

Birkenhead Town Hall – Proposed Glass Balustrade

Application to Wirral Borough Council: LBC/24/00423

Application no longer listed. [WBC Heritage Statement](#)

OBJECTION to Listed Building Application: LBC/24/00529 at Birkenhead Town Hall, Registrar Of Births Deaths & Marriages Hamilton Square, Birkenhead, Wirral, CH41 5EU

The Applicant has affirmed that Birkenhead Town Hall is a Listed Grade 2 * building (Heritage Statement: Section 3) and an important Heritage asset to Birkenhead (Heritage Statement: Section 5).

The proposed 1,200 mm glass balustrade (1,100mm + 100mm gap) is a significant visual intrusion to the important appearance of this Grade 2* Listed heritage asset.

The applicant has accepted that this proposal is a visual intrusion in their Heritage Statement (Section 4) as this proposal balustrade must be removed when the Grade 2* building is used regularly for period dramas, and therefore must be removable. This undermines the applicant's statement that the proposed glass balustrade has 'very little impact on the use of the building' (Heritage Statement: Section 5 (Page 9)).

Further the applicant has stated that the proposed balustrade is not easy to be removed (Heritage Statement: Section 4). Thus the applicant is accepting the intrusive nature of this proposal would be a predominantly daily visual change to the Listing building's appearance.

There appears to be no Health & Safety Risk Assessment included in this application to justify the proposed additional balustrade. There has been no reported incidents of falls of adults or children from this existing portico, with its existing guarding stone balustrade, since the Town Hall was built. This is currently 141 years of safe use by the public. Therefore a significant justification would be expected to be provided by the applicant for such a radical change to the appearance of this Listed Heritage asset.

The risk of future damage to the Listed building is recognised by the applicant as the proposed balustrade is intended to be permanently bolted to the existing 141 year old stone balustrade up-stand, rather than the ground, to minimise the risk of moisture getting into the stonework and causing damage (Heritage Statement: Section 4). However, no details of how that recognised risk would be addressed in the Heritage Statement or any other supporting documentation. This is the usual accepted requirement of List Building Applications. Therefore the application appears to be deficient as submitted.

No other Guarding considerations appear to have been included by the applicant and justified for rejection, even though The Building Regulations 2010: Protection from Falling, Collision and Impact; Approved Document K, states under 'Design of Guarding for all buildings' (Para 3.2 (6)) that any wall, parapet, balustrade and similar obstruct can be used as guarding against such risks.

The Building regulations (2010) allow for reduction of the height of the balustrade from 1100mm where the building is other than a dwelling (Para; L.36). It is possible to justify a height of 950mm, thus slightly reducing the visual intrusion. The applicant has not justified the need for a higher balustrade.

The image of the proposed glass balustrade, included in the Heritage Statement (Page 9) shows the type of balustrade needed for a dwelling. The Town Hall is a Local Government Office and therefore not a dwelling for the purposes of The Building Regulations 2010. This suggests the Applicant's proposal has not been sufficiently robust in preparation.

The Building Regulations 2010 apply when the following criteria are met;

- a. put up a new building
 - b. change or make bigger a building that is already built
 - c. change the use of a building that is already built or
 - d. alter the building services if they are either what is legally called:
 - i. a 'controlled service' or
 - ii. a 'controlled fitting' (these terms are explained in Appendix I).
- (https://assets.publishing.service.gov.uk/media/64a59267c531eb000c64ff12/Manual_to_building_regs_-_July_2020.pdf)

However, the applicant does not indicate which of these conditions apply. Therefore there may be no justification of the proposed new balustrade under the stated UK Government criteria.

The advice from the UK's Health & Safety Executive operational guidance suggests that guard rails in non-construction activities should be a minimum of 950mm. (<https://www.hse.gov.uk/work-at-height/faqs.htm>)

The Town Hall is already built and used daily, therefore if additional guarding is justified after a Risk Assessment, then the height could be limited to 950mm total, thus reducing the visual obstruction.

If the existing 550mm parapet height is considered inadequate through a proper independent Health & Safety Risk Assessment, then in keeping with the Grade 2* Listing, a much smaller permanent 400mm high cast iron balustrade could be added to existing wide stone pink granite balustrade.

As this additional balustrade would be also visually permanent, using a suitable variation of the design that is already an external fencing period feature of the Listed Town Hall would not hinder the use of Birkenhead Town Hall for period dramas, whilst providing additional necessary guarding to meet the requirements of Historic England's advice on alterations to Grade listed buildings, and meet The Building Regulations (2010). A photograph of the Town Hall's existing external period railing is attached.

Therefore OBJECTION is raised to this Listed Building Application LBC/24/00529 as it is inadequate in justification; methods of construction; and leads to significant visual impairment of a very important Grade 2* Listed heritage building within the Heritage England's listed historic setting of Hamilton Square.

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Friends of Hamilton Square