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**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**

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**F/YR20/0586/LB**

**Applicant: GKL Residential  
Developments Ltd**

**Agent : Ms Kate Wood  
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**Former Coach House, London Road, Chatteris, Cambridgeshire**

**Demolition of a curtilage listed store building**

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**Officer recommendation: Refusal of both applications**

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

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## **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 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 listed building and its replacement with a new build would be harmful to the setting of 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 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 part single storey gault brick structure with a 2-storey loft element, 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. Vehicular access is to the north of the proposal, shared with the wider redevelopment site. The garden serving the property is to the west and south, 1.8m close boarded fencing is proposed to enclose this, with a low level wall and railings to the front of the dwelling.

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=document&keyVal=QC0HK4HE01U00>

F/YR20/0586/LB

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=document&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 of comments received on 3/8/2020, 30/9/2020 and 23/1/2020 can be viewed via Public Access using the links provided at 3.2. Comments below were received in relation to the most recent re-consultation:

*Thank you for re-consulting me on the above applications. However the revisions do not address concerns raised by my previous comments, to which I refer you, and I further add that I wholly concur with comments as submitted by the Ancient Monument Society on 30th September 2020 in response to this re-consultation, who put the matter very succinctly.*

*The applicant has been advised numerous times that a one or two bedroom conversion of the coach house would be acceptable, viable and welcome. It cannot withstand conversion to a four bed without considerable loss of interest and character and its total demolition and replacement with a four bedroomed home is contrary to the relevant law, policy and advice.*

*I therefore recommend refusal of these applications.*

*These comments are in relation to a second re-consultation on the above application due to recent submission of a plaster condition report, amended and additional heritage statements and a supplementary planning statement. My previous comments on the principle of the application still stand. These comments are in relation to the reports now submitted.*

*The proposal put forward is not acceptable. The following comments are made:*



*The supplementary planning report is set out in three sections and will be responded to accordingly. They are as follows: 1) Whether the Coach House is worthy of retention, 2) Whether it is financially viable to convert the Coach House, and 3) Whether the Coach House is physically capable of being converted.*

*With regards to point 1, 'whether the Coach House is worthy of retention' the planning statement displays a fundamental misunderstanding of the definition and significance of curtilage structures. It is not 'curtilage listed' but is fundamentally considered to be part of the listing of the principle dwelling. This is the definition given by Historic England. Therefore, this curtilage structure is afforded the same statutory protection as the principle dwelling: it is wholly covered by the grade II designation and adds considerably to the status and significance of the principle dwelling. If the applicants wish to seek further clarification on this point they can apply to Historic England for their Enhanced Advisory Services.*

*The planning statement states that Historic England do not object to the proposal. This is a misinterpretation. The site falls outside of their realm of consultation and they advise that specialist conservation advice is sought. Such advice is contained within these and previous conservation comments.*

*The fact that the Coach House has been altered does not detract from its significance, rather it adds to the story told by the building and in turn this adds to the significance of the principle dwelling and the many phases through which the site has evolved. It therefore follows that the Coach House does not have a 'lack of status': rather its barrel-vaulted ceiling gives it a certain status rarely seen in ancillary buildings and therefore it in turn adds to the status of the principle dwelling. The fact that the Coach House is associated with the principle dwelling does not lessen its importance, it increases it. Each adds to the value of the other.*

*The planning statement also seems to misunderstand the value and impact of 'setting'. Annex 2 of the NPPF (2019) defines setting as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral". Historic maps show that the setting of No. 22 London Road or Fortrey House as it was once known, was one of formal gardens, ancillary and subservient buildings serving the main house and increasing its status (including the Coach House) and a series of meadows or paddocks giving on to open countryside. That setting was lost by the introduction of a timber yard as is clearly shown on maps from the 1970s. This loss and change occurred prior to the listing of the site in 1983. Indeed, the only element of that setting which survived to any degree intact, is the Coach House (which itself is protected by listing). Setting is not an asset in itself but is assessed in terms of how changes to that setting can affect the significance of a designated asset. The land use for several decades as a builders merchants yard detracted considerably from the significance of the listed buildings. Its change of use therefore to residential land, with a well scaled and well-designed development was assessed as enhancing that setting and was welcomed. Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'in considering whether to grant planning permission which affects a listed building or its setting, the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.' It was therefore felt that the development of new housing would certainly preserve if not improve that setting. The loss of the Coach House would fail to preserve the only surviving element of original setting and would result*

*in the total demolition of a listed building to the detriment of the significance and character of the whole site.*

