: 13 th April 2023

6.1 No comments have been received from members of the general public

6.2 Other consultee comments are set out in the table below:

Consultee	Comment
Historic England	No comments to make
High Peak Access	<p>Clarification required on following:</p> <p><u>Design and Access Statement</u></p> <p>Refers to 6 person platform lift being provided but no reference to capacity if wheelchair or buggy is using the lift, or any proposed restrictions on lift use by general public</p> <p>The reference to the provision of new double doors within new glazed curtain walling in the arcade area makes nor reference to the doors being automatic opening. This would be preferable for ease of access for wheelchair and buggy users.</p>

Market Hall

External

All refurbished or replacement external entrance doors to the arcade and market hall, should ideally be automatic opening, either sliding or outward opening. Appropriate manifestations to be provided to fully glazed doors

The new Accessible WC's should be designed in accordance with BS 8300 'Design of Buildings and their approaches' and to Building regulations part M. Detailed drawings of the layout of fittings and the finishes used should be provided prior to installation to confirm compliance

All Door widths to arcade shops to be suitable for wheelchair users and in accordance with the Building Regulations part M and BS 8300 and fully glazed doors to have appropriate manifestations.

New ramp and steps and handrails to be designed to be fully accessible in accordance with the Building Regulations part M and BS 8300. Finish details to be confirmed with contrasting edges. Any stone flooring on the ramp slopes should be non-slip when wet.

The Provision of flat accessible surfaces across cobbled area to access the ramp should be non-slip when wet and should be a minimum width of 1800mm in accordance with BS 8300

Doors to the ramp entrance could be sliding automatic rather than outward opening, to give greater circulation space alongside the opening area.

Internal

New café area/ kitchen should be designed take account of use by disabled people who may be employed

The Changing Places facility to be provided to best practice standards including the provision of a tracked hoist

New feature staircase to be fully compliant with Building Regulations part M and BS 8300 for access to the mezzanine level

First floor tea point and trader's room to be accessible for

use by disabled people who may have a market stall

New shop fronts to units on the mezzanine level if glazed with glass doors need to have 'manifestations' for safety of users

The Platform lift dimensions and lift controls should comply with Part M of the building regulations. It is not clear whether it is intended that the platform lift shown is for the use of disabled people and those who cannot use the stairs, or whether it is to be available to anyone to use. There does not seem to be a 'goods' lift available for use by market traders to carry goods to the market stalls on the Mezzanine level. We query the adequacy of lift provision and whether it is sufficient for the numbers using the upper mezzanine floor and also whether a platform lift is sufficiently reliable. More than one lift needed. In the Centre for Accessibility publication 'Designing for Accessibility' it states that Platform lifts should be used where it is not possible to install a passenger lift. They generally are of a suitable size to convey one wheelchair user and one other person at a time. They are typically much slower to operate than passenger lifts and rely on continuous pressure controls, therefore they cannot be considered as providing a comparable service to passenger lifts. It would appear that a passenger lift would be a more appropriate solution if the lift is intended for wider use than disabled or infirm users.

Non slip flooring finish to circulation areas should be provided to ensure safety especially when wet conditions exist.

The Ground floor queuing areas adjoining refreshment stalls should have a lower section of counter area for use by disabled or wheelchair users.

Town Hall

External

The existing ramp access within the market arcade, giving access to the lift lobby at the High Street West entrance does not fully comply with part M of the Building Regulations, providing a clear 1500mm level area outside the door into the lobby

Internal

	<p>It is not clear whether the new lift proposed to replace the existing passenger lift in the existing stairwell, will be of sufficient size to cater for a wheelchair user.</p> <p>Door widths to office space should be of suitable widths for wheelchair users and the kitchen area designed for use by wheelchair users, should they be employed.</p> <p><u>Municipal Buildings</u></p> <p><u>External</u></p> <p>A new dropped Kerb is needed to the East side of the pedestrian access to the front entrance.</p> <p>The existing accessible parking spaces are poorly painted and thus it is difficult to identify them. Accessible parking bays need to be re-lined/painted</p> <p>An 'Accessible parking' sign is needed close to the bays to help disabled drivers locate them.</p> <p>As a general point, consideration should be given to the suitability of access and circulation spaces for mobility scooter users. These are becoming increasingly used by people with physical impairments who may be able to walk short distances but would prefer to be able to use their scooters indoors in public spaces. Clear guidance needs to be given on the extent of use within and around the Market Hall and arcade area, including the Mezzanine level.</p>
<p>Glossop & District Heritage Trust</p>	<p>First of all, in view of the concerns we expressed about the previous Listed Building Consent application in respect of this scheme, we are pleased to see that this application is thorough and well-evidenced, as befits the heritage importance of these buildings. We were also pleased to be given the opportunity to visit and to make initial observations prior to the application.</p> <p>Whilst there are still some uncertainties, we think the interior fabric of the two main rooms of the Town Hall, as it was before the removal of the ceilings in 2018, almost all dated from the mid to late 20th century.</p> <p>However, whether or not it carried over elements of the original style from 1842 its general appearance was not inconsistent with courts and assembly rooms of that date, and this should therefore be one of the yardsticks in determining what changes are acceptable or desirable.</p>

