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**F/YR23/0844/F**

**Applicant: Mr Peter Tucker  
Nene Construction Management  
Services Ltd**

**Agent : Mr R Papworth  
Morton & Hall Consulting Ltd**

**Building North Of 109, High Street, Chatteris, Cambridgeshire**

**Demolition of a building within a conservation area**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on advice of Committee  
Chairman**

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## **1 EXECUTIVE SUMMARY**

- 1.1 This application seeks to demolish an existing building within Chatteris Conservation Area.
- 1.2 The building subject to this application is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces. The building is the last historic ancillary building within the site and ownership of 113 High Street.
- 1.3 The wash house is considered to be entirely capable of repair and re-use in some form or another, with the removed materials being retained on site. Its demolition would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs yard.
- 1.4 Given the clear conflict with the relevant policies, it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.5 Consequently, the recommendation is to refuse this application.

## **2 SITE DESCRIPTION**

- 2.1 The application site is situated to the north of 109 High Street and is accessed to the north of 115 High Street. The site is within the Chatteris Conservation Area and the building on site are not listed buildings. There are two Grade II Listed buildings, No 130 High Street opposite the site and No 133 at the corner with Black Horse Lane.
- 2.2 The proposed development relates to the wash house which sits opposite the Dobbs Yard development. The building is considered to be a non-designated heritage asset.
- 2.3 The site is within Flood Zone 1, an area at the lowest risk of flooding.

### 3 PROPOSAL

3.1 This application seeks to demolish an existing building with a Conservation Area. The roof structure has already been removed.

3.2 Full plans and associated documents for this application can be found at: [F/YR23/0844/F | Demolition of a building within a conservation area | Building North Of 109 High Street Chatteris Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0844/F)

### 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR19/3057/COND	Details reserved by conditions 6 (access details), 7 (temporary facilities), 9 (detailed drawings), 10 (Samples), 13 (External Vents) & 14 (landscaping) relating to planning permission F/YR16/0247/F (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)	Approved 06/05/2020

F/YR19/3003/COND	<p>Details reserved by conditions 11 and 12 of planning permission F/YR16/0247/F          (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)</p>	Approved 02/05/2019
F/YR17/1193/VOC	<p>Removal of condition 11, relating to planning permission F/YR16/0247/F          (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)</p>	Refuse 30/01/2018
F/YR16/0247/F	<p>Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing</p>	Granted 25/05/2017

	extension to 8 Dobbs Yard and outbuildings.	
F/YR15/1096/F	Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection of 2 x 2-storey 2-bed and 3-bed dwellings including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings	Withdrawn 08/02/2016
F/YR14/0608/F	Formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street and outbuildings	Withdrawn 03/09/2014

## 5 CONSULTATIONS

### 5.1 Chatteris Town Council

*Support.*

### 5.2 Cllr James Carney

*I have no comment nor objection to make on this application as it is.*

### 5.3 CCC Archaeology

*Thank you for your consultation with regard to the archaeological implications of the above referenced planning application.*

*Our records indicate that the building proposed for demolition is a former wash-house associated with the properties at Dobbs Yard, Chatteris. The site sits within the Chatteris Conservation Area. The wash house appears to first be recorded to the rear of no.113 High Street on historic Ordnance Survey mapping dated to the early 20th century where it is illustrated immediately south of and within the same boundary as the extended linear range of outbuildings and workshops to the rear of no.115 High Street, enclosing the space labelled 'Dobbs Yard'. The wash house is considered to be a non-designated heritage asset for its degree of surviving historic fabric and for its spatial and functional relationship to the residential dwellings, as a rare surviving feature of the linear backland developments here extending from the post-medieval properties fronting Chatteris High Street.*

*A programme of archaeological historic building recording was undertaken in 2018 against the archaeological condition attached to prior permission ref*

*F/YR16/0247/F for development of the wider site, and although this focused primarily on the historic cottages it did include some recording detailing the condition of the washhouse (Cambridgeshire Historic Environment Record reference ECB5436 / Allen Archaeology report 2018/135, M Stockdale). The condition was subsequently discharged against the report submitted under F/YR19/3003/COND.*

*Photos contained within the previous archaeological reporting show the building to be in quite different condition to how it now appears, fully roofed and with historic fixtures and fittings remaining in situ. Further, the previous application provided for conversion of the wash-house to residential, appearing to demonstrate that it was then in a condition to be capable of such conversion. It is therefore unclear how it has deteriorated to the extent as described in the 'Design and Access' and 'Heritage Statement' documents submitted under the present application.*

*It is considered that the loss of this non-designated heritage asset - clearly identified as such and capable of residential conversion under a scheme relatively recently granted – merely in order to 'allow additional parking to the adjacent properties in Dobbs Yard', is not sufficiently justified within the present application and we therefore object to the proposal in its current form.*

*With regard to the NPPF, paragraphs 196, 197 and paragraph 203 apply.*

#### **5.4 FDC Environmental Health**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality or be affected by ground contamination.*

*Due to the demolition of an existing structure and close proximity of noise sensitive receptors, it is recommended that the following condition is imposed in the event that planning permission is granted:*

##### **WORKING TIMES**

*No demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.*

#### **5.5 FDC Conservation**

*The proposal is to demolish an historic wash house to the rear of 113 High Street, within Dobbs Yard. The building is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces.*

*1. Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990*

*The wash house is thereabouts contemporary with the terraced dwellings that run in a linear form within Dobbs Yard and adds to the setting, interest and*

*understanding of this very unusual linear urban form of later C19 residential development. It also forms as an interesting feature in longer views into Dobbs Yard from High Street.*

*The presence of the wash house also acts to separate the positive historic character of Dobbs Yard, from the new dwelling adjacent, that is considered to be of incongruous design and siting and has detrimental impact on the understanding of the historic urban form of Chatteris conservation area.*

*The Conservation Officer comments from 2016 relate to an earlier application F/YR16/0247/F to demolish the long-neglected frontage dwellings and the conversion of this wash house building, states that the wash house appeared to be in good structural condition at the time. Most interestingly, the heritage statement submitted by the architects for the 2016 application, also paints to building to be in good condition at this point in time as is shown in the extract below:*

Brick Out-house (ref pictures 4 and 1)

There is one brick outhouse remaining towards the rear of the site. This began life as a series of toilets and wash-houses and has been used for storage since the addition of internal bathrooms to the cottages. It is built with solid gault brick walls with a clay tiled roof and contains 2 brick chimney stacks.