*With regards to point 2 'Whether it is financially viable to convert the Coach House', the viability statement included in the Heritage Statement does not take into account a conservation approach which may (with a greater understanding of the treatment of historic buildings) not require underpinning or re-building of walls). It is not clear from that viability statement how the costs quoted jump from being £85,150 to £212,000. Neither does the statement take into account the development profits from the wider scheme – nor should the conversion of the Coach House be considered separately from this. The site was purchased as a whole and the scheme for redevelopment devised as a whole. There is no evidence or proof that a sensitive conservation and conversion of the Coach House would in any way erode the profit of the redevelopment of the whole site. In fact, the statement says that it is 'possible as part of the larger development enabled by the new build element'.*

*With regards to point 3 'Whether the Coach House is physically capable of being converted' it is acknowledged that Setchfields are a firm of structural engineers. However, the assessment will have been carried out with a mind to 'modern design standards' and building regulations. However, a conservation accredited structural engineer takes a specialist approach to achieve the same outcomes with reduced impact on the historic fabric of a building. This is the fundamental difference between the two schools of structural engineering. In a case where total demolition is being proposed it is not unreasonable to request a structural engineers report from a conservation accredited engineer and for that approach and costs to be weighed against the viability of the whole site in order to demonstrate viability and therefore justification. Conservation Accredited Structural Engineers can be found at <https://ice.org.uk/ICEDevelopmentWebPortal/media/Documents/Careers/specialist-registers/rqn-6-conservation-accreditation-register-for-engineers.pdf> or <https://ice.org.uk/careers-and-training/careers-advice-for-civil-engineers/specialist-professional-registers#Conservation>*

*The need for and capability of historic fabric to be repaired is fundamental to building conservation. It is a standard approach and one which is taken time and again and shown to have positive outcomes. Historic buildings are more than capable of repair and re-use and present an environmentally and economically sustainable approach to development by harnessing embodied energy and reducing the carbon footprint of any new development, as well as preserving our historic environment.*

*If it is fundamentally proven that the conversion of the Coach House to residential use is not financially viable as part of the wider redevelopment, it does not follow that it warrants demolition. Stabilisation costs are clearly within the realms of viability and it could form a valuable storage or general space for the new residents, either of the wider development or specifically for the residents of No. 22 and marketed accordingly.*

*The conclusion of this report is based on a false understanding of the significance and value of the Coach House. It is of considerable significance in adding to an understanding of the original setting as well as adding to the significance of the principle dwelling and therefore also to the character and appearance of the conservation area. The retention of the Coach House does not preclude the*

*redevelopment of the wider site and so its loss cannot be said to be outweighed by the public benefit of the wider development as it is not preventing that re-use.*

*No further comment will be made regarding the additional heritage statement. The numbering issues appear to have been rectified but the content is unaltered and my previous comments have addressed the fundamental flaws contained within these statements, most principally the misunderstanding of the level of significance of the Coach House, and these should be referred to. This point has also been revisited under points ii and iv above.*

*The updated plaster condition report confirms the presence of sheradised nails and therefore the date of the barrel-vaulted plaster ceiling. This in no way detracts from the interest of significance of the Coach House, nor from how the Coach House adds to the significance of the principle dwelling.*

*The report concludes both the lath and the plaster of the barrel-vaulted ceiling (ceiling 3) are beyond salvage (bar some minor re-use for the repair of the other two ceilings). This is not new information and indeed informal pre-application advice was issued in March 2019 stating that 'the ability to retain ceilings 1 and 2 compensates for the loss of ceiling 3, and on balance the benefit of increasing the pitch of the roof is now clear and the harm mitigated by the agreement to retain ceilings 1 and 2'. That advice went on to say that either a slightly increased roof pitch OR a small extension would be accepted in order to create sufficient residential accommodation for the Coach House.*

*It may be worth reiterating here that the principle of residential conversion is not objected to, but the level of harm and alteration proposed to create a 3-bedroom dwelling was not shown to be justified. It follows that there is even less justification for the total demolition of the building when a viable alternative has been presented on numerous occasions to the applicant.*

*It is also worth reiterating that the applicant has owned this site for more than two years and in that time has not sought to carry out temporary weather proofing works such as sheeting or installing temporary rainwater goods that would have slowed the rate of deterioration. As such, paragraph 191 of the NPPF which states that **'where there is evidence of deliberate neglect of ...a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision'** should be taken into account.*

*It should further be noted that paragraph 192 of the NPPF states that 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 with their conservation' and b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. In direct relation to these points the Coach House would find a viable use as a one or two bedroomed property, or as a store which would ensure the sustainability of the asset's significance; and the conservation of this heritage asset would make a positive contribution to the sustainability of the community including its economic vitality due to the employment opportunities arising for skilled local craftsmen and builders with experience of working with historic buildings (skills which it is important to support and retain).*