	<p>The building must, though, be fit for whatever new purposes are envisaged, and this will require heating and ventilation to modern standards. If the alternatives are floor-mounted blown-air units or ceiling vents, we would favour the latter, for two reasons.</p> <p>Firstly, units of modern design at eye level would be much more visually intrusive and do much greater harm to the heritage value of the rooms. Secondly they would limit use of the floor space, especially if it is envisaged that the large room might be used as an auditorium, and therefore effect financial viability.</p> <p>The existing radiators and pipes along the north wall probably date from the 1950s, have no decorative value, and are not in keeping with the overall style of the room. It would therefore make sense to remove them, creating small alcoves which are potentially useful, for instance for display cases.</p> <p>The application makes reference to the final colour scheme. The present scheme in the main rooms appears to date essentially from 1955, but there would have been repainting after the substantial alterations in 1973 and the bright blue on the coving in particular looks like a very 1970s shade.</p> <p>Rather, therefore, than simply restoring it to that date, thought needs to be given to adopting a palette more in keeping with the building's original role as an early-Victorian court cum assembly room.</p>
<p>Mel Morris Heritage Consultancy (On behalf of HPBC)</p>	<p>The application is for the installation of a ventilation, heating and cooling system within the first-floor town hall spaces of the Grade II Listed Glossop Market Hall. This is mechanical ventilation within the ceiling voids which will inlet and extract air to the habitable spaces below via extract grilles inserted into the new ceilings.</p> <p>The scheme is well advanced, and alterations have already been undertaken and the scheme designed, which anticipates this application being successful, so any alternative options have not been factored in and would be potentially very disruptive, and could affect the programme.</p> <p>The application will cause 'less than substantial' harm to the significance of the listed building. This is</p>

acknowledged in the Heritage Statement (page 21).

The HS also states that the proposals also satisfy Policy EQ7. However, there are certain aspects of EQ7 that in my view haven't been met. EQ7 states that an application should be 'informed by a level of historical, architectural and archaeological evidence proportionate to their significance and sufficient to understand the potential impact of a proposal.' I don't consider that the full significance of the historic interiors is understood (see my comments on significance below). However, I do consider that the application (and Heritage Statement) has met the second part of the policy and has demonstrated 'how the proposal has taken account of design, form, scale, mass, use of traditional materials and detailing. I am, however, not fully convinced that the proposal has demonstrated that the proposal involves 'the least change to the fabric and interior' of the building because in my view the approach has been to address and factor in the new office use of the building, rather than opt for a more low-key solution, or compromise.

Significance

At a meeting on 4th July, I requested that the Statement of Significance submitted in the Heritage Statement be updated to reflect the discoveries in the Lincoln Conservation report. This has not been done. The report still states "Within the former courtrooms all the former decorative details to ceilings and walls were removed during asbestos removal works undertaken in 2019." This is still highly misleading and simply not the case.

My analysis of the proposed decorative schemes (ref. DOC/2023/0050) sets out the significance of these spaces and I have summarised this here.

The recent Architectural Paint Analysis (APA) by Lincoln Conservation in 2022/23 has set out very clearly the evidence for the different colour schemes and the phasing within both the Town Hall and the Market Hall. The advantage of APA is that many samples are taken to be able to cross-check and build up a picture of the complete decorative schemes. APA has helped us to understand the building archaeology in a way that cannot be understood from 'paint scrapes', documentary records, or by simply looking at the spaces. Whilst some of the historic fabric has been altered, and there has been a loss of evidence from the removal of ceilings inside the Court Rooms, as a result of rot and asbestos removal, we

do have a high level of understanding of both the decorative schemes and the date of the different schemes and the building evolution.