This brick outhouse is apparently in a sound condition and shows no signs of failure or subsidence, although the standard of the fabric and construction is consistent with a building 100 years old and therefore in need of significant upgrading. Consultation with the Conservation Department has revealed that this is considered to be a significant building on this site and as such must be retained. As the retention of this building is a Conservation requirement, a comprehensive Structural Survey has not been undertaken at this stage as there is no need to justify its reuse. Any structural repairs required are not relevant to planning consent and will have to be funded within the cost of the development.

*Whilst the building has had its roof removed and some of the walls partially taken down, it was apparent from my recent visit that the building is capable of being restored. All materials appeared to be on site at the point of my visit, with the roof tiles inside the building and the salvaged bricks in stacks adjacent.*

*Much destruction has occurred to the character and historic form of the historic burgage plots and yards of Chatteris in recent years through neglect and subsequent sweeping away of historic ancillary buildings. Their speculative replacement has generally been carried out with poorly designed modern dwellings with no consideration of historic context or sympathy to the conservation area.*

*This is the last historic ancillary building within the site and ownership of 113 High Street. The frontage cottages have been lost to long term neglect as have a very interesting run of timber and clay pantile outbuildings. This structure was until recently considered to be of good structural condition and is now suddenly half demolished, which raises to questions as to the overall intention for the piece of land that the wash houses occupy. There has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time.*

*With all matters considered, it is deemed that the wash house is entirely capable of repair and re-use in some form or another. Its demolition would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs yard and its loss would be considered another step in the process of sterilising Dobbs Yard of its interest and contribution to the Chatteris Conservation Area. The duty in law under S72 Planning (Listed Buildings and Conservation*

*Areas) Act 1990 requires LPA's to pay special attention to the desirability of preserving or enhancing the character or appearance of designated conservation areas. The demolition of this building would not preserve or enhance.*

*Recommendation: Objection – In accordance with S72 Planning (Listed Buildings and Conservation Areas) Act 1990, The LPA should seek its retention and repair.*

## **5.6 Local Residents/Interested Parties**

No comments received.

## **6 STATUTORY DUTY**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework (NPPF)**

Para 8 – Achieving sustainable development

Para 47 – Planning law requires applications to be determined on accordance with the development plan unless material considerations indicate otherwise

Para 194 – Applicants are required to describe the significance of any heritage assets affected

Para 195 – LPAs should identify and assess significance of any heritage asset that may be affected

Para 196 – Deteriorated state of heritage assets should not be taken into account if due to deliberate neglect or damage.

Para 197 - LPAs should take account of desirability of sustaining the significance and positive contribution of heritage assets.

Para 200 - Harm to or loss of significance of a heritage asset should require clear and convincing justification.

### **7.2 National Planning Practice Guidance (NPPG)**

### **7.3 National Design Guide 2021**

Context

Identity

Built Form

### **7.4 Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

### **7.5 Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP7 – Design

LP23 – Historic Environment

## **8 KEY ISSUES**

- **Principle of Development**
- **Character, Appearance and Impact on Heritage**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 The application site is located within the Town of Chatteris, which is designated as a Primary Market Town within the settlement hierarchy set out in Policy LP3 of the Fenland Local Plan where the majority of the development within the District is expected to take place over the plan period.
- 9.2 Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users. Policy LP18 of the Fenland Local Plan 2014 seeks to protect and enhance heritage assets. The principle of development is supported subject to the significance of and the likely impacts on the heritage assets.

### **Character, Appearance and Impact on Heritage**

- 9.3 Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 9.4 Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset.
- 9.5 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a legal duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.6 Paragraph 196 of the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.



- 9.7 Paragraph 197 of the NPPF states that 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 within 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.
- 9.8 The application seeks to demolish the historic wash house to the rear of 113 High Street, within Dobbs Yard. The building is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces to the north.
- 9.9 The wash house is contemporary with the terraced dwellings that run in a linear form within the Dobbs Yard development. The wash house is considered to contribute to the setting, interest and understanding of the unusual linear urban form of later C19 residential development and serves as an interesting feature in longer views into Dobbs Yard from the High Street.
- 9.10 The presence of the wash house also separates the positive historic character of Dobbs Yard, from the new dwelling adjacent which is an incongruous feature within the historic form of Chatteris Conservation Area.
- 9.11 The submitted design and access statement notes that the building is in a very poor condition and that the roof tiles, roof structure and chimney have been lost. The statement also notes that CNC Building Control had visited the site and allowed the partial demolition of the structure due to concerns raised regarding the stability of the building.
- 9.12 The FDC Conservation Officer highlighted within their consultation response that the building has previously been acknowledged as being in good condition within both the Conservation consultation comments on the 2016 application (F/YR16/0247/F) as well as the heritage statement submitted by the architects for the 2016 application.
- 9.13 The FDC Conservation Officer also acknowledges that the character and historic form of the historic burgage plots and yards of Chatteris has been destructed in recent years through neglect and subsequent loss of historic ancillary buildings, with replacements generally being carried out with poorly designed modern dwellings, which do not have high regard to the context of the conservation area.
- 9.14 The wash house is the last historic ancillary building within the site and ownership of 113 High Street. The frontage cottages have been lost due to long term neglect as have a run of timber and clay pantile outbuildings. The wash house structure was until recently considered to be of good structural condition and now sits half demolished. There has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time.
- 9.15 Consultation comments received from the CCC Archaeology Officer have also queried the deterioration of the wash house. They acknowledge within their

response a previous archaeological building recording which was undertaken in 2018 against an archaeological condition attached to prior permission F/YR16/0247/F for development of the wider site, conditions reference F/YR19/3003/COND. This recording focused primarily on the historic cottages, however did include some recording detailing the condition of the wash house. Photos included within this previous reporting show the building to be in a different condition to than what is currently on site. The photos show the building to be fully roofed and with historic fixtures and fittings in situ.