*Paragraph 195 of the NPPF 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 should apply: a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset 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.*

*In relation to paragraph 195 of the NPPF it has not been demonstrated that the loss is necessary as its presence does not prevent the redevelopment of the site; the public benefit of a 4 bedroomed home would not outweigh the harm of the loss of a historic asset which could provide a 2 bedroom home, in a site which has also got substantial further development as referred to above; no alternative uses have been explored; it has not been categorically proven that financial viability is an issue for the sensitive conversion of this site and if it were so, it has not been demonstrated that grant-funding is not feasible; and it has not been demonstrated that the harm and loss is outweighed by the benefit of bringing the site back into use – as this is shown to be possible without the loss of the Coach House through the granting of consent and permission for redevelopment of the wider site and the return of the principle dwelling to residential use.*

*Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. This re-consultation does not provide that clear or convincing justification.*

*Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The original application submitted, and the new information provided with this and previous re-consultations does not provide sufficient justification to change my original recommendation and therefore great the recommendation is for retention and conservation.*

### **5.3 Council for British Archaeology**

Comments were originally received on 28/7/2020, these can be viewed via Public Access using the links provided at 3.2. Below are comments received in relation to a subsequent re-consultation:

#### *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 19<sup>th</sup> 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 19<sup>th</sup> 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 was initially received from the Chatteris Past, Present and Future Civic Society. Full details can be viewed via Public Access using the links provided at 3.2. The response in respect of subsequent re-consultations is provided below:

*We are aware that reconsultation is ongoing for the above application due to the submission of new ecology surveys, a landscaping plan, car parking information, and a structural survey.*

*These additions do very little to remedy the fundamental objections of the civic society, the council's conservation officer, The Council for British Archaeology, The Victorian Society, The Ancient Monuments Society, SAVE Britain's Heritage, and the majority of objections from members of the public.*

*We remain of the firm opinion that Fenland District Council should REFUSE permission for demolition for the following reasons:*

- *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 structural survey provided has not been carried out by a conservation-accredited firm of surveyors or engineers.*
- *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 does not appear to have made the building available for sale on the open market), 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) or via grant funding, 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. The council should therefore avoid approving developments that place it at any further risk, as this would be in direct contravention of the council's own adopted Local Plan.*

*We remain extremely concerned that the applicant has provided no justification for these proposals that even begins to address the requirements of the NPPF and the Adopted Local Plan, let alone satisfies these requirements wholly. We agree with the conservation officer's comments, especially the commentary explaining that the structural survey does not take a conservation-led approach and there has been no economic assessment provided that provides justification for demolition - especially given that the wider context of the development that is due to take place at this site.*

*The proposal clearly fails to meet the tests set out in NPPF 195(a-d) . It is therefore imperative that the council refuses this application in order to ensure probity in the council's planning process and to ensure that the decision is consistent with both national and local policies.*

*The new documents still do nothing to provide evidence that the conditions set out in NPPF 195 (a-d) have been met. The council must be satisfied that all four of these conditions are met in order to approve demolition of a designated heritage asset. Notably, there is no evidence that the applicant has tried to sell the building for restoration on the open market.*

*The applicant says that "Historic England has not objected to the applications", seemingly in an attempt to suggest that Historic England "approve" of these applications. Historic England have made it clear that the proposals do not fall within their criteria for assessment as a statutory consultee and have advised the council to refer to Conservation Officer advice.*

*The applicant claims that fourteen people have written in support of the application. This is not grounded in reality; only eight members of the public have written supporting comments that appear on the planning portal. Sixteen members of the public have objected, as have numerous important Heritage organisations.*

*We remain of the firm opinion that Fenland District Council should REFUSE permission for demolition.*

*We remain extremely concerned that the applicant has provided no justification for these proposals that even begins to address the requirements of the NPPF and the Adopted Local Plan, let alone satisfies these requirements wholly.*

## **5.5 Ancient Monuments Society**

Comments were initially received on 4/8/2020. Full details can be viewed via Public Access using the links provided at 3.2. The response in respect of subsequent re-consultations is provided below:

*Thank you for consulting us on this application. We have reviewed the revised and additional documents available on your website, and the Ancient Monuments Society continues to object to the application as the loss of this heritage asset has still not been satisfactorily justified.*

*No changes were made to the heritage statement, which 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”. It concludes the demolition “therefore represents no loss of historic fabric and an enhancement to the Chatteris conservation area”. The structure is clearly within the curtilage of the listed building at No. 22 London Road and is therefore considered a listed structure itself under the definition for ‘listed building’ in section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