As a result of APA, we can establish firmly that Court 1 and Court 2 were both designed at the same time with a high degree of late Georgian details, in a simple, late Georgian style, all evidencing the original architect's schemes of 1838/39. The walls were finished with 'a struck ashlar lime render, with a block size of 13"x39", which was painted in a warm stone coloured limewash', in the same style as the twin staircases. This still survives to all of the walls to both court rooms (with some localised patch repair).

Glossop Town Hall was originally built in 1838 and designed by the architects Weightman and Hadfield for the Duke of Norfolk. It is one of the most important buildings in Glossop and is significant for its very lengthy period of civic use as well as the retention of its late Georgian character, exemplified by its colonnaded arcades, its symmetry, its elevation to Norfolk Square and its surviving Georgian interiors.

The building was established following the Municipal Corporations Act of 1835. This ordered all incorporated boroughs to set up police forces under the control of a watch committee. The function of the building as both court rooms and civic assemblies for concerts, recitals and lectures seems likely given the lack of provision elsewhere. The use of the ground floor as an arcaded open space was still quite old fashioned and based on the town halls of the late 17th and 18th centuries which accommodated a market and covered trading function. The combination of a police function with lock-up cells, was an obvious element following the 1835 Act. The first stone was laid on 28th June 1838, timed to coincide with Queen Victoria's coronation. The court had its first sitting in February 1840 and was set up to accommodate Petty Sessions served by magistrates, although the Sheffield Iris of 4th February 1840 states that 'with a view to extending the public utility of this court, it is expected that the judge will adjourn the court to New Mills....' By 1867 it also accommodated Glossop Town Council.

The submitted Heritage Statement (July 2023) does not provide any analysis of the significance of the spaces affected by these proposals. This is a major omission.

Court 1 has a row of arched windows fronting Norfolk

Square. These have margin-light glazing, which were state-of-the-art and the height of fashion in London in the late 1830s. The two end bays to the staircases probably have replacement windows. Court 2 has replacement sash windows.

The Glossop Heritage Trust has some documentary information on the building, which they shared with the LPA heritage consultant in 2022. Accounts for the Market Hall provided by Glossop Heritage Trust from 1967 and 1969 record a large number of repairs. This included the replacement of the floor structures with concrete encased steel beams, for 'fire resistance requirements' which form the soffit of the arcade on the ground floor. There have also been some modifications to block up at least one door into the Court Room from the former Waiting Room, removal of the two fireplaces on the internal wall between Courts 1 and 2, the creation of a wide opening with a folding screen, and repairs to the 'dome light' in Court Room 2.

The layout, with two sets of entrances and separate staircases is absolutely typical of early 19th century municipal courts, with a separate access for the magistrates from the public and witnesses.

The last set of photographs of the ceiling before it was removed show a suspended soffit, and a lightweight grid which probably supported electrical cabling, with pendant light fittings inserted from plastic ceiling roses. Any other decorative plasterwork or visual evidence was hidden under the suspended part of the ceiling. As set out in the Heritage Statement, the last heating was by a centralised gas supply and a wet system which fed radiators.

The ceiling structure has recently been strengthened with additional repairs to the ceiling joists in order to take the additional weight of the new lathe-and-plaster ceiling and the proposed MVHR system. As the ceiling structure was had already been replaced as a result of rot, the new structure is not of specific intrinsic value. The original trusses and purlins however have been retained in-situ. This strengthening, therefore, probably did not need LBC.

I note that the HS states, "A later meeting was held on site between the applicant and representatives from the Glossop Heritage Trust on 23rd January 2023 at which time the first floor town hall spaces were viewed to try and gain a better understanding of the construction and how the building has been developed over time. The working

assumption is that the ceiling of the main courtroom, are most likely to date from 1920-23, as these were substantial changes, over and above what was required to keep the building usable.”

I note that the Glossop and District Heritage Trust have responded in favour of this application. However, they have not been party to the Architectural Paint Analysis report by Lincoln Conservation which demonstrates that the interior decorative features, surviving plasterwork and cornices of both Court rooms largely dates from 1838/39. The purpose of getting this report undertaken as a condition of LBC was in part to get to the bottom of the significance of these spaces and how to treat them. The Trust is therefore, in my view, mistaken in their understanding of the spaces and their ‘working assumption’ that the ceilings dated from 1920-23 is probably incorrect.

The spaces, as established by APA, are almost complete Georgian interiors. The rooms are of far greater significance as Georgian interiors than this assessment in the HS would lead one to believe.