- 9.16 The FDC Conservation Officer has acknowledged within their consultation comments that all materials appeared to be retained on site, with the roof tiles inside the building and the salvaged bricks in stacks adjacent.
- 9.17 It is therefore considered that the wash house is entirely capable of repair and re-use in some form. The demolition of the building would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with such impacts magnified within the historic form of Dobbs Yard. The loss of the wash house is considered to impact upon the character and interest of Dobbs Yard and subsequently upon its contribution to the Chatteris Conservation Area.
- 9.18 The demolition of the wash house would not preserve or enhance the character of the conservation area and would result in the loss of a non-designated heritage asset and thus does not accord with S72 of Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.19 The FDC Conservation Officer acknowledges that there has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time. Paragraph 196 of the NPPF is therefore relevant and the deteriorated state of the building cannot be taken into account in the decision of this application. The materials removed appear to be retained on site and therefore in compliance with Paragraph 197 of the NPPF, the LPA should seek to the buildings retention and repair.
- 9.20 It is therefore considered that the current proposal would result in a detrimental impact on the character and historic interest of the Chatteris Conservation Area and as such the scheme is considered to be contrary to both the NPPF and Policies LP16 and LP18 of the Fenland Local Plan 2014.

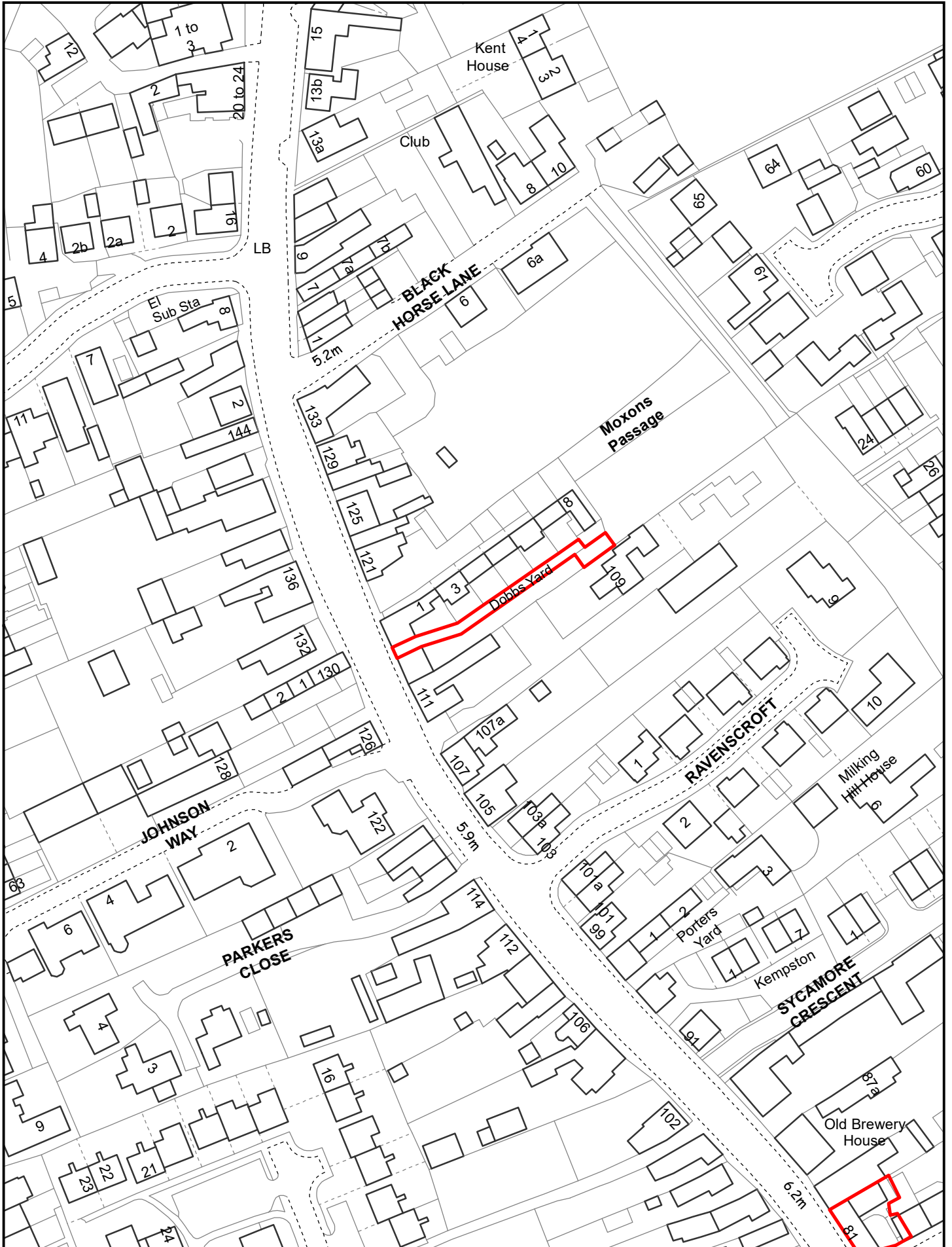
## **10 CONCLUSIONS**

- 10.1 The proposed demolition of the wash house would result in a detrimental impact on the character and historic interest of the Chatteris Conservation Area. The building has until only recently been considered to be in good structural condition and given that removed materials have been retained on site, the LPA should seek the retention and repair of the building.
- 10.2 Given this clear conflict with the relevant policies, it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.