*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 per our previous submission, we believe the former coach house has considerable heritage value and is readily adaptable for a new use. The application has not demonstrated the building cannot be retained and enhanced in a way that is appropriate to its significance or that there would be any public benefit.*

*The Supplementary Planning Statement submitted (dated 9 November 2020) does not provide the justification needed for the loss of this curtilage listed building or the impact on the conservation area. It continues to dismiss the connection between the former coach house and the listed house at No 22, and fails to recognise that alterations made to historic buildings, such the 1920s alterations listed in the Statement, are of interest and the fact the coach house is not in its original condition does not make it less significant.*

*As per our previous two submissions, we believe the former coach house has considerable heritage value and is readily adaptable for a new use, either as a residential building, or if that is no longer viable, then restored as a garage/ storage building for the 6 new dwellings being built to the rear of the site. Total loss of this curtilage listed heritage asset, as well as the harm to the conservation area, has not been justified, nor has a public benefit been identified. The application remains contrary to the requirements of the NPPF and the Planning (Listed Building and Conservation Areas) Act 1990.*

## **5.6 The Victorian Society**

Below are comments received on 6/8/2020, no further comments have been received in relation to re-consultations:

*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**

Below are comments received on 18/8/2020, no further comments have been received in relation to re-consultations:

*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 Historic England**

*No comments provided as the proposal falls outside their criteria for assessment.*

#### **5.9 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.*

## **5.10 Chatteris Town Council**

### *Support*

## **5.11 Environmental Health (FDC)**

*In our previous consultation of 31<sup>st</sup> July and 5<sup>th</sup> August 2020, the Environmental Health Team advised this service had 'No Objections' to the proposed development as it was unlikely to have a detrimental effect on local air quality or the noise climate.*

*Owing to previous use of the application site this service maintains its stance on the need for the full suite of contaminated land conditions to be applied in the event permission is granted. This will need to be followed through with a phased approach in that an initial ground assessment will be required after the proposed demolition works have been completed to ensure any potential for contamination including the demolition process itself, is investigated and managed to a robust standard before the next stage of development.*

## **5.12 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
- The changes do nothing to overcome principle objections raised
- Concerns raised the Town Council have not acted accordingly in their consideration of the applications

- The Council should consider taking urgent action to protect the building; the building has been allowed to fall into disrepair and had not been maintained
- Viability is not a consideration for a listed building and does not justify the loss of the building

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

5.13 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 listed building.

## **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 as potentially acceptable schemes.

9.4 These applications were due to go before Planning Committee for determination on 7<sup>th</sup> October 2020, with a recommendation of refusal. However, the applicant's agent provided additional information on 6<sup>th</sup> October 2020 which resulted in the applications being deferred, due to the requirement to consider the information submitted and re-consult on this. Further information was received on 2<sup>nd</sup> November 2020 and 9<sup>th</sup> November 2020, a further re-consultation exercise was then undertaken. The additional information submitted since the previous report is as follows:

- Structural Survey with Appendix A Photographs
- Amended and additional Heritage Statements
- Supplementary Planning Statement
- Plaster condition report

## **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. Furthermore, 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) and as such is afforded the same protection as the principle building. It was a functionally subservient building to No. 22, and of largely contemporaneous date. It served the main house as a coach house, 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 is contradictory, fails to acknowledge that the building is a heritage asset 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 The submitted structural engineers report has not been undertaken by a conservation accredited structural engineer, which would take a specialist approach to achieve the same outcomes with reduced impact on the historic fabric of a building. In a case where total demolition is being proposed it is not unreasonable to request a structural engineers report from a conservation accredited engineer and for that approach and costs to be weighed against the viability of the whole site in order to demonstrate viability and therefore justification.

10.8 It has not been categorically proven that financial viability is an issue for the sensitive conversion of this site and even if it was fundamentally proven that the conversion of the Coach House to residential use is not financially viable as part of the wider redevelopment, it does not follow that it warrants demolition

10.9 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, 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.

10.10 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.

- 10.11 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.
- 10.12 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.
- 10.13 In relation to the impact on the listed coach house; 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.

When assessing the proposal, case law has confirmed that it is not simply a matter of assessing whether any benefits outweigh the harm; the planning authority must consider whether the advantages sufficiently outweigh the strong presumption against granting planning permission.

Furthermore, the planning authority should give "considerable importance and weight" to the duty under section 66 (referred to in 6.2 above) to have special regard to the desirability of preserving the listed building.

The applications propose total demolition of a 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.

- 10.14 It should be acknowledged that the retention of the Coach House does not preclude the redevelopment of the wider site and so its loss cannot be said to be outweighed by the public benefit of the wider development as it is not preventing that re-use.



