
F/YR20/0585/F

**Applicant: GKL Residential
Developments Ltd**

**Agent : Ms Kate Wood
Barker Storey Matthews**

Former Coach House, London Road, Chatteris, Cambridgeshire

Erect a 2-storey 4-bed dwelling involving demolition of store building

F/YR20/0586/LB

**Applicant: GKL Residential
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Former Coach House, London Road, Chatteris, Cambridgeshire

Demolition of a curtilage listed store building

Officer recommendation: Refusal of both applications

**Reason for Committee: Number of representations contrary to Officer
recommendation**

1 EXECUTIVE SUMMARY

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| <p>1.1 The proposal seeks full planning permission for the erection of a detached, 2-storey, 4 bed dwelling and full planning permission and listed building consent for the demolition of the existing building.</p> <p>1.2 The coach house is a statutorily protected building by virtue of its curtilage association with 22 London Road, Chatteris (Section 1 (5) of the Planning (Listed Building and Conservation Area) Act 1990).</p> <p>1.3 The application has failed to sufficiently understand the significance of the assets affected, has therefore not understood the level of harm arising from the proposals and consequently not offered sufficient justification or articulation of public benefit for the proposed scheme. In addition an alternative viable scheme which would achieve the conservation and re-use of the asset has not been explored. The applications propose total demolition of a curtilage listed building, which it is considered would amount to substantial harm and total loss of significance, it is not considered that substantial public benefits would be created. The loss of the curtilage listed building and its replacement with a new build would be harmful to the principal listed building (22 London Road) and the wider Conservation Area in which these are situated.</p> <p>1.4 The site is located in a prominent and sensitive location, the proposed dwelling is</p> |
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a pastiche of the adjoining listed buildings, which fails to protect or enhance surrounding heritage assets or make a positive contribution to the character of the area. The proposal fails to provide sufficient, useable on-site parking provision. It is overall not considered to create a high quality environment and fails to take opportunities to minimise harm.

1.5 The proposal is therefore considered contrary to Policies LP2, LP15, LP16 and LP18 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraphs 127, 189 and 193-196 of the NPPF 2019, C1, C2, I1, and B2 of the NDG 2019. Granting 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 Areas) Act 1990.

1.6 The recommendation is to refuse.

2 SITE DESCRIPTION

2.1 The site is a curtilage listed former Coach House to 22 London Road (Grade II listed) with a hardstanding area to the rear. The site forms part of the former Travis Perkins site, which has been vacant approximately 3 years and lies within Chatteris Conservation Area.

2.2 No.22 and the remaining commercial site has been granted planning permission and listed building consent (F/YR19/0355/F and F/YR19/0356/LB) for the erection of 6 x single storey dwellings, change of use of the office building (No.22) to a 2-storey 5-bed dwelling involving part demolition of and alterations to the Listed Building and demolition of warehouses and outbuildings at the rear of the site.

2.3 The Coach House faces onto London Road with the site access between it and No.22 (to the north). It is a single storey gault brick structure with a 2-storey loft, most likely built as coach house and/or stables, with roofs of Welsh slate. There are door openings only to the rear (west) elevation. Three semi-circular, or Diocletian windows to the ground floor east elevation (road) and two to the ground floor west elevation have stone cills and red and gault brick surrounds. Those on the east elevation have been blocked in. The north end bay has been partially demolished and rebuilt with Fletton bricks in order to widen the access for commercial vehicles entering and leaving the yard in the later 20th century and would likely have had a further window. The loft section of the building includes two semi-circular cast iron windows to the first floor, also under contrasting red and yellow 9 inch brick header arched openings with stone cills to both the east and west elevations.

2.4 The coach house retains several internal features, including surviving lath and lime plaster barrel vaulted ceilings, and a wooden stair to the loft, with sack slide. A small fireplace still exists in the north end bay, but has been blocked in and the chimney lost when the coach house was shortened and the gable end rebuilt. Metal mesh ventilation screen is in situ at the ceiling apex and supports the suggestion of its use for livestock. The barrel vaulted ceiling in a mid-19th century utilitarian and ancillary structure is an unusual and notable feature of the building. The shapes of the ceilings form an important part of the history of this building.

2.5 There appear to have been two access points historically onto London Road. However, only the northern one has been used for a number of years. The

southern boundary of the site is made up of the northern elevational wall of No 24 London Road. Within this wall are two ground floor and one first floor window which overlook the site.

- 2.6 The site is within Chatteris Conservation Area and is situated within a residential area. It sits between the associated principal Grade II listed building of 22 London Road and the 3-storey Grade II listed building of 24 London Road. On the opposite side of the road are the 2-storey properties of 43-45 London Road, 3-storey 41 London Road and the 2-storey Grade II listed building of 39 London Road.

3 PROPOSAL

- 3.1 The proposal seeks listed building consent and full planning permission for the demolition of the existing building and full planning permission for the erection of a detached, 2-storey, 4 bed dwelling.
- 3.2 The proposed dwelling measures 16.7m x 6m and 7.8m in height. Accommodation comprises a lounge, kitchen/diner, utility and WC at ground floor level and 4 bedrooms (2 with en-suite) and bathroom at first-floor level.

Full plans and associated documents for these applications can be found at:

F/YR20/0585/F

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QC0HK4HE01U00>

F/YR20/0586/LB

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QD5AB7HE01U00>

4 SITE PLANNING HISTORY

F/YR19/0706/LB	Internal and external works to a curtilage listed building involving the erection of a single-storey rear extension and raising the roof height of the single-storey element to enable a change of use of the building to a 2-storey 3-bed dwelling	Refused 4/10/2019
F/YR19/0705/F	Change of use and refurbishment of existing building to form a 2-storey 3-bed dwelling involving the erection of a single-storey rear extension and raising the roof height of the existing single-storey element	Refused 4/10/2019
F/YR19/0356/LB	Works to a Listed Building to change the use of office building to 2-storey 5-bed dwelling with detached car port involving part demolition to rear	Granted 3/10/2019

F/YR19/0355/F	Erection of 6no single storey dwellings comprising of 2 x 2-bed and 4 x 3-bed; change of use of office building (LB) to 2-storey 5-bed dwelling involving part demolition of Listed Building and demolition of warehouse and outbuildings	Granted 3/10/2019
F/96/0103/F	Erection of single-storey office extension to existing building	Granted 4/7/1996
F/0431/79/F	Change of use from showroom to office and store and replacement shopfront	Granted 3/8/1979

5 CONSULTATIONS

5.1 Cambridgeshire County Council Archaeology

At the time of writing the report no comments have been received, however an archaeological written scheme of investigation was requested on the previous applications for this site.

5.2 Conservation Officer (FDC)

Comments received from The Council's Conservation Officer have informed the site description above and the assessment of heritage impact at section 10 of this report. Full details can be viewed via Public Access using the links provided at 3.2.