## 11 RECOMMENDATION

### 11.1 Refuse; for the following reason:

1	<p>Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 196 and 197 of the NPPF 2023 seek to protect and enhance heritage assets, avoid or minimise conflict between conservation and development, sustain and enhance the significance of heritage assets whilst putting them to viable use consistent with their conservation, ensuring any harm to or loss of significance to a designated heritage asset is clearly and convincingly justified and that where that harm is substantial, it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweighs that harm or loss.</p> <p>The proposed demolition of the building is considered to result in a detrimental impact upon the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs Yard. The building is considered to be entirely capable of repair and re-use in some form and therefore should be retained and repaired in accordance with S72 Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
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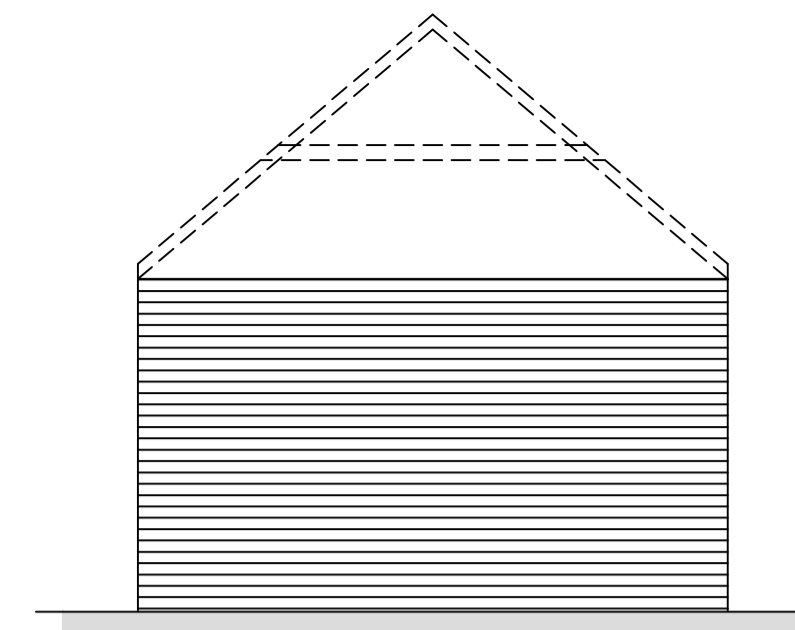
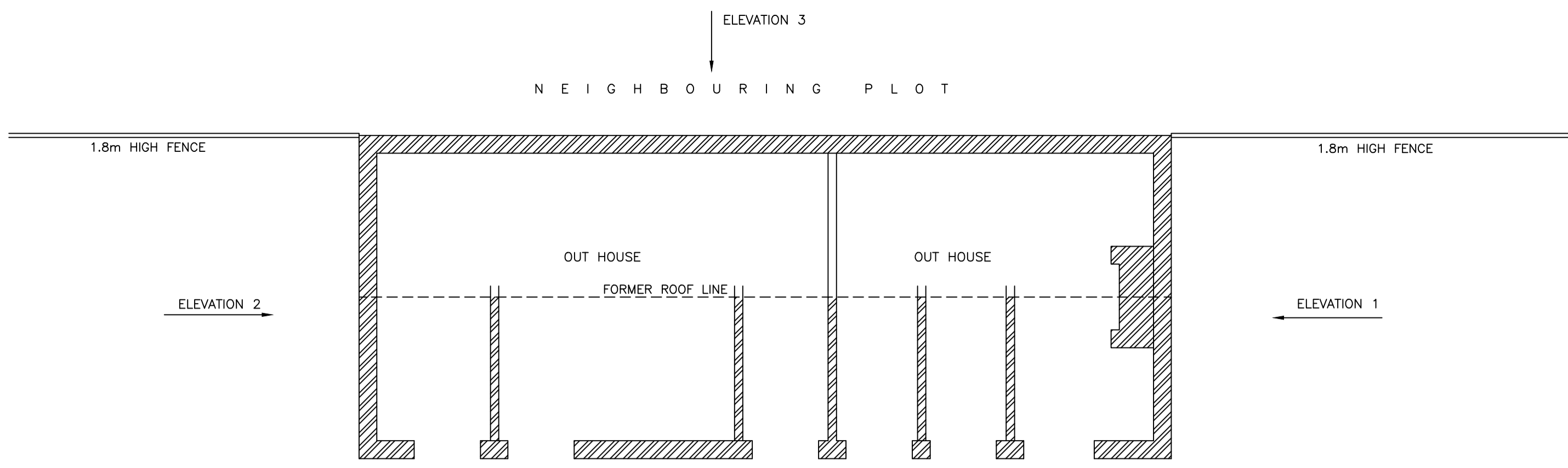
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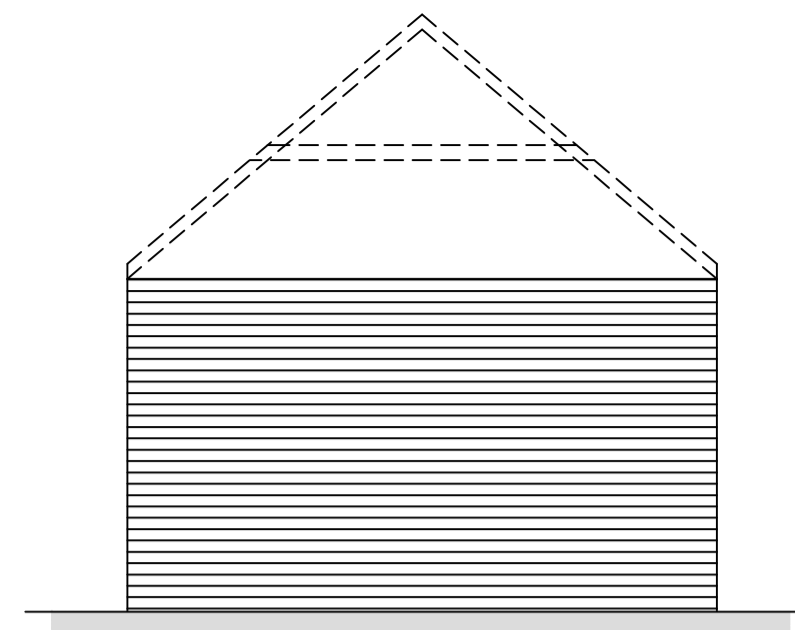
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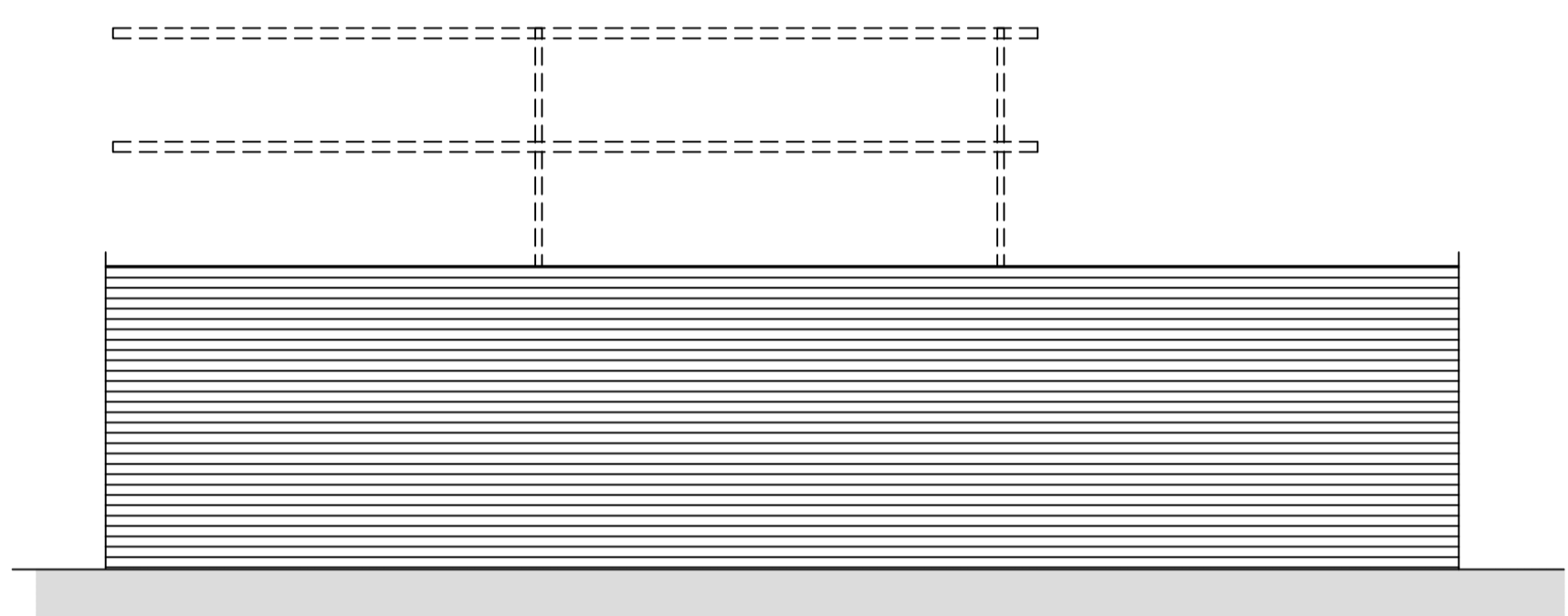