Of the 35 Town Halls and municipal buildings built between 1834 and 1841 in England, Glossop is one of relatively few which still retain their historic interiors and is comparable with Tewkesbury Town Hall (1840 – grade II*) and Mansfield Town Hall (1836 – grade II*), Lutterworth Town Hall (1836) and Shire Hall, Bodmin (1837-38). Mansfield Town Hall has been refurbished successfully in recent years whilst integrating offices into their former main Council Chamber, without altering their decorative ceilings, and has been shortlisted for various awards.

Drawings – Proposed Alterations

The drawings to Court Room 1 show a series of 9 linear slot diffusers, each measuring 825 x 175. The drawings have been updated to show on the reflected ceiling plan the recessed emergency light fittings, six to Court Room 1, two smoke detectors, and no access hatch. The drawings also show, as previously agreed, 6 plaster ceiling roses and accompanying pendant light fittings.

The drawings to Court Room 2 show a series of linear slot diffusers, measuring 1000 x 175. The drawings have been updated to show on the reflected ceiling plan the recessed emergency light fittings, five to Court Room 2, a

smoke detector, no access hatch 1400 x 700 into Court Room 2 ceiling, and 4 linear suspended light fittings with simple pendant cable points.

The drawing of the Mayor's Chamber shows two 4-way air conditioning cassettes, with 3 separate air supply/extract grilles.

Impacts

It is clear that the provision of a mechanical and electrical heating and ventilation system which is located within and above the lath-and-plaster ceilings of the two principal chambers of the building, the two decorative court rooms, which date from the late Georgian period, will have a significant impact on the appearance of these historic spaces. The ceilings are being restored with lath-and-plaster and decorative elements, including moulded panels and deep coving are being restored. The suite of works being undertaken as part of the refurbishment of the listed building by specialist contractors are extensive and well-informed.

The insertion of 9 slot vents to Court 1 and 6 slot vents to Court 2 into the decorative plaster ceilings will cause harm, despite the size being restricted to the flush designs. In addition, the provision of a powder coated finish is not seamless with a flat painted matte soffit to the plaster ceilings.

This will affect the significance of the building, which, although not grade II*, is still a good example of a civic building of the late Georgian period with historic interiors dating from that period.

It is acknowledged that there have been some changes and internal modifications to these spaces, and that they are not complete or intact in their original form, that the condition of the building and the damage to the ceilings as a result of water ingress and rot caused the loss of considerable areas of the ceiling joists and historic lath-and-plaster ceilings. This part of the building has been redundant and out of use for some time. However, the restoration work will return the building largely to its original form.

In terms of a balanced judgement about significance, therefore, the interiors are important examples of late Georgian interiors, but there are a few better preserved examples from the same period.

Clarification has, therefore, been requested to understand what options have been discounted and why this application is considered to be the only viable solution. Section 3.3 of the Heritage Statement now sets out a more detailed Options Appraisal.

Options Appraisal – section 3.3 of the Heritage Statement

The HS states ‘Key concerns at this point related to the visual impact ventilation grilles may have on the ceilings and the co-ordination of these grilles with other services such as lighting and ceiling features such as covings, cornices, ceiling roses etc. ‘ This is correct.

The HS goes on to say that options considered comprised the following:

- Natural ventilation of the space;
- Installation of flush square heating and ventilation cassettes;
- Installation of flush linear ventilation grilles;
- Installation of low level ventilation in place of existing cast radiators.

Of this list, the only serious alternative options which have been discussed with the planning authority / heritage consultant are:

- Installation of low level heating and ventilation in place of existing cast radiators,
- natural or passive ventilation through the ceiling, roof and / or windows

Option 1 – this discussion in the HS is about using natural ventilation combined with a wet system of cast-iron radiators (heat emitters). This was discounted because the building does not provide sufficient ventilation based on the expected occupancy, combined with the use of cast-iron radiators which is inefficient and cannot be efficiently zoned. Natural ventilation combined with low-level cast-iron radiators is unlikely to be viable.

The cast iron radiators are of no value and it is accepted that these would need to be replaced with more efficient radiators. Whilst it may be feasible to restore a gas supply, because the supply was separated from the remainder of the building, it would be a challenge. Furthermore, gas is simply not viable long-term so realistically an alternative heating method is more sustainable.

It is stated in the HS that access to maintain windows externally is problematic due to their high-level and highway environment. I do not consider that this is a true impediment and would in any case affect all other buildings along this street. It is unlikely that the sash windows would be manually opened given their size once the building was operational.