5.3 Council for British Archaeology

Thank you for consulting the Council for British Archaeology (CBA) on the above case. Based on the information supplied with this application, we offer the following observations and advice to assist your authority in determining the application.

Summary

The CBA object to this application for the substantial harm that would be caused to a curtilage listed building and the less than substantial harm that would result to the Grade II listed 22 London Road and the Chatteris Conservation Area. This application provides insufficient information concerning the extant building and lacks the 'clear and convincing justification' required to support its demolition.

Significance

The 'former coach house' is a 19th century agricultural type building that is curtilage listed to 22 London Road (List number 1125994). Curtilage listed buildings, structures and objects are afforded the same protection, and restrictions imposed, as a listed building with its own listing entry; the 'former coach house' should therefore be considered as listed at Grade II within the planning process. It is a common misunderstanding to expect a List description to be a catalogue of significant features, as expressed within the associated Heritage Statement. Sadly the majority of List descriptions were written for identification purposes and are of limited help in establishing the significance of a building or site. The CBA disagree with the findings of the associated Heritage Statement and do not believe the building's significance to have been accurately assessed.

There is considerable potential to better reveal the significance of the building proposed for demolition. The 19th century brickwork detailing makes an attractive contribution to the streetscape. The building also holds evidential value in its use of imported materials to the area, identified within the Heritage Statement as relating

to the arrival of the railways in 1848. The construction of a finely detailed coach house on the road side speaks of a socially aspirational 19th century status symbol, expressed by the owners of 22 London Road, which the CBA believe makes an important contribution to understanding the historical development of Chatteris in the 19th century. The fact that building components were factory produced merely dates them to this period rather than diminishing the building's significance.

The CBA recognise that the dilapidated condition of this building means it currently represents a detractor within the street scape. However, if this building were to be conserved and restored it would make a greater contribution to the character and appearance of the Chatteris Conservation Area than its proposed replacement.

Comments

The associated documentation does not include sufficient details of the existing building for statutory consultees, such as ourselves, to be able to make an informed assessment of the building. There are no plans or elevation drawings of the curtilage listed coach house whilst the photographs provide evidence of the site context but not sufficient details of the building. Demolition equates to substantial harm in terms of the language of the NPPF, as this building would be lost in its entirety if this application is granted.

Whilst the associated documentation states that the existing building cannot be adapted and repurposed to a domestic use, the CBA believe that a structural report, carried out by surveyors with experience of consolidating historic buildings, should be required to evidence this claim. A structural survey is referenced within the associated documentation, but not provided. Only if such a structural report supports the claim that this building is beyond conservative repair and adaptive reuse, could this application be considered to meet the requirements of paragraph 194 of the NPPF. This states that "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. Substantial harm to or loss of grade II listed buildings, or grade II registered parks or gardens, should be exceptional." In this instance the harm to be considered involves substantial harm (total demolition) to a curtilage listed building, harm to the setting and significance of the Grade II listed 22 London Road and harm to the historic character and appearance of the Chatteris Conservation Area.

The CBA believes that adaptive reuse must be demonstrated to be unachievable, and not simply more expensive, in order to justify the degree of harm that would be caused by the demolition of this curtilage listed building.

The CBA also suggest that paragraph 191 of the NPPF may be pertinent to this application, which 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."

Recommendation

The status of the building as Grade II curtilage listed and its location in a prominent position within a conservation area means that section 16 of the NPPF dictates a presumption in favour of its constructive reuse rather than demolition. To reach the conclusion that demolition is an appropriate course of action important criteria must be met. The CBA are unconvinced that this application achieves this.

The CBA recommend that 'clear and convincing justification' should be required of the applicants to demonstrate that this building is beyond conservative repair and

reuse in order for its demolition to be considered as meeting the requirements of national and local planning policy.

The CBA object to this application in its current form.

5.4 Chatteris Past, Present and Future Civic Society

An 11 page objection has been received from the Chatteris Past, Present and Future Civic Society, the summary is provided below:

We are of the opinion that the council should REFUSE this application on the following grounds:

As a pre-1948 structure within the curtilage of a Grade II Listed Building, the coach-house is a Designated Heritage Asset in accordance with Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The council must start from a position of presuming against demolition, in accordance with NPPF 194 & NPPF 195, which say that the loss of a Designated Heritage Asset should be exceptional.

The Applicant has not provided sufficient information to enable Fenland District Council to fairly assess this application against the criteria set out in NPPF 190-195, as required by NPPF 189 and LP16.

The Applicant has not demonstrated that the options for renovation outlined by the council's Conservation Officer in response to the previously submitted application(s) are unsuitable, and therefore the proposal does not meet the bar for loss of a Designated Heritage Asset set out in NPPF 195(a).

The Applicant has not demonstrated that the building could not be successfully marketed in order to enable its conservation, and therefore the proposal does not meet the bar for loss of a Designated Heritage Asset set out in NPPF 195(b).

The Applicant has not demonstrated that the building could not be successfully renovated by a charity or public body (such as a Building Preservation Trust), and therefore the proposal does not meet the bar for loss of a Designated Heritage Asset set out in NPPF 195(c).

The proposal causes harm to the setting of other listed buildings and the conservation area, in contravention of LP16(d) when assessed according to NPPF 190.

The council's commitments towards safeguarding heritage assets, as set out in LP18.

The council's commitment to reduce the number of heritage assets "at risk", as set out in LP18. The Conservation Area itself was added to Historic England's "at risk" register in 2015, so the council should avoid approving developments that place it at any further risk.

5.5 Ancient Monuments Society

The highly competent analysis by Richard Donoyou (and the representations of the Chatteris Civic Society) confirm the interest of this building – and its ability to take a sensitive conversion.

The replacement building – a version of the early 19th century villa seen elsewhere in the town – will not offend but why go for a fake version of history when the real thing has all the genuine character of an historic structure and can be saved.

5.6 The Victorian Society

We were notified of this application and wish to write in objection to the proposals.

Having assessed the documents provided, we agree with the points made by the CBA in their letter, namely that the building is considered to be curtilage-listed, and that inadequate information has therefore been provided to rationalise the demolition. The significance of the building and its status needs to be fully assessed in line with paragraph 189 of the NPPF, and the substantial harm which would result from the loss of the buildings, as well as the less substantial harm to the conservation area, fully addressed and justified. This has clearly not been done, and this alone is adequate grounds for refusing consent to the application. In addition, we would like to note the heritage value of the building itself, and further echo the request of the CBA to prioritise the adaptive reuse over total demolition. Again, if this is found to be impossible, clear justification must be provided to verify this.

I would be grateful if you could inform me of your decision in due course.

5.7 SAVE Britain's Heritage

SAVE Britain's Heritage writes to object to the above planning and listed building applications for the complete demolition of the former coach house within the curtilage of the Grade II listed house at No 22 London Road. The applications fail to comply with national and local policy for preserving Chatteris's historic environment and for mitigating climate change through sustainable development. For these reasons we call on the Local Planning Authority to refuse these applications.