EXISTING ELEVATION 1 1:50

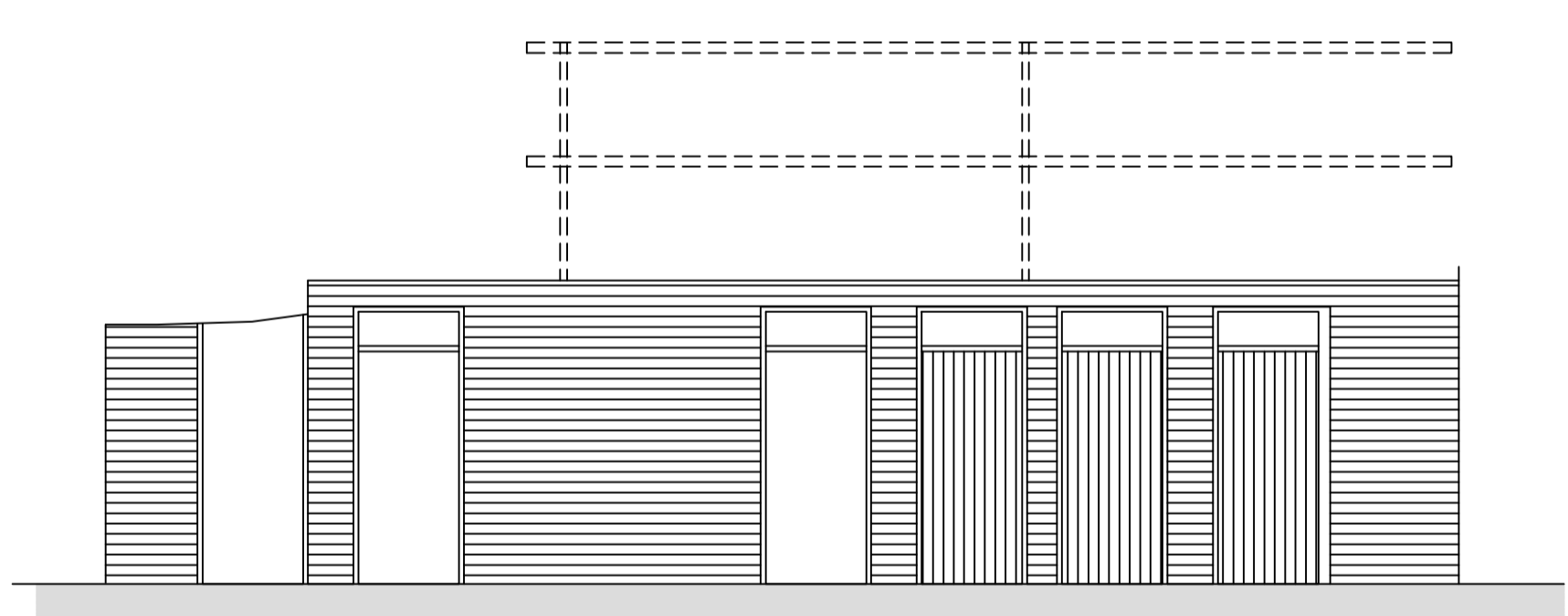


EXISTING ELEVATION 2 1:50

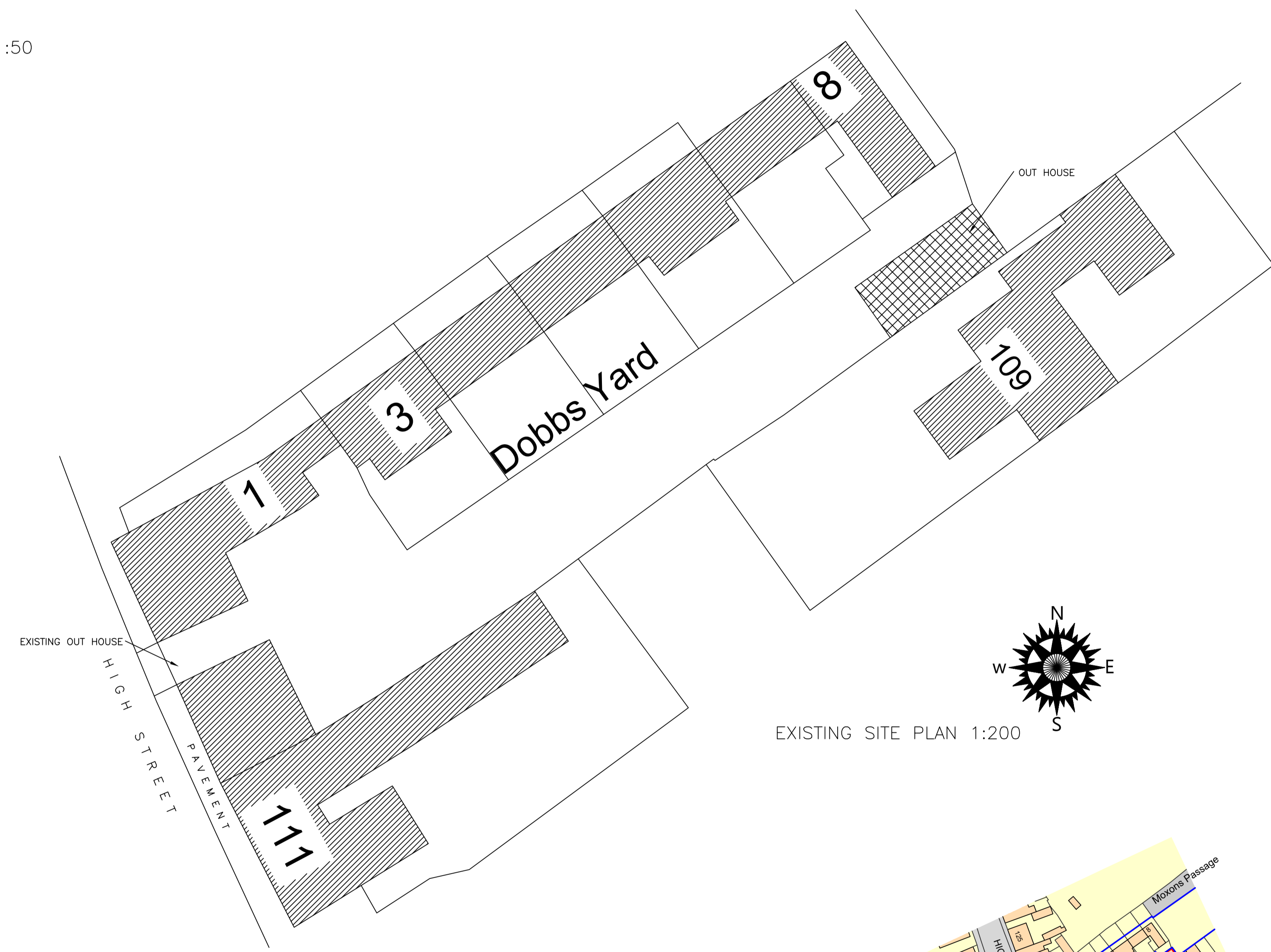
