

PLANNING COMMITTEE – 25 FEBRUARY 2021

PART I – DELEGATED

16. 20/2757/LBC – Internal alterations and repairs to brickwork (Listed Building Consent) at 25 HIGH STREET, ABBOTS LANGLEY, HERTFORDSHIRE, WD5 0AA (DCES)

Parish: Abbots Langley Parish Council
Expiry of Statutory Period: 15.02.2021

Ward: Abbots Langley and Bedmond
Case Officer: Lauren Edwards

Recommendation: That Listed Building Consent be Granted

Reason for consideration by the Committee: Called in by the Parish Council for reasons outlined at 4.1.1

1 Relevant Planning History

- 1.1 20/2756/FUL- Single storey rear extension and internal alterations together with new terrace and steps up to existing rear garden, new boundary fences between Nos.25 and 23/27 at No.25. Pending consideration and on this committee agenda.
- 1.2 20/2758/FUL- Two storey rear extension, new terrace at garden level and new boundary fence at No.27. Pending consideration and on this committee agenda.
- 1.3 20/2763/FUL - Demolition of outbuildings together with erection of covered parking area and creation of parking area with ancillary hard/soft landscaping, fencing and bin stores at Land adjacent to No.31 High Street. Pending consideration and on this committee agenda.

2 Description of Application Site

- 2.1 The application site has an irregular shaped plot boundary which includes an access to the parking area to the south, alterations to which are currently being considered via 20/2763/FUL.
- 2.2 No.25 is a Grade II Listed Building and currently has internal access to No.27. The use of the two units is not clear in relation to whether the two units have been used as one single or two separate dwellings. The rear of the property has a catslide roof, dormer window and a two storey rear projection.
- 2.3 The rear wall of No.27 splays away from the boundary. There is an existing brick boundary wall and outbuilding set up to the boundary with No.23 which is also a Grade II Listed two storey dwelling.

3 Description of Proposed Development

- 3.1 This application seeks Listed Building Consent for Internal alterations and repairs to brickwork
- 3.2 The works include:
 - Block up doorway to No.27 at ground and first floor level
 - Renovate the first floor front rooms
 - Remove existing bathroom suite and install replacement suite, and widen existing opening into bathroom.
 - Repair roof

- Repair brickwork
- Replacement ceiling
- Provision of internal lobby to provide separate entrance to each side of the ground floor room
- Install pump in cellar
- Relocate outside tap

3.3 As originally submitted the application also included a single storey rear extension however this has been removed from this LBC application

4 Consultation

4.1 Statutory Consultation

4.1.1 Abbots Langley Parish Council: [Call in requested]

Whilst the committee support the modernisation of local buildings it is important that they remain a contextual part of the village scene. The members would rather this application is taken to TRDC committee level as these buildings are a focal point of the village.

4.1.2 Hertfordshire Archaeology:

ARCHAEOLOGICAL IMPLICATIONS

Thank you for consulting me on the above application. The following comments are in line with those recently provided with regard to companion planning application ref. 20/2756/FUL.

The proposed development site is in an Area of Archaeological Significance as identified in the Local Plan (No 5). This denotes the historic core of Abbots Langley, its medieval parish church of St Lawrence, and numerous late and post-medieval buildings. The site is opposite the medieval church and immediately south of a row of Listed Buildings that include a purpose-built late medieval shop [Historic Environment Record No 9719] and a late medieval house [HER No 9722].

Nos. 23 and 25 High Street, Abbots Langley are Grade II listed buildings, dating to the 18th and 19th century but which have possibly earlier origins. The Heritage Statement submitted with the application states that 'both buildings feature evidence of timber framing which suggests an earlier date and there is evidence within the building fabric of No.23 which would suggest that the property has been re-fronted and increased in height in the past. Due to the surviving internal timber framing, and in recognition of the likely earlier date, the properties are considered to be of some archaeological interest' (para 4.8). No 27 is a locally listed building.

There is the potential for some of these proposed internal alterations and renovations to the building to have an impact on historic fabric. It is, in addition, proposed to construct a single storey extension to the rear of the property, which may have an impact on below ground archaeological remains.

I believe therefore that the position of the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

- 1) The archaeological building recording of the standing structure in its present form before any development or alterations commence;

- 2) The archaeological building recording of all interventions to the fabric of the building in areas where such works might reveal information relating to the development of the building, and for the purpose of recording any original historic features (etc.) that may be exposed.
- 3) The archaeological monitoring of the groundworks associated with the development, including ground reduction, foundation trenches, landscaping, and services, etc., as appropriate (together with a contingency for the archaeological investigation and recording of any remains encountered during the monitoring programme).
- 4) The analysis of the results of the archaeological work with provision for the subsequent production of a report and an archive, and the publication of the results;
- 5) Such other provisions as may be necessary to protect the archaeological and historic interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow para. 199, etc. of the National Planning Policy Framework, and the relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case *three* appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

A *No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:*

- 1. The programme and methodology of site investigation and recording*
- 2. The programme for post investigation assessment*
- 3. Provision to be made for analysis of the site investigation and recording*
- 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation*
- 5. Provision to be made for archive deposition of the analysis and records of the site investigation*
- 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.*

B *The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)*

C *The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.*

If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations and provide information on professionally accredited archaeological contractors who may be able to carry out the investigations.

Officer comment: Given that this application seeks Listed Building Consent only, for internal alterations, archaeological implications cannot be formally considered.