Significance

The former coach house appears to have been constructed around the 1860s and is a single storey gault brick structure with a two-storey loft to its southern end, likely added at a later stage, and built as stables to the adjoining house. The main door openings are to the courtyard to the rear, while the road elevation features three semicircular windows at ground level and two semi-circular windows to the loft, now bricked in. The northern end was shortened and rebuilt sometime in the early to mid 20th century. One of its key features is the lath and plaster barrel vaulted ceiling within the building, which would have been expensive to install at the time and is a rather unusual feature for a building of this type. Protecting this important element of the building was one of the reasons for refusing the previous listed building application for an insensitive conversion of the coach house into a residential property. Community feedback also shows the site has clear historic significance to the local community as well as its strong street presence contributing the architectural and enclosed character of this part of London Road and the local conservation area.

Assessment

While Historic England's listing description for No. 22 London Road may not formally describe the coach house, the structure is clearly within the curtilage of the main building and is therefore considered a listed structure itself by virtue of the definition outlined for a 'listed building' in section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. SAVE notes the heritage statement submitted with the application claims "The so-called coach house is not considered as a heritage asset within the listing description of 22 London Road, indeed it is not even noted as having group value". We therefore consider the conclusion reached in the heritage statement that the application "therefore represents no loss of historic fabric and an enhancement to the Chatteris conservation area" to be flawed, and demolition therefore unjustified.

The previous application (F/YR19/0705/F) submitted in May 2019 fully acknowledged the buildings importance and adaptability for a residential use, the principle of which is considered acceptable. It is therefore unclear why the building, just 12 months later, is now considered structurally unsound and, as claimed on page 10 of the heritage statement, "the only practical way forward is for the building to be demolished. It is incapable of being "conserved" in situ". We consider the existing building to be readily adaptable and retention of the key historic features within this characterful building would not limit its potential as a dwelling.

National Planning Policy Framework (NPPF) 2019 Paragraph 192 states that in determining planning and listed building consent applications, a number of considerations should be taken into account, first of which is the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. NPPF Paragraph 195 notes where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. As previously stated, we consider these applications do not demonstrate that the building cannot be retained and enhanced in a way that is appropriate to its significance. Indeed, it is noted that the application goes against the pre-application advice given by council.

We also consider the loss of historic building fabric of this scale and age to be unsustainable in terms of climate change. We would ask the council to consider this application in the context of climate change objectives set out in the National Planning Policy Framework (NPPF) 2019. The NPPF para. 148 states that "The planning system should support the transition to a low carbon future in a changing climate" and "shape places in ways that contribute to radical reductions in greenhouse gas emissions ... including the conversion of existing buildings." The efficient use of resources, including land and materials, underpins sustainable development. The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of the built, historic and natural environments.

We would also like to draw the council's attention to Historic England's annual research report for 2019 There's No Place Like Old Homes, which shows that retrofitting existing historic buildings carries a drastically smaller carbon footprint than demolition, the principles of which can be equally applied to this former coach house.

Conclusion

SAVE objects to the proposed demolition of this former coach house, a building we consider has the potential to be sensitively adapted as a unique and historic residential property. The application provides no justification for its entire loss, and therefore fails to comply with national and local policy objectives on climate change and the historic environment. The Local Planning Authority has a duty to protect what is a rare and unique resource and we therefore recommend they refuse these applications.

5.8 Cambridgeshire County Council Highways

The proposal results in no material highway impact. No highway objections subject conditions securing the access/footway and parking arrangement. Please ensure site layout remains consistent with the access arrangement secured for the development/consent to the west of this application site.

5.9 Chatteris Town Council

Support

5.10 Environmental Health (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' as it is unlikely to have a detrimental effect on local air quality and the noise climate.

However, our mapping data shows this site used to be historically associated with a farm yard and, more recently used as a builders yard. Both uses could give rise to potential ground contamination and therefore I must request that the applicant submits a phase 1 contaminated land risk assessment to determine whether current and previous uses have impacted on the ground condition.

The Environmental Health team have advised that this could be dealt with by way of a condition if the application is granted.

5.11 Local Residents/Interested Parties

Seventeen objections have been received (four from residents of High Street, Chatteris; two from residents of London Road, Chatteris and one from residents of East Park Street, Ellingham Gardens, Westbourne Road, Kempston Court, New Road, Juniper Drive, Ravenscroft, West Park Street, St Francis Drive and Rosemary Lane, all Chatteris and Doddington Road, Wimblington) on the following grounds:

- Demolition would result in the loss of the rare vaulted ceiling
- Building is listed contrary to applicant's claims and should be saved
- Heritage statement flawed and not fit for purpose
- Building preservation notice should be applied
- Council should issue a repairs notice
- 'significant harm' contrary to para 196 of NPPF
- Failure to justify loss of listed building
- Distinctive building
- Bat survey required and cannot be conditioned
- Poor design
- Overlooking/loss of privacy
- Significant adverse impact on conservation area
- demolishing local history
- not policy compliant
- would set a precedent

- The coach house makes a positive contribution to the specific interest of its principal listed building despite its poor condition
- Could be converted, applied for in 2019, alternatives to demolition have not been given due consideration
- Building retains many original features
- On a principal street and prominent location, integral part of architectural history
- Detrimental to the hard work undertaken to restore the character of Chatteris
- Should be preserved and restored
- Reminder of towns agricultural history

Eight supporting comments have been received (two from residents of London Road, Chatteris; two from residents of Tithe Road, Chatteris and one from residents of Hinchingsbrooke Drive, Curf Terrace and Wood Street, all Chatteris and Walden Close, Doddington) on the following grounds:

- Current condition of building is poor, has not been maintained and detracts from area
- Can see no reason why the proposal would not result in a significant improvement
- Issues in relation to loss of privacy to the neighbour have been resolved by the proposal to erect a fence to separate the properties
- Proposal simple, high quality design, in keeping with the conservation area and will provide an attractive frontage.
- The building has no architectural value
- The yard needs redevelopment and attracts vandalism, health and safety risk
- Old storage shed would be better replaced by a modern home
- Upgrade this part of London Road
- Chatteris in need of modern housing

5.12 Comments, where they relate to planning matters will be considered in the sections below. It should be noted that a Building Preservation Notice is not required as the building is already afforded statutory protection as a curtilage listed building.

5.13 Re-consultations have been undertaken following the receipt of a Bat, Bird and Barn Owl Survey, amended site plan detailing additional parking space and a landscaping plan. Any additional comments will be provided to members by way of an update.

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.