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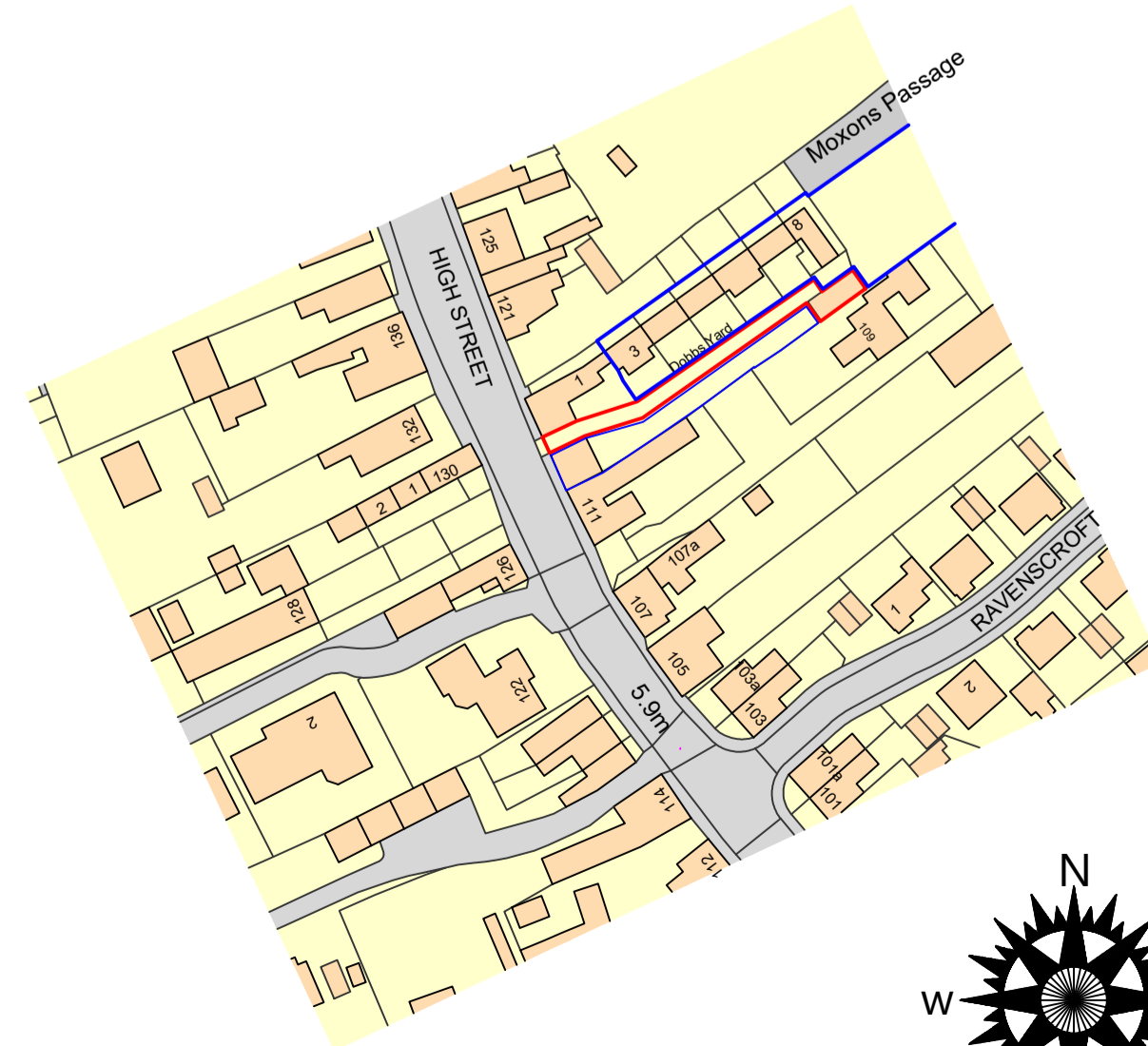
EXISTING ELEVATION 3 1:50