It seems likely that there would have once been a historic plenum system of passive ventilation, but no evidence was recorded when the ceilings were removed. It appears that the building has adopted the current system of ventilation, relying passively on air exchanges, for over 100 years. Being large public spaces, they do not have the same requirements as smaller spaces. This factor has to be a consideration. The option of using a similar form of natural ventilation plenums is considered by the applicant to be impractical to fire stop.

It is less desirable to try to secure a wet system because of the logistics of having to provide (and identify) a large space for a boiler and that has not been factored into the current design and layout of the uses. It is understood that the use of Air Source Heat Pumps was considered early on but was discounted because of the need to have lower flow and return temperatures, which leads to the need for a greater number of radiators and larger fittings to achieve the desired heating capacity. The ability of the spaces to accommodate larger radiators and still provide a working space without occupying all of the walls is questionable and probably impractical. In addition, ASHP would probably require all sash windows to be upgraded with secondary glazing.

It is agreed that Option 1 is impractical.

Option 2 – this discussion is about the use of heating and ventilation cassettes which are semi-recessed in the ceiling, with a projection of 40mm. it may result in uneven air distribution. This is not an option which has been suggested by the heritage consultant and it would be similar to the system proposed but even more visually intrusive.

It is agreed that Option 2 is too harmful.

Option 3 – this is the current option put forward under the scheme. It is accepted that this is the most flexible option, and that it is technically relatively easily reversed, but that it is visually 'not in keeping'. Access is required

to both loft spaces to Court 1 and 2 for maintenance.

I do not agree with the statement in the HS and assertion that the ventilation units would 'merge with the ceiling background'. They are modern powder-coated fittings which will be prominent as one looks up at the ceiling and it is a space which demands that one looks up. They will be particularly prominent in Court 2, being much closer to the viewer. In my view, they would add to the clutter and detract from the historic smooth and clear plastered soffits and Georgian character.

Option 4 was explored briefly by the heritage consultant and the engineer and surveyor. The ventilation units would be located at low level around the perimeter of the room and would need to be boxed in. Refrigerant pipework would need to be routed from the rooftop plant to the low level ventilation positions. Therefore, there would likely be a requirement for a few areas where pipework drops from high to low and then around the perimeter (or under floors) to the ventilation plant. The ventilation plant would be the same size as those specified in option 1 which are 900mm (L) x 730mm (W) x 350mm (D), plus boxing in and associated ducting. Service routes in places would still be visible and difficult to modify in the future.

This would not be a straightforward task and it would potentially involve the addition of ducting to the soffit of the arcades in the common areas. There would be some localised damage by chasing into plaster, and by-passing mouldings, so this would need to be considered against the harm caused to the soffits of the ceilings in Option 3. In terms of use, the HS points out that there would be greater noise impact on occupants from low-level installation and furniture location would be restricted. The HS states that low-level units would be contemporary and 'not in keeping', but I don't accept that is the same impact as on the ceiling, as the focus of Court 1 is the ceiling, not the lower walls.

To summarise, HS does not appear to consider that Option 3 causes much harm, if any. I disagree. In my view, it is appropriate to consider Option 3 against Option 4. Both have advantages and disadvantages, in terms of physical and visual impacts. Option 3 is more practical for the use of the building. Option 4 has not been fully designed, but would have some practical constraints, in terms of the use of the building and providing a less flexible option. The HS suggests that this constraint

could put the use of the building to a commercial operator at risk.

Cumulative Impacts

A request has also been made that the application consider the cumulative impact of the different services and fittings in association with this change-of-use, as there is a high degree of clutter on the ceilings. This has now been shown on the plans.

It was agreed as part of the original application that because of the missing evidence of the plaster soffit and the presence of a former suspended ceiling, that the new pendant lights would be fitted in conjunction with new plaster ceiling roses, which reflected its late Georgian character. 6 round plaster ceiling roses are proposed and approved. The proposed new vents will be slotted in and around these ceiling roses in a grid pattern.

The heating and vent units are a series of independent electrical fittings, and not just a ducted system. I requested clarification how they will be maintained if they fail or need any maintenance. I understand that access hatches were reportedly previously provided in the ceilings for courtroom 1 to provide access to the clock tower. Walkways exist from either side of the court room through the roof void. It is proposed that a retractable loft access hatch is located on the west side in the second floor facilities managers space, which will maintain access to the courtroom ceiling space and maintain access to the clock tower.