6.3 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building

consent for any works to 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 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context – C1, C2

Identity – I1

Built Form – B2

Movement – M3

Nature – N3

Homes and Buildings – H2, H3

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP10 – Chatteris

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

LP19 – The Natural Environment

Delivering and protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the Area

Chatteris Conservation Area Appraisal and Management Strategy 2008

8 KEY ISSUES

- **Principle of Development**
- **Heritage, Design and Visual Amenity**
- **Residential Amenity**
- **Highways/parking**
- **Ecology**
- **Flood Risk**

9 BACKGROUND

- 9.1 Pre-application advice was provided in relation to the site which concluded that the principle of residential conversion for the coach house was supported, but that a one, or two bed dwelling would be feasible, rather than a three bedroom and three bathroom conversion which would result in the loss of internal features and an unacceptable change of scale and subservient relationship with the principal dwelling. This was re-iterated in subsequent email correspondence.
- 9.2 Full planning and listed building applications were submitted contrary to this advice under F/YR19/0705/F and F/YR19/0706/LB for conversion to a 2 storey, 3 bed dwelling. These applications were refused for the following reasons:
- 1. The proposal will result in the loss of heritage assets and new works which would result in substantial harm to the designated assets, namely No 22 London Road, the curtilage listed Coach House and also the Conservation Area. The proposal is therefore considered to be contrary the NPPF paragraphs 193-196, Policies LP16 and LP18 of the Fenland Local Plan 2014 and Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
 - 2. The change of use of the rear yard to residential curtilage/ rear has the potential to impact detrimentally on the existing occupiers of No 24 and future occupiers of the converted Coach House, through overlooking, noise disturbance and lack of privacy. The proposal is therefore considered to be contrary to Policy LP2 and LP16 which seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers*
- 9.3 Alternative proposals for a one or two-bedroom conversion were again suggested by the conservation officer as potentially acceptable schemes.

10 ASSESSMENT

Principle of Development

- 10.1 The site is part of a brownfield site within the built framework of Chatteris where new housing development can be supported (Policy LP3). The site is within a mainly residential area and the wider, former commercial site, has recently obtained planning permission for residential development. As such the redevelopment and reuse of the site for residential purposes can be generally supported.
- 10.2 This is however subject to the heritage assets being protected and or enhanced and there being no significant issues in respect of residential or visual amenity, design, parking, highways, ecology or flood risk.

Heritage, Design and Visual Amenity

- 10.3 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a legal duty to have special regard to the desirability of preserving a listed building, or any of its features, when considering whether to grant Listed Building Consent. Further, in deciding whether to grant planning permission which affects a listed building or its setting, the Council has a legal duty to have special regard to preserving a listed building or its setting; and in deciding whether to grant planning permission for development in a conservation area, 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.

- 10.4 Policies LP16 and LP18 of the Fenland Local Plan seek to protect and enhance heritage assets. Chapter 16 of the NPPF 2019, C1, C2, I1, and B2 of the NDG 2019 are also relevant.
- 10.5 The coach house is a statutorily protected building by virtue of its curtilage association with 22 London Road (Section 1 (5) of the Planning (Listed Building and Conservation Area) Act 1990). It was a functionally subservient building to No. 22, and of largely contemporaneous date. It served the main house as a coach house and is an important surviving example within Chatteris, and highlights the status of the principal building by its proximity to it and by presenting a formal face to the town. It also references its former functional role within a wider farmstead or agricultural yard to the rear. This in turn recalls the agricultural heritage and economy of the town, and adds considerably to the character and appearance of the conservation area, as well as to the setting and understanding of the principal listed building.
- 10.6 Paragraph 189 of the NPPF 2019 and Policy LP18 of the Fenland Local Plan 2014 require the applicant to describe the significance of any heritage assets affected, including any contribution made by their setting and Policy LP18 of the Fenland Local Plan requires development proposals which would affect a heritage asset to:

- a) accurately describe or assess the significance of the asset and/or its setting to determine its architectural, historic or archaeological interest;
- b) identify the impact of the proposed works on the special character of the assets
- c) provide clear justification of the works

The submitted documentation fails to acknowledge that the building in question is listed and as such does not accurately describe or assess the impact, nor does it provide sufficient justification for the demolition and as such is contrary to the aforementioned policies.

- 10.7 An application for conversion of the building was made in 2019. Presumably, at that point the conversion of the building was considered feasible. If the condition of the building has deteriorated to such an extent this is now not possible (though it is acknowledged no evidence has been provided that this is the case), then consideration may need to be given to Paragraph 191 of the NPPF 2019, which 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.
- 10.8 Paragraph 192 of the NPPF 2019 requires LPA's to 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 suggestion of converting the coach house to a one or two bedroom dwelling has been made more than once to the applicant and would satisfy this element of the NPPF.

- 10.9 Paragraph 193 of the NPPF 2019 requires LPA's when considering the impact of a proposed development on the significance of a designated heritage asset, to give great weight 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.
- 10.10 Paragraph 194 of the NPPF 2019 states that 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; no such justification has been provided.
- 10.11 Paragraph 195 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.

The applications propose total demolition of a curtilage listed building, which it is considered would amount to substantial harm and total loss of significance, it is not considered that substantial public benefits would be created and no evidence has been provided in relation to parts a)-d) above.

- 10.12 Paragraph 196 states 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. The coach house is visually prominent in its relationship with the principal dwelling. Therefore, the loss of the coach house will result in severing the last link between the main dwelling house, and its original setting, cutting off historical connections which contribute to its significance and the character of the Conservation Area. The loss of the curtilage listed building and its replacement with a new build would be harmful to the principal listed building (22 London Road) and the wider Conservation Area in which these are situated. The optimum viable use of the coach house has not been explored and no public benefits for the total demolition of a heritage asset over its conservation and conversion and replacing it with a new dwelling have been articulated.
- 10.13 The proposed dwelling has been designed to mimic the architecture of the principal listed building (No.22) and the grade II listed building to the south (No.24), featuring sash windows, solidier detailing, fan light above the door and chimneys. However, the proposal would have a prominent street presence due to its location, scale and design, and would therefore detract from the adjacent listed buildings both visually and in relation to their heritage significance.
- 10.14 The landscaping plan proposes 1.8m high close boarded fence to the front of the site between the proposal and No.24 and alongside the proposed access road, the proposal is in a sensitive location and this is not considered to create a high

quality finish to the development. It is acknowledged that there is timber fencing to the south of the site as existing and this does not have a positive impact on the character of the area.

- 10.15 The application has failed to sufficiently understand the significance of the assets affected, has therefore not understood the level of harm arising from the proposals and consequently not offered sufficient justification or articulation of public benefit for the proposed scheme. In addition an alternative viable scheme which would achieve the conservation and re-use of the asset has not been explored. Furthermore the proposal is considered to detract from adjoining listed buildings. The proposal is therefore considered contrary to Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 189 and 193-196 of the NPPF 2019, C1, C2, I1, and B2 of the NDG 2019.

