

Application Number: 17/10538 Listed Building Alteration

Site: 2 HIGH STREET, RINGWOOD BH24 1AF

Development: Renovate clock and hands; electrify clock (Application for Listed Building Consent)

Applicant: Mr Wood

Target Date: 15/06/2017

Extension Date: 12/07/2017

<p>RECOMMENDATION: Grant Subject to Conditions</p>

<p>Case Officer: Julie Parry</p>

1 REASON FOR COMMITTEE CONSIDERATION

Deferred from July Committee.

2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Constraints

Plan Area

Conservation Area: Ringwood Conservation Area
Listed Building Grade: Grade II 552.28.051

Plan Policy Designations

Primary Shopping Area
Town Centre Boundary
Built-up Area

National Planning Policy Framework

NPPF Ch. 7 - Requiring good design
NPPF Ch. 12 - Conserving and enhancing the historic environment

Core Strategy

CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness
SPG - Ringwood - A Conservation Area Appraisal

3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

4 RELEVANT SITE HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
16/10095 Use as restaurant (Use Class A3); single-storey rear extension; extraction unit & duct; block door	25/07/2016	Granted Subject to Conditions	Decided	
16/10096 Single-storey rear extension; extraction unit & duct; block door; suspended ceiling; stud walls (Application for Listed Building Consent)	25/07/2016	Granted Subject to Conditions	Decided	
05/84555 Reinstate party wall; use as 2 shops (Application for Listed Building Consent)	01/06/2005	Granted Subject to Conditions	Decided	
94/NFDC/54505/LBC Int/ext alts to shop & flat & addn of external staircase :	08/07/1994	Granted Subject to Conditions	Decided	
94/NFDC/54506 Addition of external staircase	08/07/1994	Refused	Decided	
90/NFDC/44493 Change of use of first floor flat to office accommodation	05/08/1992	Withdrawn by Applicant	Withdrawn	
90/NFDC/44494/LBC Alts and cou of first floor flat to office accommodation	11/05/1990	Granted Subject to Conditions	Decided	

5 COUNCILLOR COMMENTS

No comments received

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: recommend permission.

Members did not agree with the views of the Conservation Officer and wished for the clock to operate as proposed by the applicant. They wished to see the clock face returned to its original format, with black background and gold numbering and that the applicant should attempt to locate the mechanism in a public space, for example, Friday's tapas bar, for people to have the opportunity to view it.

7 CONSULTEE COMMENTS

- 7.1 **Conservation Officer:** Unable to support the application as the proposal would result in the removal of the clock mechanism which would constitute a loss of the clock's historical integrity and loss of historic fabric. (Original comments).

Following receipt of the further information in respect of retaining the mechanism within the cupboard but positioned to the side the Conservation Officer has advised that the detachment of the mechanism would result in a loss to the significance of the Listed Building and its contribution to the social history of Ringwood. Therefore the objection to this scheme still remains in place.

- 7.2 **Council Solicitor:** any requirement to keep the clock mechanism in a suitable place for posterity would not comply with the requirements of Section 106 of the Town and Country Planning Act 190 and Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 7.3 **Environmental Health - Pollution:** The noise impact reported by the applicant is understood not to affect neighbouring properties. In respect of such noise within the application site itself, consideration might be given to works of sound insulation.

REPRESENTATIONS RECEIVED

Total Number of Representations Received in favour: 20

20 letters in favour of the application were received from Ringwood residents (including the Ringwood Society) wanting to see a renovated and functioning clock in the centre of the town.

The applicant has commented in response to the Conservation officer's original comments as follows:

- The clock requires full restoration, not just redecoration
- Cost of renovation of the actual timepiece is an another £5,000 plus costs of connecting to an electric system, which are unknown (likely to be £2,000 plus) which makes the project untenable.
- Difficult enough to raise funds but another round of fund raising is unlikely to have support.
- Will donate the original workings of the clock to a local museum or keep them on site.
- Noise from existing clock workings in a tenant bedroom are not justified
- A working clock that is renovated is better for the town and has been waiting for many years.
- Suggest that NFDC adopt the clock and fund the balance of work to make this a public clock

They have not commented on the amended views

9 CRIME & DISORDER IMPLICATIONS

None relevant

10 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Local financial considerations are not material to the decision on this application

11 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The applicant did not use the Pre-application advice service available from the Council. The Conservation Officer's comments were published on the Council's website as well as the initial briefing that set out the Case Officer's concerns with the proposal. An initial extension of time was agreed with the applicant to allow for consideration of this application by the Planning Development Control Committee in July. Following consideration by Members in July the application was deferred for further consideration of the options available for renovation of the clock.

12 ASSESSMENT

12.1 Members will recall that this application was considered at their meeting on 12th July 2017 (Item 3h). It was deferred from this meeting to allow further consideration of the options available to restore the clock and its mechanism in situ.

12.2 Update on options available:

Since this application was discussed at the July Committee there has been communication with the applicant to gain further information and to produce a list of options for consideration. It has therefore been established that the possible options for the clock face and mechanism are as follows:-

a. Installing an electric motor into the existing mechanism.