- 10.15 In relation to the impact of the development on the principal listed building and the conservation area; 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 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, soldier 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 a 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, however this does not have a positive impact on the character of the area and is not considered appropriate to replicate.
- 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

## 12 RECOMMENDATION

### Refuse for the following reasons:

#### Reasons for refusal;

**F/YR20/0585/F**

<b>1</b>	<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 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 a heritage asset 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>
<b>2</b>	<p>Policies LP2, LP15, LP16 (d &amp; 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**

<b>1</b>	<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 listed building, is considered would amount</p>
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	<p>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 a heritage asset 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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**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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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





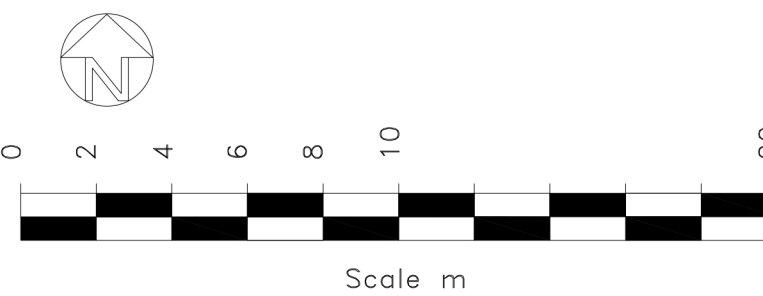
**DWELLING AREAS (GIA)**

UNIT 2 - (GROUND FLOOR 86.03m<sup>2</sup>)  
(FIRST FLOOR 86.03m<sup>2</sup>)  
(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 Checked

**PLANNING**

Project Name: 22 LONDON ROAD  
CHATTERIS  
PE16 6AU  
Project No: 362  
Dwg No: 002  
Rev: -

Drawing Name: PROPOSED  
SITE PLAN  
Scale: 1:200 @A1  
Drawn By: NA Date: 20.01.2019  
Checked By: MDV Date: 20.01.2019



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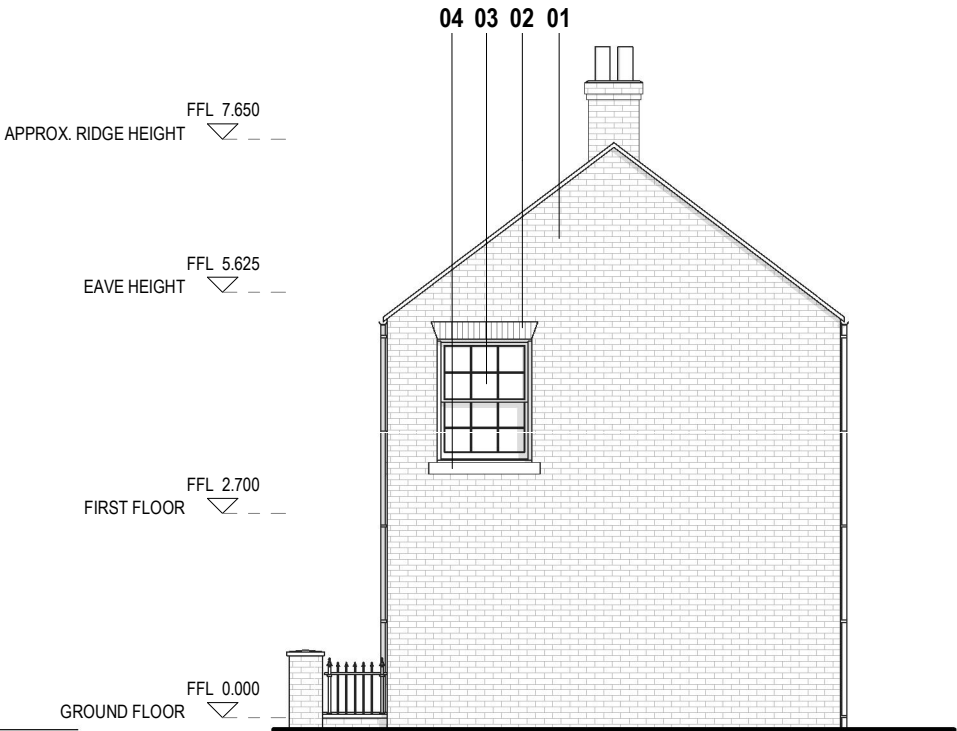
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MATERIALS