Residential Amenity

- 10.16 To the north of the site is the principal listed building of 22 London Road, this is presently vacant however planning permission has been granted under F/YR19/0355/F to change the use of this to a 5-bed dwelling. The proposed dwelling is located 7m away from No.22. There is potential for overlooking of the garden serving No.22 from the first-floor windows in the rear of the proposed dwelling and into the small side windows to the living room and bedroom from the side bedroom window in the proposal. However this would not be direct and as such is not considered significantly detrimental. There is potential for additional overshadowing due to the orientation of the proposal to the south and the increased height, however due to the separation distance this is not considered to be significantly adverse.
- 10.17 To the front (east) of the site on the opposite side of the road is the 3-storey detached dwelling of 41 London Road and the 2-storey terraced properties of 43 and 45 London Road. The proposal is located approximately 13m from No.41 and 11m from No.s 43 and 45 (building to building). It is acknowledged that there will be some additional overlooking of these properties (in particular to No.41 as this is directly opposite) however the relationship is as many of the existing properties on London Road and the distances are such that this is not considered to be significantly detrimental.
- 10.18 To the south of the site is the detached, 3-storey dwelling of 24 London Road, this is also a Grade II listed building. There is one ground floor window (kitchen) and 2 first-floor windows (bathroom and en-suite) in the northern side elevation which face towards the site. The proposal is located approximately 6m from No.24. There would be some additional overlooking as a result of the proposal from the rear and side bedroom windows, the first-floor windows to No.24 are obscure glazed and the overlooking would not be direct, hence this is not considered to be significantly adverse. A fence is proposed to separate the garden of the proposed dwelling from the side wall (and therefore ground floor window) of No.24 which removes the previous reason for refusal in this regard. This does however result in a strip of land that may not be maintained. A condition could be imposed in relation to the provision and retention of the boundary treatment and maintenance of this land given the prominent and sensitive location.
- 10.19 To the rear of the site is currently a vacant yard, however planning permission has been obtained for 6 dwellings and plot 3 would be to the rear of the site. There are no windows in the side elevation of plot 3 which faces towards the site and the dwelling itself is separated from the application site by the car port. The

location of the first-floor window serving bedroom 1 to the rear of the site would result in direct overlooking of the garden serving plot 3 at a distance of only approximately 7m. However it is noted that this is the third window serving this bedroom and could therefore be conditioned to be obscure glazed and fixed shut whilst still retaining sufficient outlook from the room.

- 10.20 The proposal is afforded in excess of a third of the plot for private amenity space, in accordance with Policy LP16(h). There will be some overlooking from Nos. 41, 43 and 45 opposite, however the relationship is as many of the existing properties on London Road, and the distances are such that this is not considered to be significantly detrimental. There is direct overlooking of the garden by 2 first-floor windows in the side of No.22 at a distance of less than 10m, this is not ideal and could have been designed out, however given the proposal is overall considered unacceptable it was not considered reasonable to request amendment and there is garden land at an acceptable distance.
- 10.21 Details in relation to bin storage and collection arrangements have not been provided, however these could be secured by way of a condition.

Highways/parking

- 10.22 The site utilises the access approved under F/YR19/0355/F and the Highways Authority have no objections subject to conditions.
- 10.23 Policy LP15 and Appendix A of the Fenland Local Plan 2014 require 3 parking spaces for a 4-bed dwelling such as this. 3 parking spaces have been detailed on the proposed site plan and these are tandem which is far from ideal, furthermore one of the spaces is located within the garden (indicated as a grass grid), would therefore be difficult to access or condition to be retained as a parking space and would result in a loss of private amenity space. As such it is not considered that the required parking provision is achieved.
- 10.24 Appendix A does advise that in central areas of market towns there is potential for a reduction in spaces to be negotiated, however the site is on a busy principal street where potential for additional on street parking should not be encouraged and the site has potential to accommodate the required number of spaces if redesigned. Whilst the shortfall in parking provision is not considered to warrant a refusal reason in its own right, it does contribute to the overall failure to provide a high quality environment.
- 10.25 It is acknowledged that unit 1 of F/YR19/0355/F is a 5-bed dwelling and was approved with only 2 parking spaces, however this was accepted due to the provision of visitor spaces adjoining, the proposal also had the wider benefits of redeveloping a brownfield site and renovating the listed building of 22 London Road, no such benefits are provided with the current application.

Ecology

- 10.26 The applications have been accompanied by a Bat, Bird and Barn Owl survey, undertaken in August 2020, which found no evidence of either species.
- 10.27 Recommendations have been made in respect of the provision of bat and bird boxes and a bat friendly lighting scheme and could be secured by condition.

Flood Risk

- 10.28 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission

of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

11 CONCLUSIONS

- 11.1 The application has failed to sufficiently understand the significance of the heritage assets affected, has therefore not understood the level of harm arising from the proposals and consequently not offered sufficient justification or articulation of public benefit for the proposed scheme. In addition an alternative viable scheme which would achieve the conservation and re-use of the heritage asset has not been explored.
- 11.2 The site is located in a prominent and sensitive location, the proposed dwelling is a pastiche of the adjoining listed buildings, which fails to protect or enhance surrounding heritage assets or make a positive contribution to the character of the area. The proposal fails to provide sufficient, useable on-site parking provision. It is overall not considered to create a high quality environment and fails to take opportunities to minimise harm.
- 11.3 The proposal is therefore considered contrary to Policies LP2, LP15, LP16 and LP18 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraphs 127, 189 and 193-196 of the NPPF 2019, C1, C2, I1, and B2 of the NDG 2019.
- 11.4 Given this clear conflict with the above 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 Areas) Act 1990.

12 RECOMMENDATION

Refuse for the following reasons:

Reasons for refusal;

F/YR20/0585/F

1	<p>Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 189 and 193-196 of the NPPF 2019, C2 of the NDG 2019 seek to protect and enhance heritage assets.</p> <p>The total demolition of this curtilage listed building, is considered would amount to substantial harm and total loss of significance in addition to harm to the setting of the principal listed building (22 London Road) and Chatteris Conservation Area in which these are situated.</p> <p>The submitted documentation fails to acknowledge that the building in question is listed and as such does not accurately describe or assess the impact of its demolition. It does not provide sufficient evidence or justification for the demolition, the optimum viable use of the coach house has not been explored and no public benefits for the total demolition of a heritage asset and its replacement with a new dwelling over its conservation and conversion have been articulated. As such the proposal is contrary to the aforementioned policies.</p>
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2	<p>Policies LP2, LP15, LP16 (d & e) and LP18 of the Fenland Local Plan 2014, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, chapters C1, C2, I1 and B2 of the National Design Guide 2019 and para 127 of the NPPF 2019 seek to ensure that proposals protect and enhance heritage assets, create high quality environments and make a positive contribution to the local distinctiveness and character of the area, do not adversely affect residential amenity and provide sufficient on-site parking.</p> <p>The site is located in a prominent and sensitive location, the proposed dwelling is a pastiche of the adjoining listed buildings, which fails to protect or enhance surrounding heritage assets or make a positive contribution to the character of the area. The proposal fails to provide sufficient, useable on-site parking provision. It is overall not considered to create a high quality environment and fails to take opportunities to minimise harm. As such the proposal is considered contrary to the aforementioned policies.</p>