EXISTING ELEVATION 4 1:50



EXISTING SITE PLAN 1:200



LOCATION PLAN 1:1250  
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FRONT/SIDE ELEVATION



FRONT ELEVATION 1



SIDE ELEVATION 4

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Please read, if in doubt ask. Change nothing without consulting the Engineers.  
Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.  
Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.  
All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.  
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer  
All finishes, insulation and damp-proofing to architect's details

REVISIONS	DATE

**MORTON & HALL CONSULTING LIMITED**  
CONSULTING STRUCTURAL ENGINEERS

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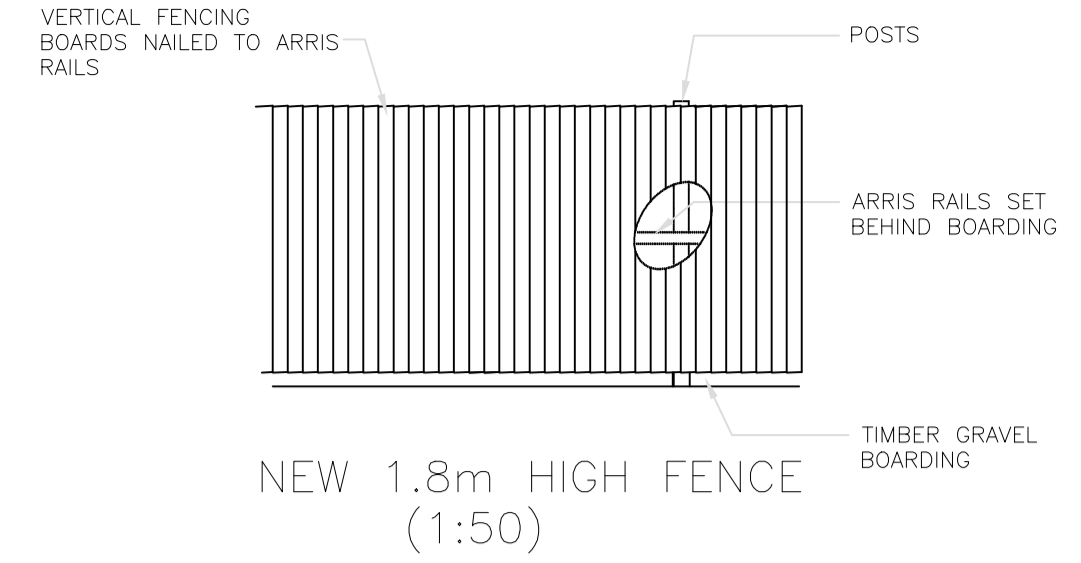
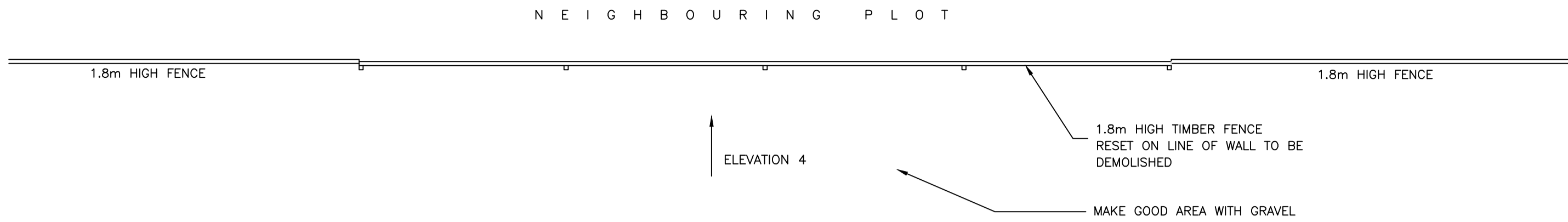
LABC Fenland District Council Building Design Awards winner Building Excellence in Fenland

