

OFFICER REPORT – DELEGATED

Application number: PA25/01478	Expiry date: 24 April 2025
Received on: 24 February 2025	Neighbour expiry date: NONE CONSULTED
UPRN: 100041211803	Consultation expiry date: 21 March 2025
Legal agreement: N	Site notice posted: 3 March 2025
	Site notice expiry: 24 March 2025
Is this decision contrary to local council recommendation? N	

Applicant:	Mr T Boulton MusicAbility Foundation CIO
Site Address:	Musicability Centre 10 Parade Street Penzance Cornwall TR18 4BU
Proposal:	Listed Building Consent for external accessible ramp, security bars to basement windows, internal alterations to create an accessible WC, MVHR ventilation upgrades, removal of a rooflight to the modern extension flat roof, refurbishment and handing of the main front door on Parade Street and installation of a smoke vent above the staircase and miscellaneous internal changes .
Application Type:	Listed Building Consent

Consultee representations:

Penzance Town Council (13 March 2025)
"No objection."

National Amenity Societies NONE

The Gardens Trust NONE

Historic England (4 March 2025)
"Arrangements for Handling Heritage Applications Direction 2021

MUSICABILITY CENTRE , 10 PARADE STREET , PENZANCE , CORNWALL , TR18 4BU
Application No. PA25/01478

Thank you for your letter of 28 February 2025 regarding the above application for listed building consent.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request."

Historic Environment Planning (26 March 2025)

"Listed Building Consent for external accessible ramp, security bars to basement windows, internal alterations to create an accessible WC, MVHR ventilation upgrades, removal of a rooflight to the modern extension flat roof, refurbishment and handing of the main front door on Parade Street and installation of a smoke vent above the staircase and miscellaneous internal changes .

The entry on the National Heritage List for England is as follows:

1498 PENZANCE PARADE STREET Nos 9 and 10(formerly listed as No 10) SW 4730 5/63A 8.4.70.II2. Early C19. Rubble. 2 storeys. 3 sashes each side. Side elevation has windows in round headed recesses. Front has Gothic-cum-Chinese doorway with clustered columns, supporting a pagoda roof in round headed recess. Gothick panelled door. Overhanging eaves. Slate hipped roof. Listing NGR: SW4721530155Type and date: early C19 HOUSE. Date: from 1800 to 1832Main material: rubble Covering material: slate

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the Council's statutory duty in the exercise of planning functions for development which affects a listed building or its setting and states 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses'.

Section 72 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the Council's duty in the exercise of planning functions within conservation areas and states 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

The property lies within Penzance Conservation Area, an article 4 Directive.

Having assessed the information provided the majority of the alterations are considered an improvement on the previous application and are therefore acceptable.

A schedule of works should be submitted for this phase of the project, this should outline proposed materials for internal finishes, insulation details, details of dampproof system for the basement level etc.

However, there are concerns over the advice provided by Building Control.

As the property is a Grade II Listed Building a large amount of Building Control proposals would cause harm to the character of the historic asset, the following have been highlighted below: -

Doors

The HEP refers the applicant to the risk assessment matrix tool, shown on page 34 of the HE guidance.

<https://historicengland.org.uk/images-books/publications/fire-resistance-historic-timber-panel-doors/ife-sig-guide-fire-resistance-historic-timber-panel-doors/>

Some doors may be upgraded but are likely to have a reduced fire resistance period. Such measures might be perco self-closers or intumescent seals. The HE guidance advises that 'although older doors and frames were not designed for fire protection, there are some cases where only minor modifications are required, particularly to panel doors to provide 20 or 30 minutes fire resistance in a fire test. The most appropriate and sensitive methods of upgrading will require some understanding of the inherent strengths and weaknesses of the construction'. Alternative approaches

would be to change the use of the room, or the fire loading, so that the door does not require such drastic changes to its design.

The DCLG guides have specific guidance for Historic Buildings under appendix C, this advises that a fire safety adviser will be able to suggest alternatives to conventional fire precautions. This might include early warning systems and suppression systems. It also states that 'should the design and nature of the historic building preclude the introduction of conventional fire safety features, it will be necessary to manage the building in such a way that:

- ' limits the number of occupants, either staff or members of the public, inside the building;
- ' limits activities in the building; and
- ' provides adequate supervision within the building.'