F/YR20/0586/LB

1	<p>Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 189 and 193-196 of the NPPF 2019, C2 of the NDG 2019 seek to protect and enhance heritage assets.</p> <p>The total demolition of this curtilage listed building, is considered would amount to substantial harm and total loss of significance in addition to harm to the setting of the principal listed building (22 London Road) and Chatteris Conservation Area in which these are situated.</p> <p>The submitted documentation fails to acknowledge that the building in question is listed and as such does not accurately describe or assess the impact of its demolition. It does not provide sufficient evidence or justification for the demolition, the optimum viable use of the coach house has not been explored and no public benefits for the total demolition of a heritage asset and its replacement with a new dwelling over its conservation and conversion have been articulated. As such the proposal is contrary to the aforementioned policies.</p>
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100023778

F/YR20/0585/F and F/YR20/0586/LB

Scale = 1:1,250



Contractors must work only to figured dimensions which are to be checked on site, any discrepancies are to be reported to the architect before proceeding.

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0 20M
EXISTING BLOCK PLAN
SCALE 1:500

B 17.07.2019 Ammendments made to suite
planning/conservation officers comments. NA MDV

A 10.04.19 FIRST ISSUE NA MDV

Rev Date Details Drawn Checked
Issued for:

PLANNING

Project Name:	Project No:
22 LONDON ROAD	362
CHATTERIS	Dwg No:
PE16 6AU	01A
	Rev:
	B
Drawing Name:	Scale:
EXISTING SITE LOCATION AND BLOCK PLAN	Varies @A3
Drawn By:	Date:
NA	10.04.2019
Checked By:	Date:
MDV	10.04.2019

TMVARCHITECTS

The Repeater Station, London Road,
Norman Cross, Peterborough, PE7 3TB

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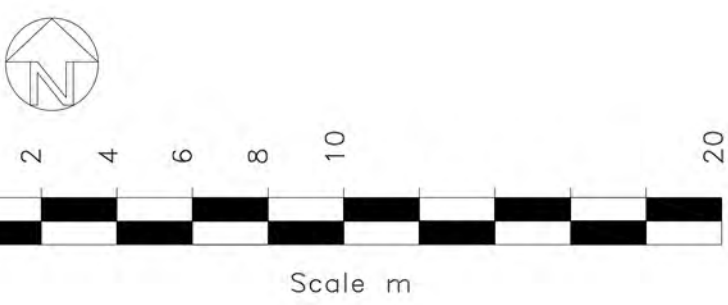
DWELLING AREAS (GIA)

UNIT 2 - (GROUND FLOOR 86.03m²)
(FIRST FLOOR 86.03m²)
(4BEDROOM)

DWAF WALL WITH BRICK
PIERS @4m C/C AND CLOSED
BOARDED TIMBER FENCE
BETWEEN PIERS AT 1.8m
HIGH

DWAF WALL WITH BRICK
PIERS AND METAL ESTATE
FENCING AT 1m HIGH AS PER
ELEVATION D-D

1.8m
CLOSED BOARDED TIMBER
FENCE



20.01.2019	FIRST ISSUE	NA	MDV
Rev	Date	Details	Drawn
Issued for:			
PLANNING			
Project Name:	22 LONDON ROAD CHATTERIS PE16 6AU	Project No:	362
Dwg No:	002	Rev:	-
Scale:	1:200 @A1	Drawn By:	NA
Drawing Name:	PROPOSED SITE PLAN	Date:	20.01.2019
Checked By:	MDV	Date:	20.01.2019

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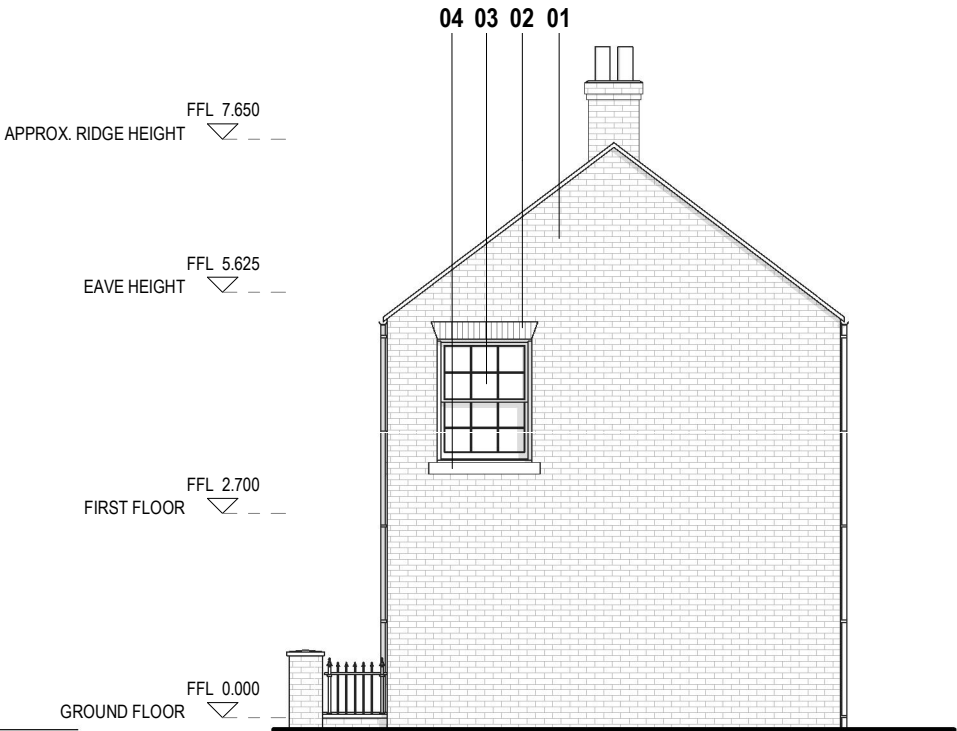
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MATERIALS