The applicant's representative has advised that the mechanism would have to be removed to allow the installation of an electric motor which needs to be centrally placed immediately behind the centre of the clock face. Grayson Time management systems who have quoted on the works, have confirmed that they would not be able to carry out their works without moving the clock mechanism away from behind the clock face.

Following further consideration the applicant has advised that an electric motor could be installed and the clock movement housed within the cupboard with the pendulum although there is a chance they may need separating. They will be sited very close to their original position and if possible the two items will remain attached but as space is tight this cannot be confirmed until works have taken place.

b. Restore the existing clock mechanism.

It is understood that costs have been explored and are showing to be very expensive which means that this is not a practical proposition. The cost would be in excess of £7,000 which is vastly more than the just over £3,500 that has been raised.

Furthermore, the clock would need to be wound and this is unreasonable for someone renting the room. The potential noise issue, is not something that can be judged without the clock working. The mechanism is a 22 hour mechanism and cannot be wound up until it had virtually run down. This mechanism is situated in a privately rented flat and it is unrealistic to expect any occupier to wind and adjust the clock. In addition, some key part of the mechanism appear to be missing.

c. Remove the mechanism and install an electric motor.

This would involve moving the clock mechanism to a location on the ground floor or an alternative location as agreed, or the clock could be gifted to the Town Council.

The applicant's representative has advised that removing the mechanism and installing an electric motor is the only practical option. Mr Wood would be happy to enter into an agreement for the mechanism to be placed on public display (for example in the ground floor of the premises) or to gift the mechanism to the District or Town Council or a museum. If this option was to be agreed the applicants solicitor has advised that an alternative form of agreement could be entered into to ensure the mechanism was retained in an appropriate place for posterity.

d. To do nothing.

This is obviously not ideal in terms of providing a working clock in Ringwood Town Centre. However it would retain the mechanism and clock in situ within the Listed Building. There could be an opportunity in the future, should the use of the room change, for the mechanism to be restored and retained in its location.

The applicant's representative has advised that there is a public interest and strong support for having a working clock in Ringwood and therefore it is unrealistic to suppose that the use of the room might change or that a future landlord would be sufficiently altruistic to go to the expense of restoring the clock.

12.3 The Conservation Officer comments as follows:

- a. Installing an electric motor into the existing mechanism:** Parts of the clock would need to be removed which would not be acceptable. To house the clock movement and pendulum in the cupboard would result in the mechanism being detached from the building which would result in a loss of significance of the Listed Building and its contribution to the social history of Ringwood
- b. Restore the existing clock mechanism:** This would be the ideal situation in terms of Conservation and retaining the historic fabric of the Listed Building.

- c. **Remove the mechanism and install an electric motor.** This would take the mechanism out of context with the clock face, and could not be supported.
- d. **To do nothing:** This would retain the mechanism and clock in situ within the Listed Building.

12.4 The applicant's representative has questioned the legal implications in terms of the Listing as the only mention at that time was in respect of the clock face. Therefore he has questioned whether the mechanism actually forms part of the listing and if the application to electrify the mechanism was unnecessary especially as the wooden frame which holds the mechanism is not part of the original fabric of the building.

The Conservation Officer has responded that the clock mechanism is Listed by virtue of it being attached to the Listed Building. The spindle goes through the brickwork and is attached to the hands which are an integral part of the clock on the front elevation of the building. The clock and its mechanism were in place at the time of Listing and therefore, the clock mechanism forms part of the Listed structure. Having had the opportunity to view the clock mechanism in place it is confirmed that there is an attachment of the clock mechanism to the hands and the exit of the spindle is through the brickwork.

Re-assessment following consideration of the options

- 12.5 A balance needs to be struck between public benefit and harm to the character of the Listed Building.
- 12.6 The Conservation officer remains of the view that this application should be refused. Whilst they support the restoration of the clock face, they comment that until technology has moved on that allows a smaller motor to power the hands that is able to sit in front of the existing mechanism without causing it to be removed the scheme is unacceptable
- 12.7 As discussed at Planning Committee, there is no planning obligation once the mechanism is removed to retain it within the building but, even if there were one, if the mechanism is taken entirely out of context, the significance of it and its contribution to the character of the Listed Building has been lost for ever.
- 12.8 Given that a renovated working clock face would be a benefit to the town it has been concluded, despite the Conservation Officers concerns, that option (a) which would involve electrifying the clock and moving the mechanism and pendulum to either side but retaining them within the cupboard, to allow for the new motor to be fitted, would be an acceptable compromise solution.
- 12.9 The retention of the mechanism in close proximity to the clock face and within the same cupboard would result in limited loss of historic fabric. Therefore, on balance, whilst the Conservation Officer's continued objection is acknowledged, having explored the options available, the overall impact on the Listed Building would be acceptable. As such the application is recommended for approval with conditions to cover the submission of details of the exact position of the original movement and pendulum along with exact details of the dial and hands to be submitted and approved prior to any work commencing.