Thermal Upgrading

Paragraph 194 of the National Planning Policy Framework requires that any harm to the heritage asset's evidential and aesthetic value, as well as its setting, including the quality and distinctiveness of the Conservation Area, must be justified with evidence. While energy efficiency is a common concern, Historic England suggests alternative methods to enhance thermal efficiency in listed buildings, such as secondary glazing, shutters, and heavy curtains.

Improving thermal efficiency is important, but so is ensuring good ventilation and maintaining healthy buildings. Historic buildings were not designed to be sealed units, and poor ventilation can lead to problems like condensation and dampness. Enhancing thermal performance can be achieved using thermal plaster, appropriate insulation, and suitable heating systems.

While renewable energy and energy efficiency are significant, it's crucial to ensure that any modifications are appropriate for historic buildings, balancing retrofitting with preserving their character.

Guidance Documents:

' Improving Energy Efficiency in Historic Cornish Buildings (cornwall.gov.uk)

' Energy Efficiency and Historic Buildings: Insulating solid walls | Historic England

Alterations to staircase

The HEP does not support this element for the following reasons: -

Historical Significance: The existing staircase is an integral part of the building's original design and plan form. Altering its dimensions would compromise the aesthetic and historical value that it contributes to the overall character of the building.

Conservation Principles: According to the principles set out by Historic England, any modifications to listed buildings should be carried out with the utmost care to preserve their historic fabric. The proposed widening would result in the loss of original materials and features that are irreplaceable.

Alternative Solutions: There are alternative methods to address safety and accessibility concerns without compromising the building's historic integrity. For instance, improving lighting, adding handrails, or implementing other unobtrusive safety measures can enhance usability while preserving the staircase's original structure.

Fire protection paint

This maybe acceptable in some areas such as hallways, landings, stairs etc but not for all of the property.

Lift

This element would require further information and possibly a site visit to establish if this is even acceptable in principle."

Constraints and designations:

2km Buffer to AONB Name: CORNWALL. Designation Date: Nov-59. Local Section: WEST PENWITH

Article 4 Direction Order Reference: PENWITH-01(D). Name: Penzance. Description: Extensions, Hardstandings, Tanks, Gates, Fences, Walls, Access, Painting

Area Susceptible to Ground Water Flood Flood Type: Superficial Deposits Flooding

Airfield Safeguarding Zone Lands End Name: Land's End Airport. Restriction: Birdstrike Hazard. Consultee: Land's End Airport

Airfield Safeguarding Zone Lands End Name: Land's End Airport. Restriction: All Construction Exceeding 90m. Consultee: Land's End Airport

Community Infrastructure Levy Parish: Penzance. Band: Band 4. Sub Zone: Other 'Urban' areas

Conservation Area Reference: . Name: PENZANCE. Description: Conservation Area

Critical Drainage Area CDA Type: Red. Critical Drainage Area Name: Penzance

Hot Food Takeaway School Consultation School Name: St Marys C of E Primary School, Penzance. Buffer Distance: 400

Listed Building Grade II Reference: 69544. Description: Nos 9 and 10 Parade Street

Neighbourhood Development Plans Name: Penzance. Status: Plan Proposal Submissions/Town Frameworks.

Parish Parish Name: Penzance

Parks and Gardens Reference: 4679. Description: MORRAB GARDENS

Public Maintained Highway Highway Classification: Purple

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Site Allocations Policy: . Location: Penzance / Newlyn. Type: Broad area. Allocation: This is a broad area around the town to highlight that it's covered by a Site Allocations DPD. Follow web link for policy details.

SSSI Impact Risk Zones Link:

http://netracker2.geodata.co.uk/IRZ_icw4/step2.html?irzcode=0303000430050¬e_s=&location=155116,28681 (IRZ polygon centre)

Wind Turbine Safeguarding Zone Classification: Any wind turbine 11metres to blade tip or taller, or has a rotor diameter of 2 metres or more. Consult: Ministry of Defence. Site: Cornwall

Wind Turbine Safeguarding Zone Classification: All wind turbine development. Consult: NATS. Site: UK and Northern Ireland

Relevant policies, SPGs and Government guidance:

Cornwall Local Plan Strategic Policies 2010-2030 (Adopted 22nd November 2016)