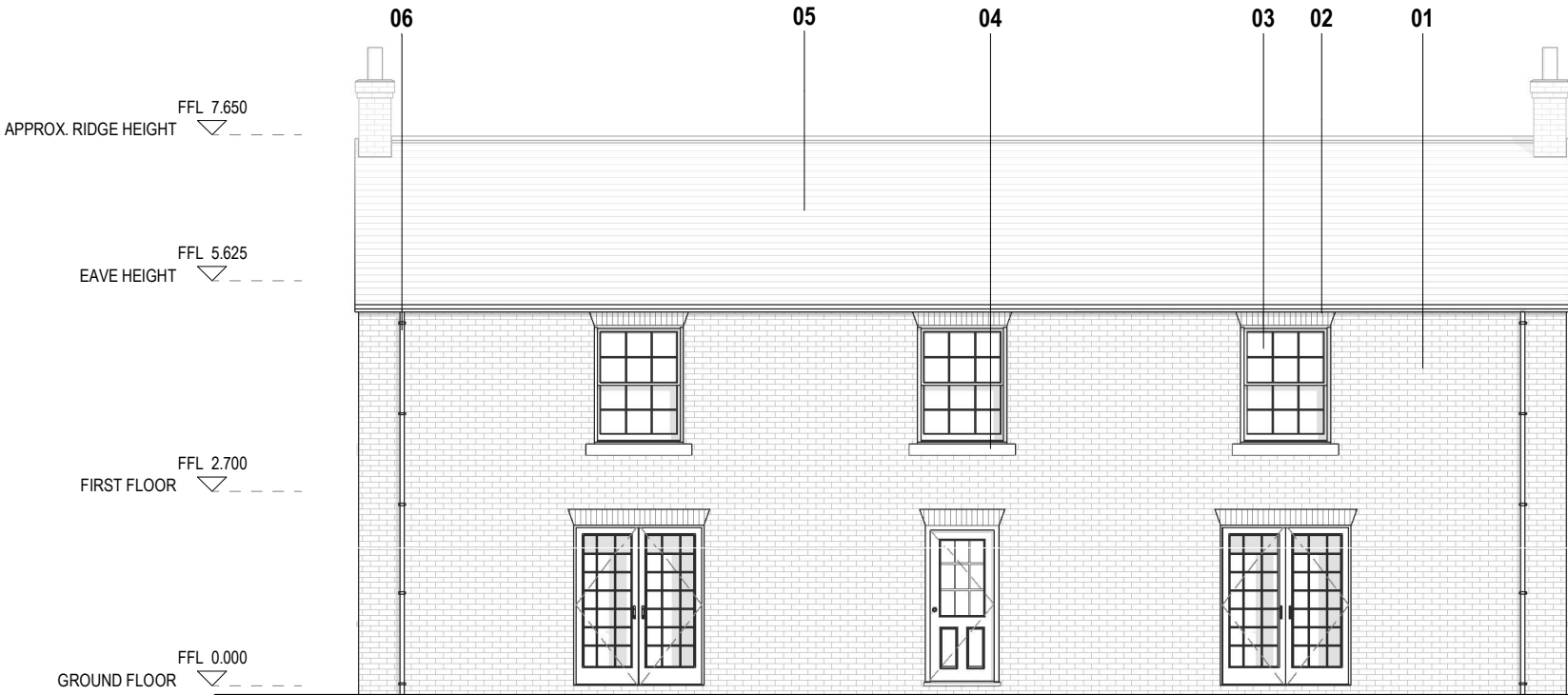
- 01 Buff Brick Flemish bond
- 02 Brick Header Course
- 03 White Painted Timber Sash Windows
- 04 Stone Cill
- 05 Slate Roof
- 06 Black Gutters and Downpipes



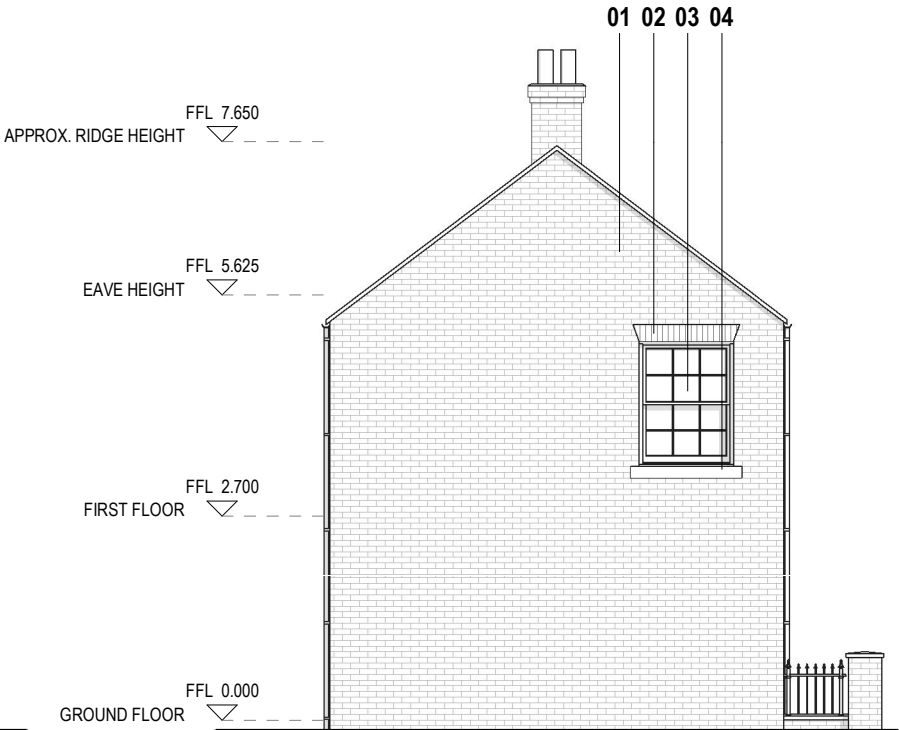
Elevation 1
1 : 100



Elevation 3
1 : 100



Elevation 2
1 : 100



Elevation 4
1 : 100



21.11.19 FIRST ISSUE		NA	MDV
Rev	Date	Details	Drawn
Issued for:		Checked	
PLANNING			
Project Name:		Project No:	
22 LONDON ROAD, CHATTERIS PE16 6AU		562	
		Dwg No:	
		005	
		Rev:	
Drawing Name:		Scale:	
PROPOSED ELEVATIONS		1 : 100 @A3	
Drawn By:		Date:	
NA		23.01.20	
Checked By:		Date:	
MDV		23.01.20	