4.1.3 Conservation Officer:

Internal

At pre-application stage the internal alterations raised no concern. However, there appears to be an inconsistency between the proposed floor plans which state the replacement lobby stud partition will be plasterboard and skim finish and the Schedule of Works which states: 'Enclose upon the existing timber frame with timber laths and lime plaster finishes both sides.' I recommend lath and plaster as per the Schedule of Work. The proposed drawings should be amended to reflect this.

The proposed internal alterations are not likely to cause harm to the listed building. Although there are some concerns regarding the removal of historic fabric, this is justified by the required structural works to the building and it is noted that they will be reinstated as before. Any re-plumbing, or rewiring, should utilise existing voids and should avoid cutting through or chasing out historic fabric.

The following condition is requested:

Details of necessary repairs in addition to the approved plans shall be submitted to and approved in writing by the local planning authority and the repairs shall then be carried in accordance with the approved details.

Officer comment: The schedule of works has been updated in relation to the ceilings.

4.2 Public/Neighbour Consultation

4.2.1 Number consulted: 5

4.2.2 No of responses received: 0

4.2.3 Site Notice expired: 08.02.2021

Press notice expired: 29.01.2021

5 Reason for Delay

5.1 Committee cycle.

6 Relevant Planning Policy, Guidance and Legislation

6.1 National Planning Policy Framework and National Planning Practice Guidance

In 2019 the new National Planning Policy Framework was published. This is read alongside the National Planning Practice Guidance (NPPG). The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another. The NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework".

The NPPF states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

6.2 The Three Rivers Local Development Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies CP1, CP2, CP3, CP4, CP8, CP9, CP10 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following Examination in Public which took place in March 2013. Relevant policies include DM1, DM3, DM6, DM10, DM13 and Appendices 2 and 5.

Abbots Langley Conservation Area Appraisal 2014 is relevant.

6.3 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

7 Planning Analysis

7.1 Impact on Heritage Assets

7.1.1 Policy CP1 of the Core Strategy (adopted October 2011) seeks to promote buildings of a high enduring design quality that respect local distinctiveness and Policy CP12 of the Core Strategy (adopted October 2011) relates to design and states that in seeking a high standard of design the Council will expect development proposals to 'have regard to the local context and conserve or enhance the character, amenities and quality of an area'. Development should make efficient use of land but should also respect the 'distinctiveness of the surrounding area in terms of density, character, layout and spacing, amenity, scale, height, massing and use of materials'; 'have regard to the local context and conserve or enhance the character, amenities and quality of an area' and 'incorporate visually attractive frontages to adjoining streets and public spaces'.

7.1.2 Policy DM3 requires development to preserve or enhance the character and appearance of the Conservation Area.

7.1.3 The Conservation Officer has reviewed the proposal and considers the works would be appropriate and would not result in harm to the setting or fabric of the Listed Building subject to conditions requiring any additional repairs to be submitted to the LPA prior to undertaking

those repairs and that works will be undertaken in accordance with the submitted schedule of materials.

7.1.4 Officers note the alterations in relation to subdividing No.25 and No.27 as a result of the closure of two existing internal doors, however this may require planning permission in its own right. Any grant of Listed Building Consent does not infer or imply any grant of planning permission relating to this.

7.1.5 As such the proposal would not result in harm to the Listed Building and is considered acceptable in accordance with Policies CP1 and CP12 of the Core Strategy in addition to Policies DM1, DM3, Appendix 2 of the DMP LDD and the Abbots Langley Conservation Area Appraisal.

8 Recommendation

8.1 That LISTED BUILDING CONSENT BE GRANTED subject to the following conditions

C1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

C2 The development hereby permitted shall be carried out in accordance with the following approved plans: 200601-25-01 Rev B, 200601-25-02 Rev A, 200601-25-03 Rev H, 200601-25-04 Rev C and 200601-25-SP1 Rev A and 'Schedule of works' updated 11.02.2021.

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies CP1, CP9, CP10 and CP12 of the Core Strategy (adopted October 2011), Policies DM1, DM3, DM6, DM13 and Appendices 2 and 5 of the Development Management Policies LDD (adopted July 2013) and the Abbots Langley Conservation Area Appraisal 2014.

C3 Following the removal historic fabric if further internal works are required which are not pursuant to this consent, a monitoring and review schedule shall be permitted to and approved in writing by the Local Planning Authority. The additional works shall be carried out in accordance with the approved details.

Reason: To ensure any associated internal works which arise from the implementation of this consent would require addition control to safeguard the historic fabric of the Listed Building in accordance with Policy DM3 of the DMP LD and the NPPF.

Informatives:

I1 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at buildingcontrol@hertfordshirebc.co.uk who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at www.hertfordshirebc.co.uk.

Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. It is a requirement under Regulation 67 (1), Regulation 42B(6) (in the case of residential annexes or extensions), and Regulation 54B(6) (for self-build housing) of The Community Infrastructure Levy Regulations 2010 (As Amended) that a Commencement Notice (Form 6) is submitted to Three Rivers District Council as the Collecting Authority no later than the day before the day on which the chargeable development is to be commenced. DO NOT start your development until the Council has acknowledged receipt of the Commencement Notice. Failure to do so will mean you will lose the right to payment by instalments (where applicable), lose any exemptions already granted, and a surcharge will be imposed.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.