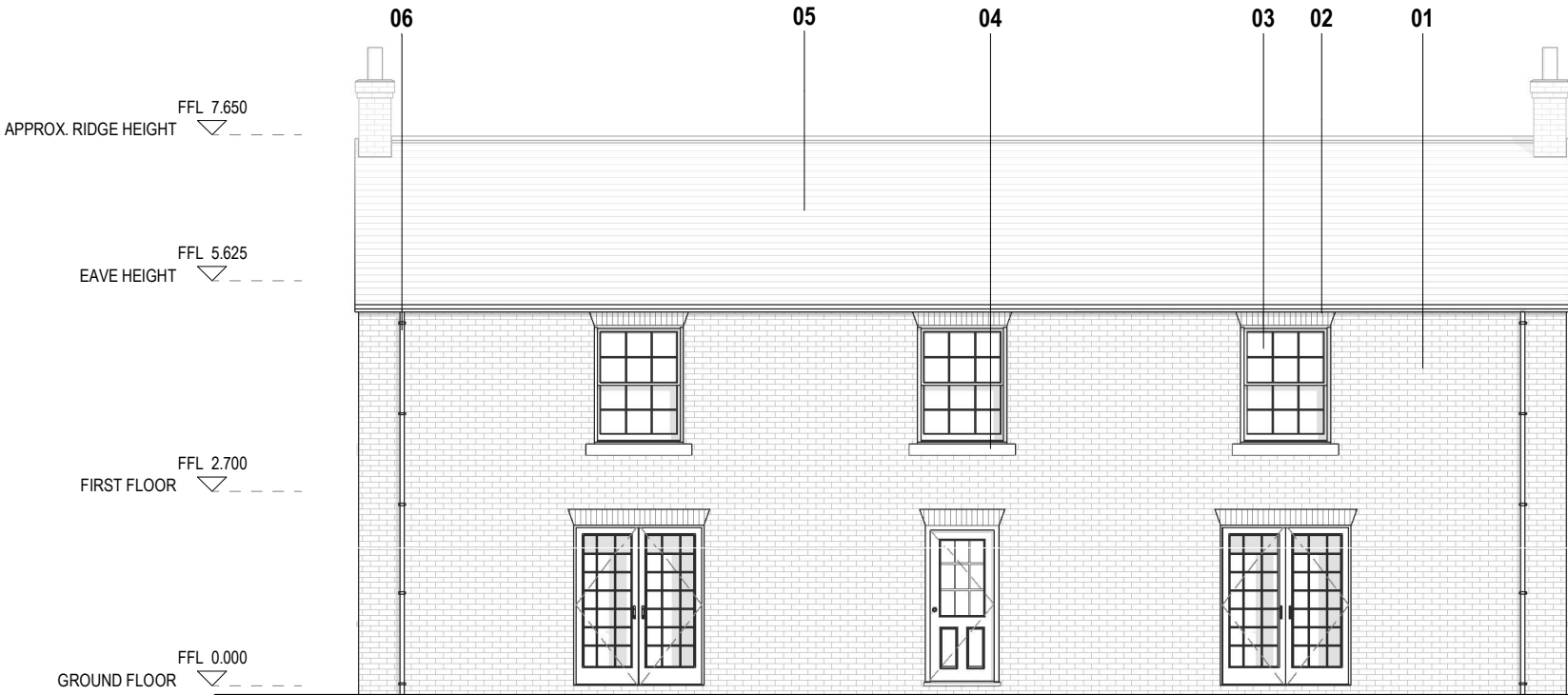
- 01 Buff Brick Flemish bond
- 02 Brick Header Course
- 03 White Painted Timber Sash Windows
- 04 Stone Cill
- 05 Slate Roof
- 06 Black Gutters and Downpipes