AREA SCHEDULE

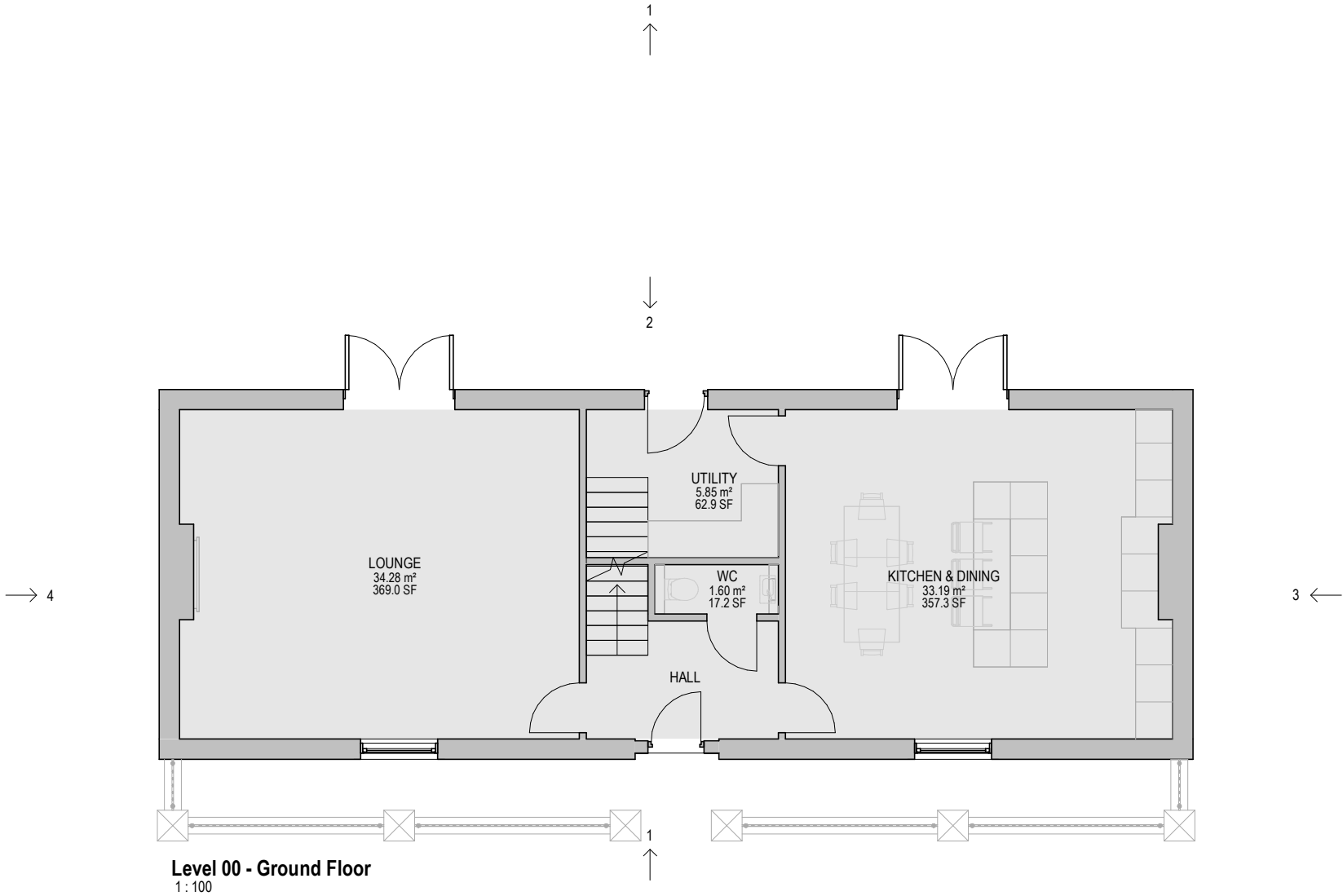
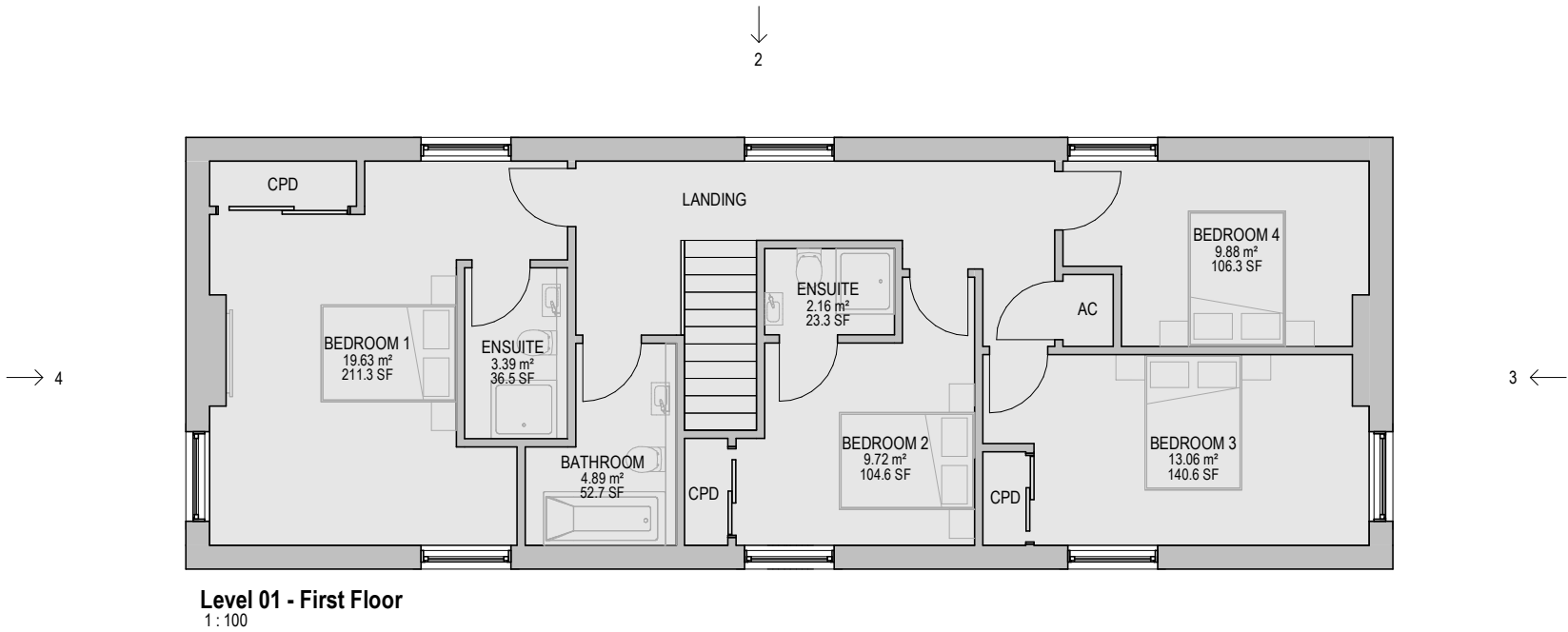
FLOOR LEVEL	AREA (m2)	AREA (sq ft)
GROUND FLOOR	86.03 m²	925.99 ft²
FIRST FLOOR	86.03 m²	925.99 ft²
	172.05 m²	1851.98 ft²

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- Proposed Walls
- Proposed Area
- Principal Entrance



21.11.19	FIRST ISSUE	NA	MDV
Rev	Date	Details	Drawn
Issued for:			
PLANNING			
Project Name:		Project No:	
22 LONDON ROAD,		562	
CHATTERIS		Dwg No:	
PE16 6AU		003	
		Rev:	
Drawing Name:		Scale:	
PROPOSED FLOOR PLANS		1 : 100 @ A3	
Drawn By:	Date:	NA	23.01.20
Checked By:	Date:	MDV	23.01.20