

REPORT TO DEVELOPMENT MANAGEMENT COMMITTEE

REFERENCE: HW/LBC/22/00302

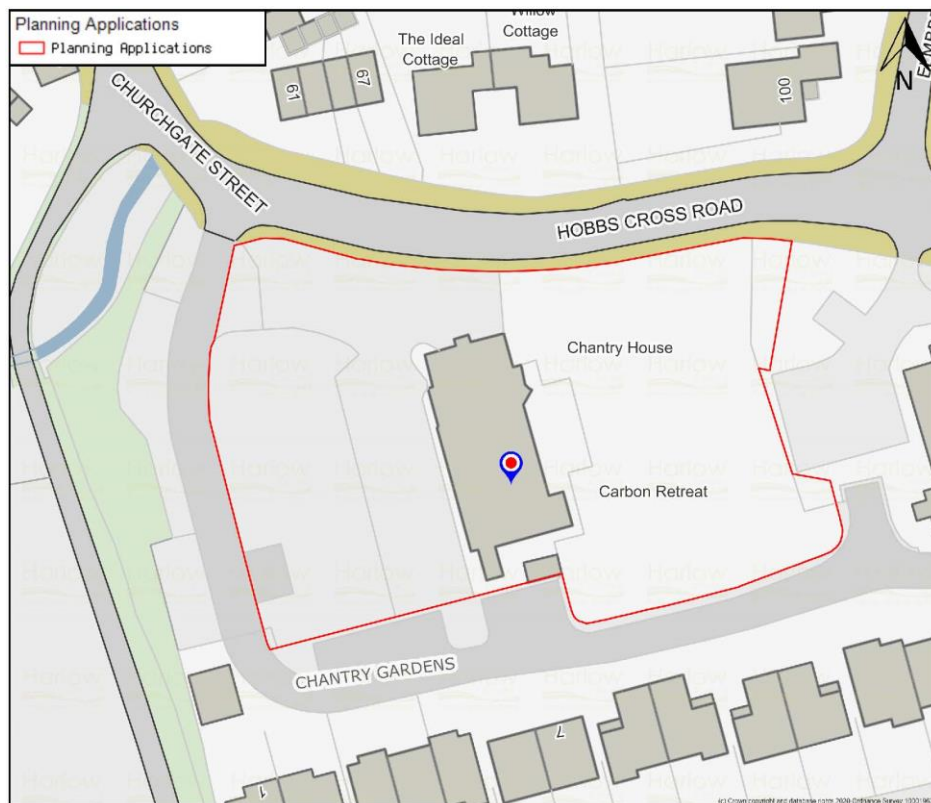
OFFICER: Mick Gavin

APPLICANT: Mr Warner

LOCATION: Chantry House
Churchgate Street
Harlow
Essex
CM17 0JT

PROPOSAL: Conversion of the Hotel at Chantry House into 11 residential flats, and the erection of four single-storey dwellings within the site to the rear. The proposal includes a series of internal and external alterations to the listed building, landscaping, along with the installation of refuse and cycle stores.

LOCATION PLAN



Reason brought to Committee

More than two objections to the application have been received contrary to the officer recommendation of approval.

Summary

The proposal seeks listed building consent for internal and external works to the building to enable its conversion to 11 flats. The alterations are found to be acceptable in terms of their impact on the significance of the heritage asset.

It is considered that the works to the listed building are acceptable in terms of their impact on the significance of the heritage asset. It is recommended that listed building consent be granted.

Site and surroundings

Chantry House is a 17th century Grade II listed building (list entry: 1111702) set within the Churchgate Street Conservation Area. The site is located at the bottom of a hill on the southern side of the highway where Churchgate Street and Hobbs Cross Road meet. The building has a garden area on its east side with trees, shrubs, hedging and garden ornaments. A gravelled parking and turning area exists on its west side accessed from the north-western corner of the site, near the bend in the highway.

Details of Proposal:

The application seeks listed building consent for works to convert the building to 11 flats.

The proposed external works are limited to reinstatement of the building's original front entrance (previously blocked up), with incorporation of new double doors, and a double door at the rear of the house. Other than these alterations, the house would remain unchanged externally.

Internally the proposed works comprise remodelling involving demolition and modifications of internal walls, new partition walls and installation of secondary glazing.

A concurrent application for planning permission for the conversion and erection of four bungalows in the grounds is considered elsewhere on this agenda, reference HW/FUL/22/00301.