An access hatch was reportedly provided in courtroom 2 to provide access to the laylight and a roof access hatch in the roof surface. It is proposed to replicate this and this is now shown on the reflected ceiling plan. It is intended that this will have a frameless access hatch flush with the surrounding ceiling surface to mitigate the visual impact. From below there should just be a narrow margin around the hatch. It is nevertheless, a large hatch but would be needed in any event to provide access to maintain the laylight.

As well as the electrical fittings, and all of the supplementary emergency lighting on the ceilings, there are PIR sensors for presence detection which will control the light fittings. They are approximately 65mm diameter and will be recessed with a white housing. The reflective ceiling plan shows them to true scale.

Hard wired smoke detectors are also positioned on the reflective ceiling plan and will be positioned sympathetically with other surrounding fittings. The electrical drawings show two smoke detectors side-by-side but one is proposed to be on the ceiling surface and the other is proposed to be in the loft space as 'void protection'. These are required for fire regulation compliance.

Conclusions

The Heritage Statement provides a relatively detailed assessment of options although it fails to recognise the significance of the historic interiors.

In any assessment, therefore, a balanced judgement will need to consider the relative significance of the interiors (which is high, not very high) against the proposed MVHR system, which will cause a moderate degree of harm, in my view.

Paragraph 202 of the NPPF requires 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.

It is also embedded into the guidance that the significance is factored into the evaluation. Paragraph 199 states, "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)."

Paragraph 195 of the NPPF states. "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 also states:

"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.”

The applicant has put forward the argument that this alteration will secure the Optimum Viable Use of the building (under paragraph 202). MVHR was not part of the original planning application for the change-of-use of these spaces. I don't accept, therefore, that the proposal is effectively an either / or case of either do nothing or install Option 3. Realistically, it seems that there are two options and that both have impacts. The proposed scheme is more flexible and is easier to install and remove. I don't accept that this application falls into the OVU bracket of 'securing' its use. In my view, the optimum viable use of the building has already been considered as part of the original application for the change of use. It is not the case that the one single aspect of the scheme in providing MVHR for the court rooms is going to affect the whole viability of the whole scheme.

Any Option that causes no harm would not provide ventilation that is any better than the current and historic arrangement. It is reasonable, therefore, to factor in the need to provide ventilation as part of the potential benefit of the change-of-use.

I am assured by the applicant that passive ventilation cannot be adopted because of the need to provide fire separation between the main rooms and the roof space, and that there is a conflict here which cannot be overcome. Whilst there are exemptions for listed buildings under the Building Regulations, fire separation and fire protection is not one which we would compromise on, whereas providing ventilation to meet the building regulations is an area which we do regularly have to compromise on with listed buildings. If we agreed to no additional provision for ventilation, then it would be sub-standard, relying on air exchanges with doors opening and closing.

It is fair to consider the public benefits of the proposed scheme if the building will accommodate public use. At present it is not the intention to incorporate public use into

these first floor spaces, although that has not been discounted in the future. In my view, the public benefits are over-stated in the HS. The diagrams, however, refer to 'Event Space'. It would be worthwhile getting some confirmation about the public use of Court 1, because that is not expressly stated in the Heritage Statement and justification.

The HS states that "This scheme is vital in supporting Glossop's long-term economic growth and supporting local jobs whilst providing high quality facilities to meet the current and future needs of local residents as well as attracting more investment into the area." This is really over-stretching the public benefits of an MVHR system, as we are not comparing the impact of a MVHR system with no heating or ventilation. I do, however, agree with the statement 'Town centre spaces should be flexible as (post pandemic) high streets move away from primarily retail to more activity and social uses.' I also agree that it is relevant that 'the capacity/ occupancy numbers of the Town Hall first floor has been a key factor and that the proposed mechanical installations provides a space with the appropriate environmental conditions that will allow for the increased capacity/ economic benefit to be realised by ensuring the optimum flexible/ viable use is achieved for the building to support its long term economic/ social use. The economic/ social use of the spaces will benefit the future conservation of the building.' Whether the compromise position would put the use of the building to a commercial operator at risk has not been demonstrated.

The HS also states 'The design process has sought to emphasise and demonstrate the importance of meeting the needs of people with a wide range of abilities, by providing access for a wide range of people with disabilities wherever possible (and reasonable) by direct physical means.' Again, this is not relevant to the application under consideration.