July 2017 Committee Report:

- 12.10 The property is an eighteenth century Listed Building within the Ringwood Conservation Area. It is located in the High Street with a large clock on the front face at first floor. The building was Listed in 1964 and the clock is mentioned within the List description as being placed within a blind opening on the property. Being on the junction of High Street and Christchurch Road the clock is very visible within the street scene and an important part of the character of the Listed Building as well as being part of the social history of the town.
- 12.11 The application is for Listed Building consent for the renovation and replacement of the front face and hands along with the replacement of the mechanism to electrify the clock. The main consideration when assessing this application is the impact on the historic integrity and fabric of the Listed Building.
- 12.12 The principle of a functional renovated clock in Ringwood is welcomed and supported as a positive addition to the town. However, the impact on the integrity of the Listed Building must be carefully considered in making a balanced assessment of the issues.
- 12.13 The Conservation Officer has advised that their main concern is that the mechanism is an integral part of the fabric of the Listed Building. It is clear that the mechanism has an association with a past owner of the property and therefore has a social importance to the town and the building forming a large part of what makes the building special to Ringwood. It is understood that the clock dates from the nineteenth century and was built by the owner of the property and proprietor of the clock shop that operated from the downstairs room as the time, Mr Hext. The mechanism contains a pendulum and is mechanically powered and requires winding every 20 hours. It is attached directly to the clock hands through a hole in the brickwork and the whole mechanism is contained within a cupboard in the bedroom of the property.
- 12.14 The proposed scheme would involve the electrification of the clock hands and the placement of a new mechanism behind the hands. The hands would be replaced in the same style as the existing and the existing mechanism would be removed from its attachment to the hands. The removal of the mechanism from the hands would constitute a loss of historic fabric. The possibility of retaining the existing mechanism and to get it functioning again could be possible albeit at further cost. Grayson Time Management Systems - on behalf of the applicants - have confirmed that the mechanism would be able to be repaired and that there is a possibility of the hands being powered by electricity with the existing mechanism still in place and this would need to be investigated further.
- 12.15 The redecoration and replacement of the clock face and hands with a black face with gold hands is acceptable in principle. However, the proposal would involve a new mechanism which, being attached to the hands, would constitute a loss of historic fabric. It is clear that the clock represents an important feature to the town but it is the mechanism that is as important to the character of the building.

- 12.16 The applicant has responded to the Conservation Officer's comments to advise that the extra cost of renovating the actual timepiece would be excessive and would require further fund raising. He would be happy to donate the original workings to a local museum or keep them on site. The applicant's view is that the main outcome is to have a working clock, that does not look an eyesore, which would be better for the town than waiting many more years for its restoration.
- 12.17 The applicant has advised that the original workings of the clock are very noisy within the tenant's bedroom. Without a noise assessment it is difficult for this to be considered. However the Council's Environmental Health Officer was consulted to establish if there were any concerns in terms of noise pollution. He has advised that the noise is likely to be within the application site itself and therefore consideration could be given to works of sound insulation if necessary.
- 12.18 There has been a suggestion that the clock workings could be retained on the site or displayed in a shop or museum. This would be a way of retaining the mechanism but it is the mechanism's location that gives it its historic importance. Furthermore, a condition which would retain these items in a certain place for posterity would be inappropriate and difficult to enforce. The alternative would be a legal agreement, however, a Section 106 Agreement would not be appropriate in this case as any requirement to keep the clock mechanism in a suitable place for posterity would not comply with the requirements with Section 106 of the Town and Country Planning Act 190 and Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 12.19 It is commendable that much time, effort and financial fundraising for this scheme has been undertaken both by Ringwood Town Council, the applicant and the local community. The community support and donations towards fundraising for this project are appreciated and the local support for the application is acknowledged. However while a renovated working clock face would be of benefit to the town, removing the mechanism - which is an important part of the history of the building - from its original location would result in a loss of the character and significance of the Listed Building. Therefore, on balance, despite the positive benefits of the scheme, the justification for the loss of the historic fabric involved cannot be substantiated in this case. As such the application is recommended for refusal.
- 12.20 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

13. RECOMMENDATION

GRANT LISTED BUILDING CONSENT

Proposed Conditions:

1. The works hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 18 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the plans and details received with the application on 20th April 2017

Reason: To ensure satisfactory provision of the development.

3. Before development commences, detailed drawings of the position of and method in which the pendulum and mechanism of the clock will be retained within the cupboard. These details should include the way in which the pendulum will be removed from the mechanism and details of how and where the mechanism and pendulum will be stored. The development shall then be carried out in accordance with the approved details and retained in this position for perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the character and architectural interest of the Listed Building in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

4. Before development commences, the following details shall be submitted to, and approved in writing by the Local Planning Authority.
 - a) Exact details and fixings of the new electric motor including details of all electrical wires that will power the electric motor and their location.
 - b) Exact details of the paint to be used on the clock face including the colour.
 - c) A specification of repair for the clock hand or exact details and materials for the replacement of the clock hands.

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and architectural interest of the Listed Building in accordance with Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Notes for inclusion on certificate:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

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Further Information:

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Planning Development
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October 2017

Item No: 3b

2 High Street
Ringwood

Scale 1:1250

N.B. If printing this plan from
the internet, it will not be to
scale.