Policy 1 Presumption in favour of sustainable development

Policy 2 Spatial Strategy

Policy 24 Historic environment

Climate Emergency Development Plan Document February 2023

Policy C1 - Climate Change Principles

National Planning Policy Framework 2024

Section 1. Introduction

Section 2. Achieving sustainable development

Section 4. Decision-making

Section 16. Conserving and enhancing the historic environment

Planning Practice Guidance

Cornwall Design Guide 2021

Penzance Neighbourhood Plan 2020 - 2030

DDH1: Design and Local Distinctiveness

Appraisal/key issues and conclusion:

Site description/proposal:

This application concerns a grade II listed building known Nos 9 and 10 Parade Street in Penzance. The proposal seeks listed building consent for external accessible ramp, security bars to basement windows, internal alterations to create an accessible WC, MVHR ventilation upgrades, removal of a rooflight to the modern extension flat roof, refurbishment and handing of the main front door on Parade Street and installation of a smoke vent above the staircase and miscellaneous internal changes.

Listing description:

1. 1498 PENZANCE PARADE STREET ----- Nos 9 and 10 (formerly listed as No 10) SW 4730 5/63A 8.4.70. II

2. Early C19. Rubble. 2 storeys. 3 sashes each side. Side elevation has windows in round headed recesses. Front has Gothic-cum-Chinese doorway with clustered columns, supporting a pagoda roof in round headed recess. Gothick panelled door. Overhanging eaves. Slate hipped roof.

Listing NGR: SW4721530155

Relevant planning history:

PA22/11076 - Listed Building Consent for the proposed reconfiguration of ground floor space, including taking down existing walls, 'false' ceiling, renovating floors, upgrading electrics, including lighting and power renovation of existing windows internally and installation of secondary glazing. Construction of temporary timber access ramp. - Approved with conditions 15.02.2024

PA22/11075 - Proposed change of use for whole building to Sui Generis (venue for live music performance), E (c, e, g (i)), F1 (e) and F2 (b). Reconfiguration of ground floor space, construction of temporary timber access ramp and renovation of existing windows internally and installation of secondary glazing. - Approved with conditions 15.02.2024

PA22/02011/PREAPP - Planning Performance Agreement for MusicAbility foundation music centre - Advice given 10.03.2025

Balance of considerations:

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out that in considering whether to grant listed building consent for any works 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.

Policy DDH1 of the Penzance Neighbourhood Development Plan 2020-2030 (NDP) sets out that development proposals should demonstrate high-quality design which respects and reflects the distinct characteristics of the community within which it is located, their landscape and/or streetscape setting and local distinctiveness.

Policy DDH2 of the NDP sets out that development proposals affecting designated and non-designated heritage assets should be accompanied by an appropriate assessment which sets out the significance of the asset and the impact of the proposal upon its significance. Applications will be determined strictly in accordance with national policy and guidance and the development plan.

Policy C1 of the Climate Emergency Development Plan Document 2023 (DPD) sets out that development should conserve and enhance our historic environment and cultural heritage.

Policy 2 of the Cornwall Local Plan 2010-2030 (CLP) sets out that proposals should maintain and respect the special character of Cornwall, recognising that all urban area rural landscapes, designated and undesignated, are important by, amongst other things, protecting, conserving and enhancing the natural and historic landscape and heritage and cultural assets of Cornwall.

Policy 12 of the CLP sets out that development must ensure Cornwall's enduring distinctiveness and maintain and enhance its distinctive natural and historic character. As part of a comprehensive place-shaping approach, proposals will be judged against fundamental design principles. These principles include promoting local distinctiveness and respecting and working with the historic environment.

Policy 24 of the CLP sets out that development proposals will be expected to sustain designated heritage assets and maintain the special character and appearance of Conservation Areas. Any harm to the significance of a designated or non-designated heritage asset must be justified. Proposals causing harm will be weighed against the substantial public, not private, benefits of the proposal.

Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) sets out that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Paragraph 212 of the NPPF (2024) sets out 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 215 of the NPPF (2024) sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

This listed building consent application proposes amendments to the previously approved listed building consent under planning ref. PA22/11076.