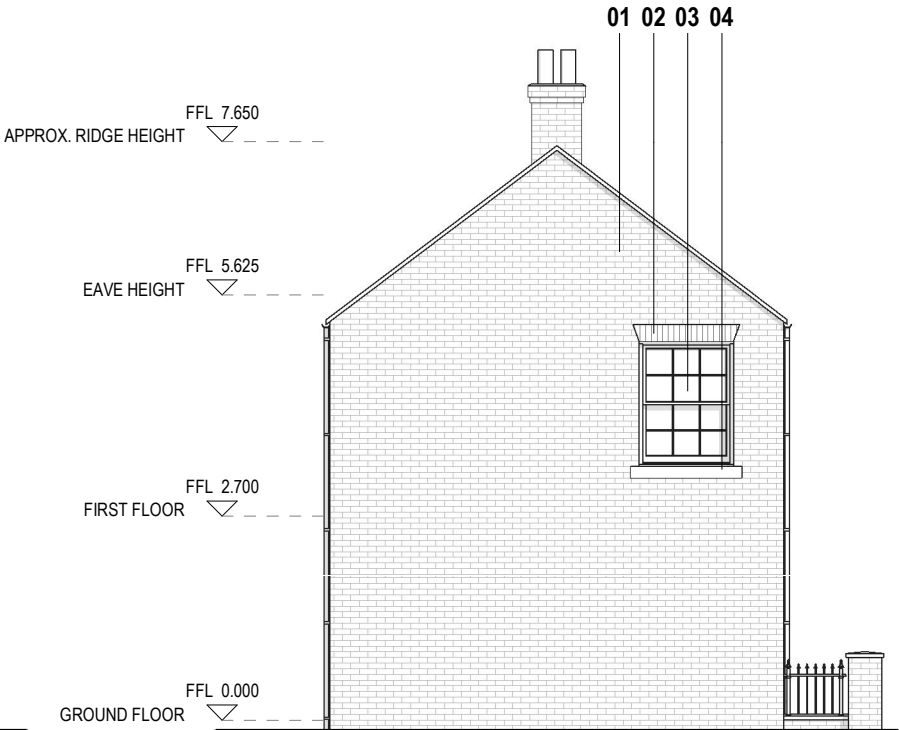
Elevation 1  
1 : 100



Elevation 3  
1 : 100



Elevation 2  
1 : 100



Elevation 4  
1 : 100



21.11.19 FIRST ISSUE		NA MDV	
Rev	Date	Details	Drawn Checked
Issued for:			
Project Name:		Project No:	
22 LONDON ROAD,		562	
CHATTERIS		Dwg No:	
PE16 6AU		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