CLIENT  
Mr Tucker & Elizabeth Chater

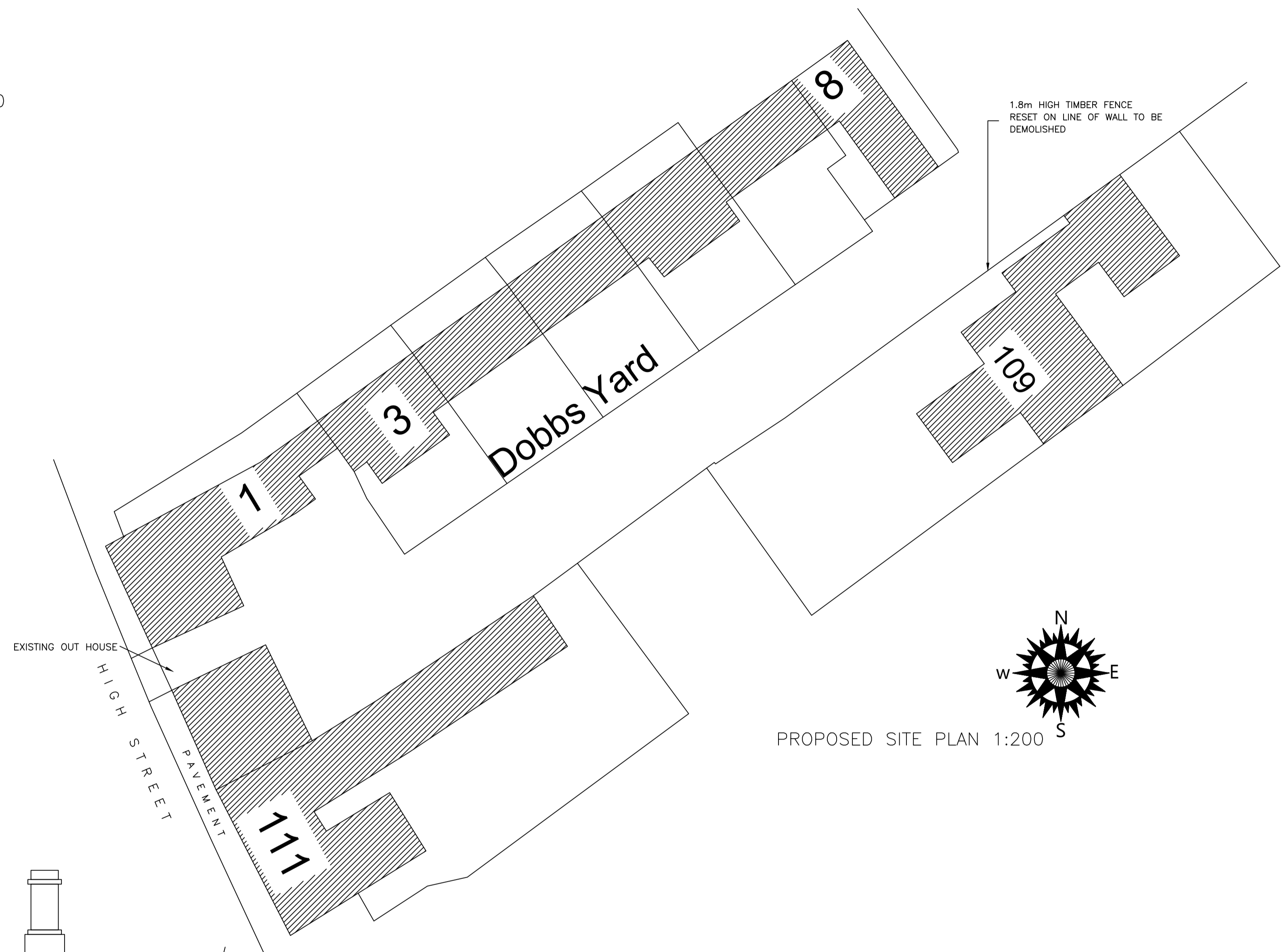
PROJECT  
113-115 High Street  
Chatteris  
Cambridgeshire  
PE16 6NP

TITLE  
Rear Outhouse Arrangement

DRAWN MH	DATE OF ISSUE
CHECKED	
DATE September 2023	DRAWING NUMBER H8319/100
SCALE As Shown	



PROPOSED PLAN FOR BOUNDARY TREATMENTS 1:50



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 Please read, if in doubt ask. Change nothing without consulting the Engineers.  
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.  
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.  
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.  
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer  
 All finishes, insulation and damp-proofing to architect's details

REVISIONS	DATE

**MORTON & HALL CONSULTING LIMITED**  
 CONSULTING STRUCTURAL ENGINEERS

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**Fenland District Council Building Design Awards**  
 winner Building Excellence in Fenland

CLIENT  
 Mr Tucker & Elizabeth Chater

PROJECT  
 113-115 High Street  
 Chatteris  
 Cambridgeshire  
 PE16 6NP

TITLE  
 Proposed Arrangement

DRAWN MH	DATE OF ISSUE
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DATE September 2023	DRAWING NUMBER H8319/101
SCALE As Shown	