The HS refers to 'compensation' and states 'Requirements to undertake compensation in relation to Listed Buildings, where the proposals of the Scheme would result in physical impacts to them are yet to be agreed with the Conservation Officer. These compensation measures would be secured as conditions of the Listed Building Consent and aim to offset some of the harm which may occur to the assets' significance as a result of the Scheme.'

	<p>However, harm cannot technically be offset and as there are no proposals in the scheme to be considered where they might be part of the balanced assessment of impacts, we cannot consider any potential and unknown ‘compensation’, so that is not relevant in my view.</p> <p>I consider it would be fair to say that Options 3 and 4 both carry impacts but that Option 3 is more flexible for the proposed use. In my view, the public benefits are finely balanced against the heritage harm.</p> <p>If Option 3 is approved, then no conditions are suggested.</p>
--	---

7. OFFICER ASSESSMENT

Principle of Development

- 7.1 The application seeks Listed Building Consent for internal works to a Grade II Listed Building to facilitate the installation of a ventilation system associated with uses granted under HPK/2021/0645 and HPK/2021/0646 in June 2023.
- 7.2 Chapter 6 of the NPPF contains relevant national policies aimed at building a strong competitive economy, whilst policies under Chapter 7 are aimed at ensuring the vitality of town centres. The nature of the proposed development actively aligns with these national policies.
- 7.3 Whilst the general principle of securing the best possible usable spaces within the wider development is actively encouraged and supported, the site is a Grade II Listed Building
- 7.4 As such, the application must demonstrate compliance with LP Policy EQ7, which refers to the built and historic environment, and relevant restrictive policies contained under Chapter 16 of the NPPF relating to the historic environment, underpinned by Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.5 The principle of development can thus only be supported if it can be concluded that the above policy and legislative context has been complied with, notwithstanding all other material considerations.
- 7.6 Where harm to the Listed Building is identified, such harm must be weighed against the public benefits of the scheme in the overall planning balance, in accordance with relevant local and national planning policies relating to heritage conservation.

Impact on Heritage Asset

- 7.7 Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects 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.
- 7.8 LP Policy EQ7 has regard to the Built and Historic Environment. It states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment in accordance with sub area strategies S5, S6 and S7.
- 7.9 Paragraphs 199-202 of the NPPF sets out how a Local Planning Authority should assess the significance of a heritage asset, and the potential impact of a development proposal upon such an asset.
- 7.10 Paragraph 119 says: "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."
- 7.11 Paragraph 200 continues: "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."
- 7.12 According to paragraph 202: "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".
- 7.13 The Market Hall Grade II Listed Building subject of this application have a high degree of significance and as such any proposed external and internal works should be handled with a high degree of sensitivity.
- 7.14 Following initial concerns raised by Mel Morris, Heritage Consultant acting on behalf of the Local Planning Authority, extensive discussions including face to face meetings have taken place between all relevant stakeholders to explore all potential options and arrive at a proposal that would have the least amount of harm to the historic significance of the Listed Building.
- 7.15 As a result of these discussions, an updated Heritage Statement has been submitted that contains a detailed and comprehensive analysis of

the four potential options, with regards to their benefits, and constraints, including potential impacts on the heritage asset.

7.16 With regards to the 4no. options, Mel Morris has carried out an appraisal of the potential impacts, which are summarised as follows:

Option 1

- Natural ventilation combined with radiators
- Discounted because building does not provide sufficient ventilation
- Unlikely to be viable
- Installing gas supply would be a challenge and not viable longer term
- **Agreed that Option 1 is impractical**

Option 2

- Use of heating and ventilation cassettes
- Semi-recessed into ceiling with projection of 40mm
- May result in uneven air distribution
- Similar system to Option 3 but even more visually intrusive
- **Agreed that Option 2 is too harmful**

Option 3

- Proposal put forward within this (retrospective) application
- Accepted that this is the most flexible option
- Relatively easy to reverse
- Visually not 'in keeping' with building
- Modern power coated fittings which would be prominent, adding to the clutter and detracting from the historic smooth and clear plastered soffits and Georgian character

Option 4

- Ventilation units located at low level around perimeter of room
- Pipework needed to be routed from rooftop plant to low level units
- Likely requirement for pipework drops from high to low and around perimeter to the ventilation plant
- Same size as those in Option 1 in addition to boxing in and ducting
- Service routes in place would be visible and difficult to modify
- Localised damage by chasing into plaster and bypassing mouldings

7.17 It can be seen from the comprehensive appraisal carried out by Mel Morris that the 'do nothing' option (Option 1) is impractical, and that Option 2 is too harmful. As such, Officers are required to consider the benefits and the harm associated with Options 3 and 4 and determine which would these is the 'least harmful' option, taking into account any public benefits associated with them.