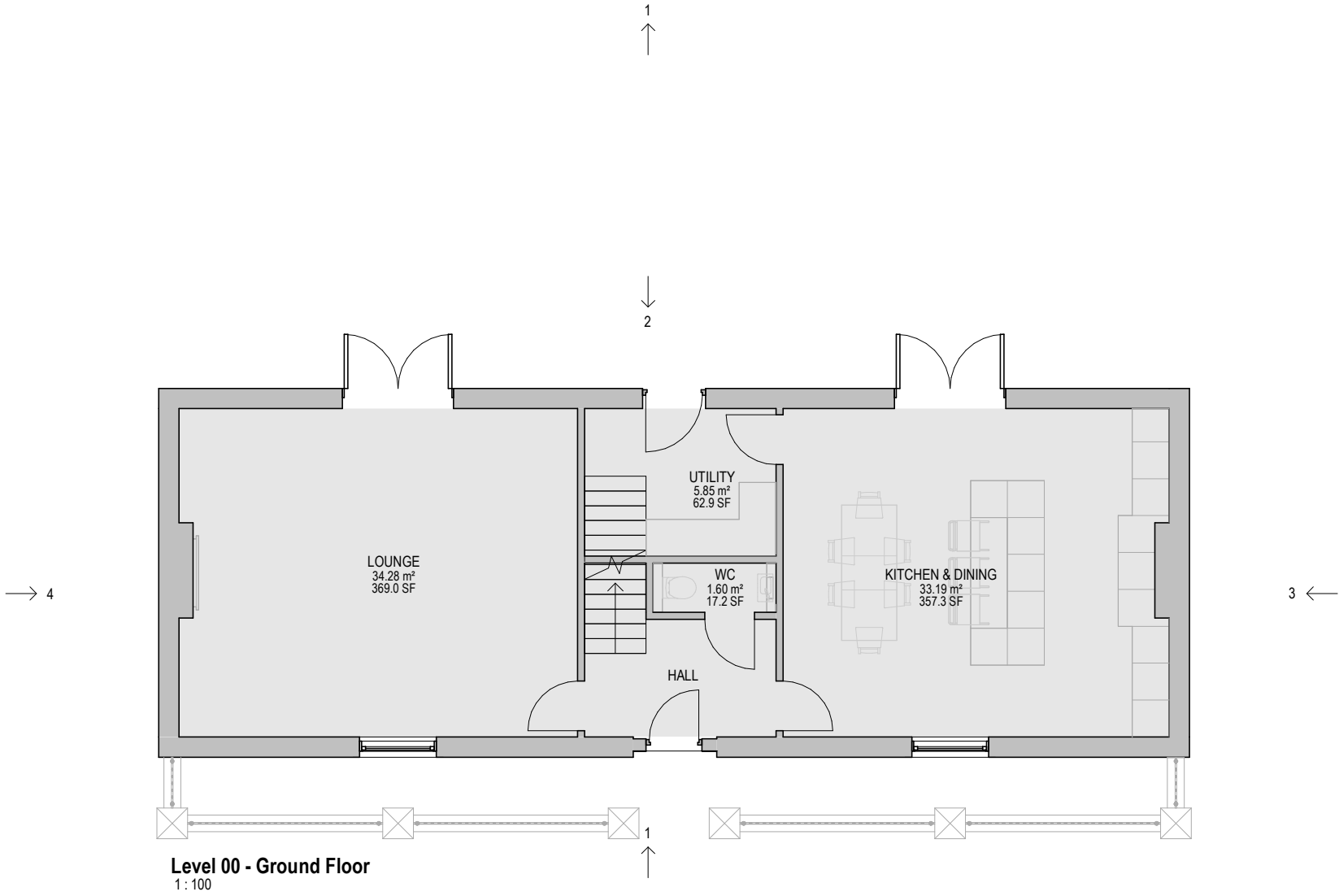
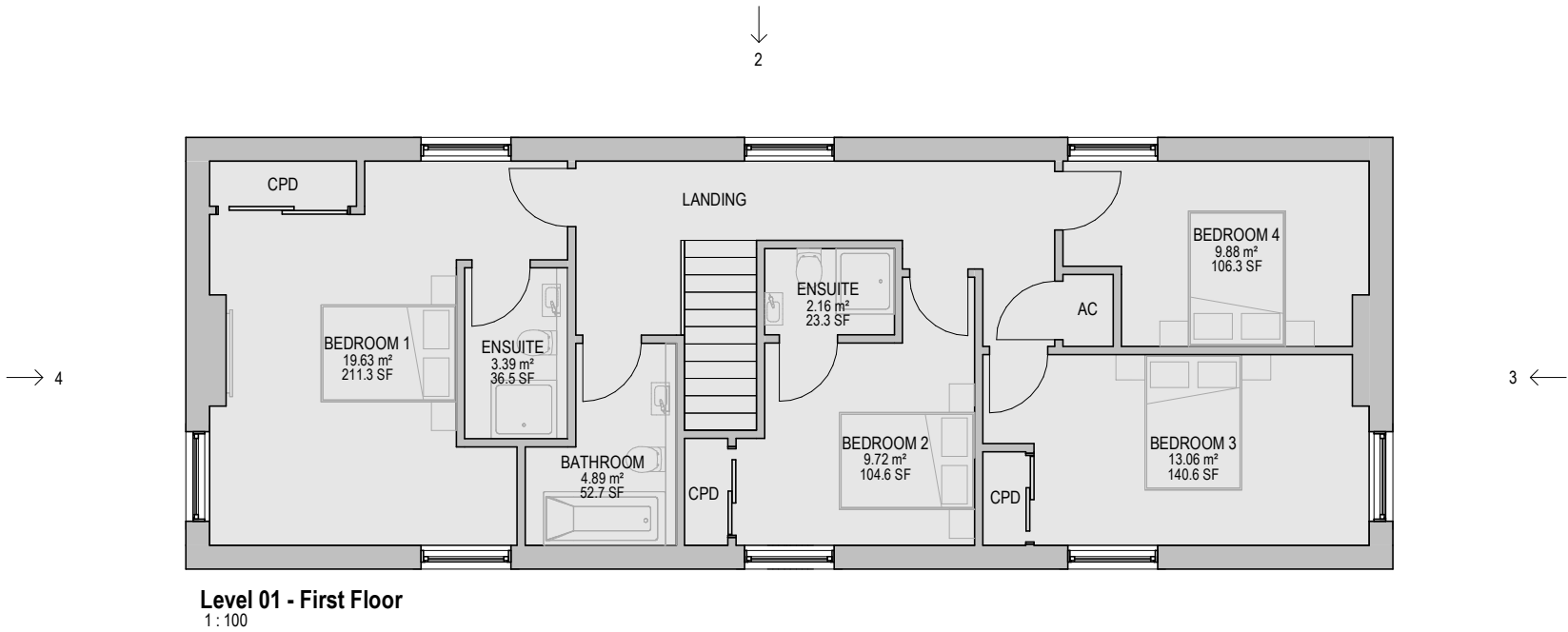
FLOOR LEVEL	AREA (m2)	AREA (sq ft)
GROUND FLOOR	86.03 m²	925.99 ft²
FIRST FLOOR	86.03 m²	925.99 ft²
	172.05 m²	1851.98 ft²

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- Proposed Walls
- Proposed Area
- Principal Entrance



21.11.19 FIRST ISSUE	NA	MDV
Rev Date	Details	Drawn Checked
Issued for:		
PLANNING		
Project Name:	Project No:	
22 LONDON ROAD, CHATTERIS PE16 6AU	562	
	Dwg No:	
	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	