The following amendments are proposed -

- Wheelchair accessible ramp and stair proposed (to include new external door and alterations to internal floor levels)
- Ventilation upgrades (to include ducting and new suspended ceilings along with an external inlet and outlet)
- Retention of ground floor wall which was previously proposed to be removed
- Removal of modern suspended ceilings to reveal original decorative cornices
- Installation of matching cornices
- Installation of new down-stand
- Works to entrance door on Parade Street
- Installation of smoke vent
- Removal of rooflight
- Creation of basement windows
- Installation of security bars on basement windows
- Replacement of security bars on ground floor windows to match basement windows
- Reinstate archway and install glazed door with glazed surrounds
- Reconfiguration (to include removal of doorway and installation of partitions)
- Creation of electrical cupboard
- Contrast nosing to stairs
- Installation of new glazing
- Installation of bike hoops to ramp

In addition to the above, remedial works are proposed along with other alterations which relate to emergency lighting, insulation, heating, electrics, waterproofing and fire safety.

The Historic Environment Officer has discussed the proposal in detail with the applicant/agent and following amendments to the proposal, the Historic Environment Officer considers the proposed works to be acceptable.

Although the proposed works are considered acceptable, it is acknowledged that a degree of harm to the listed building will be caused. The works are however considered justified in order to create a useable space which complies with up-to-date regulations.

With particular regard to paragraph 215 of the NPPF (2024), the proposal would amount to less than substantial harm to the listed building however the harm is considered to be on the lower end of less than substantial. In this particular case, the harm is considered to be outweighed by the public benefits of re-using the building and maintaining it for the future.

The proposed works preserve the listed building in accordance with the aims and intentions set out within Section 16 (2) of the Act, Policies DDH1 and DDH2 of the NDP, Policy C1 of the DPD, Policies 1, 2, 12 and 24 of the CLP and paragraphs 8, 135, 212 and 215 of the NPPF.

The National Planning Policy Framework requires harm to be weighed against the public benefit of the proposals. In this case the benefit of the proposed work has been set out in this report. The harm identified is considered to be less than substantial and as part of the balancing of these considerations special regard has been given to the desirability of preserving historic buildings and their settings. Overall for these reasons it is concluded that the likely impact on the historic environment would not justify refusal of this application in this respect. It is therefore considered that on balance the proposal is acceptable in respect of the historic environment. In coming to this view special regard has been had to Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Representations:

No representations have been received from members of the public.

Penzance Town Council raised no objection.

Historic England has been consulted however do you wish to offer advice on this occasion.

The Historic Environment Officer has been consulted and considers the proposed works to be acceptable.

The Gardens Trust has been consulted but made no comment on the proposal.

The National Amenity Society has been consulted but made no comment on the proposal.

Conclusion:

Taking these factors into account, on balance it is considered that the proposal is acceptable, subject to conditions. All other matters raised have been taken into account, including the planning history and the comments of the Town Council, but none is of such significance as to outweigh the considerations that have led to the conclusion.

Recommendation:

A1

That this application be approved, subject to the following condition(s).

Conditions

- 1 The works/demolition hereby authorised shall be begun not later than three years from the date of this consent.

Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

PLANS REFERRED TO IN CONSIDERATION OF THIS APPLICATION:

Site/location Plan 251/000 received 24/02/25

Existing 251/000-1 received 24/02/25

Existing 251/001 REV A received 16/05/25

Existing 251/001 received 24/02/25

Existing 251/002 REV A received 16/05/25

Existing 251/005 REV A received 16/05/25

Existing 251/010 REV A received 16/05/25

Proposed 251/100 REV A received 16/05/25

Proposed 251/101 REV A received 16/05/25

Proposed 251/102 REV A received 16/05/25

Proposed 251/103 REV A received 16/05/25

Proposed 251/105 Rev A received 16/05/25

Proposed 251/110 REV A received 16/05/25

Proposed 251/115 REV A received 16/05/25

Proposed 251/116 received 16/05/25

Proposed 251/117 received 16/05/25

Existing 251/120 received 24/02/25

Proposed 251/121 REV A received 16/05/25

Proposed 251/122 received 24/02/25

Proposed 251/150 received 24/02/25

Proposed 251/151 received 24/02/25

Copies of decision notices and documents associated with the decision making process, where relevant, for the above applications can be found in the Council's on-line planning register using the following link and by entering the reference of the application you are interested in.

Link: <http://planning.cornwall.gov.uk/online-applications/>