7.18 In summarising her appraisal, Mel Morris states the following:

“To summarise, the Heritage Statement submitted by the applicant does not appear to consider that Option 3 causes much harm, if any. I disagree. In my view, it is appropriate to consider Option 3 against Option 4. Both have advantages and disadvantages, in terms of physical and visual impacts. Option 3 is more practical for the use of the building. Option 4 has not been fully designed, but would have some practical constraints, in terms of the use of the building and providing a less flexible option. The Heritage Statement suggests that this constraint could put the use of the building to a commercial operator at risk.

In any assessment therefore, a balanced judgement will need to consider the relative significance of the interiors (which is high, not very high) against the proposed ventilation system, which will cause a moderate degree of harm, in my view.

There are two options that both have impacts...It is not the case that one single aspect of the scheme in providing heating and ventilation for the court rooms is going to affect the whole viability of the whole scheme.

Any option that causes no harm would not provide ventilation that is any better than the current and historic arrangement. It is reasonable, therefore, to factor in the need to provide ventilation as part of the potential benefit of the change of use.

7.19 The final paragraph within Mel Morris comments makes clear that both Option 3 and Option 4 both carry impacts but that Option 3 is more flexible for the proposed use, and that the public benefits are finely balanced against the heritage harm.

7.20 In light of the above, it is clear that whatever option is taken forward, there will be a degree of harm to the historic fabric of the building, due to the fact that simply relying on the natural ventilation of rooms is not practical by modern standards.

7.21 Based on detailed discussions with Mel Morris, and when presented with the comprehensive appraisal, it is considered that the fact that the proposed option (Option 3) offers more flexibility for use and can be relatively easily reversed, amounts to a greater public benefit, associated with the use of the court rooms.

7.22 Therefore, the degree of harm, which is considered to be at the lower end of “less than substantial” for the purposes of the NPPF is outweighed by the benefits specifically associated with the use of the rooms facilitated by the heating and ventilation, and the wider secondary public benefits associated with Glossop Town Hall as a whole.

Other matters

7.23 High Peak Access have raised a number of concerns and issues with regarding to access issues around the whole development site. However, this listed building consent relates purely to the installation of the ventilation system, and therefore, these points whilst noted and understandable, are not material to the determination of this particular application.

Planning Balance and Conclusions

7.24 The application seeks Listed Building Consent for the provision of heating and ventilation within the first floor town hall spaces. A number of alternative options as to how this can be achieved have been considered

7.25 The Council's Conservation Consultant has agreed that the first option, which is to rely on natural ventilation and is essentially the "do nothing" option is impractical. The second option which involves traditional "cassettes" would be too harmful.

7.26 Option 3, which is the preferred option, and the one for which this application seeks consent involves installation of heating and ventilation grilles and associated plenum boxes into new ceilings within the first floor town hall spaces. This would visually not be in keeping and would detract from the uncluttered Georgian character of the ceilings. However, it is relatively easy to reverse

7.27 Option 4, which has not been fully designed, would involve ventilation units located at low level around perimeter of room. Pipework would be needed to be routed from rooftop plant to low level units which would create visual difficulties in boxing in and would damage plaster and mouldings. Officers consider that on balance, the harm associated with option 3 is slightly less than option 4 given that it is more easily reversed and does not involve pipe-drops and impacts on mouldings. Nevertheless the Conservation Consultant considers that both option 3 and option 4 would both cause harm to the significance of the building, but this would be less than substantial in both cases.

7.28 According to paragraph 202 of the Framework: "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".

7.29 Modern ventilation needs to be provided to facilitate the optimum viable use of the building and to make it attractive to future users. The Conservation Consultant has acknowledged that "do nothing" is not a viable option. She has also agreed that option 3 is the most flexible and

therefore again will have the greatest public benefits in terms of securing optimum viable use

- 7.30 In light of the above, therefore, it is considered that Option 3, for which consent is sought, is the least harmful. Nonetheless it will cause less than substantial harm to the significance of the asset but this is outweighed by the public benefits of providing a modern heating and ventilation system which will be important to securing the optimum viable use of the building. As such the proposal complies with the NPPF and local plan policies as set out above and is recommended for approval. .

8. RECOMMENDATIONS

A. Approve subject to following conditions

1. Approved Plans

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informative/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

Site plan