CONSULTATIONS

Internal and external Consultees

Essex County Council Place Services – Heritage

No in principle objection to the change of use. There were previous concerns regarding the proposed internal divisions which had an adverse impact on the plan form and room proportions, particularly in unit 7 and 11. The proposed floorplan to unit 11 has been amended to address previous concerns. However, concerns remain outstanding for unit 7. The proposed partition wall would create a corridor within a principal room and result in a fireplace located in the corridor; this would be an atypical arrangement and detract from the understanding and appreciation of historic floorplans and room proportions. Unit 7 would be

located within oldest part of the property and is therefore more sensitive to change. Currently, the proposal would be harmful to the listed building's significance due to the internal division in unit 7 and paragraph 202 of the NPPF would be relevant.

With regards to the single storey dwellings to the rear; taking into consideration the 2015 permitted scheme, the proposed dwellings would not result in any additional harm to the setting of the listed building. They have a more traditional form compared to the previous scheme and remain subservient to the listed building.

Neighbours and Additional Publicity

Number of Letters Sent: 60

Total Number of Representations Received: 56

Date Site Notice Expired: 14 October 2022

Date Press Notice Expired: 13 October 2022

Summary of Representations Received

A large number of representations were made, many of which included comments on both the planning application and the listed building consent application. These are summarised in the separate report on the planning application. Heritage comments included:

- Not sympathetic to listed building; would destroy grounds of listed building
- Out of keeping in rural lane in Conservation Area

It should be noted that matters relating to the setting of the listed building and the impact on the character of the area are considered in the separate report on the application for planning permission. The issue to be considered in the application subject of this report is limited to the physical works to the listed house.

PLANNING POLICY

National Planning Policy Framework (NPPF)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2023 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF). The relevant strands are considered further in the report.

S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states the following:

“In considering whether to grant planning permission [or permission in principle] for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.”

Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development

plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

The Local Plan in this instance is the Harlow Local Development Plan (2020).

Harlow Local Development Plan 2020

Planning law requires that proposals should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan for the site consists of the Harlow District Council (HDC) Harlow Local Development Plan 2020 (HLDP), Essex County Council (ECC) Essex and Southend-on-Sea Waste Local Plan 2017 and ECC Essex Minerals Local Plan 2014.

Policies of most relevance to the proposal are:

The part of the Development Plan applicable to the proposal is the HDLP. The HDLP is prepared in the context of the National Planning Policy Framework (NPPF) – see ‘Planning Standards’ below. It is important to note that this is a very recently adopted and therefore ‘up to date’ plan in terms of NPPF Para.12.

Policies of most relevance to the proposal are:

SD1 – Presumption in Favour of Sustainable Development
WE5 - Heritage
PL12 – Heritage Assets and their Settings

National Planning Policy Framework (NPPF) (2023)

The Development Plan is prepared taking account of the National Planning Policy Framework (NPPF) (as extant at the time - the NPPF is regularly updated; currently in its 2023 version) and the associated Planning Practice Guidance (PPG) (first published in March 2014 but also regularly updated with the NPPF). The NPPF is a material consideration in the determination of applications.

HDC Design Guide SPD (2011)

Design Guide Addendum SPD (adopted December 2021).

Essex Parking Standards (2009)

ECC Development Management Policies (2020 - living document with regular updates).

HGGT Guidance

Harlow and Gilston Garden Town (HGGT) is a designated ‘Garden Community’ under the Government’s Garden Communities Programme.

NPPF Para.72 provides the national policy context for Harlow and Gilston Garden Town (HGGT) as a location for larger scale (housing) development. Of particular note is the emphasis on; existing or planned investment in infrastructure, the areas economic potential and the scope for net environmental gains..... plus; clear expectations for the quality of development and how this can be maintained (such as by following garden city principles).

The HGGT (Local Authorities) Partnership has published a series of documents that set the standards expected for developments in the Garden Town and are therefore relevant to this application.

The HGGT Vision elaborates on the HGGT's interpretation of garden city principles and sets expectations for high quality development to accord with the principles.

The HGGT Design Guide requires consideration of design quality in a garden city principles sense and draws attention to specific local issues.

Main Considerations

External alterations proposed are very limited and no objection is raised to these. While the internal layout changes are also broadly acceptable, the layout of unit 7 at first floor is not considered appropriate by the Heritage Consultant. This is because a proposed partition wall would create a corridor within a principal room and result in a fireplace being located in the corridor which would be an atypical arrangement and detract from the understanding and appreciation of historic floorplans and room proportions. Unit 7 would be located within oldest part of the property and is therefore more sensitive to change. The Heritage Consultant advises that this constitute less than substantial' harm pursuant to the NPPF.

The applicant has explained that the layout is required to meet building regulations fire safety standards that while they have explored alternative solutions it has not been possible to address this issue. Following further consideration officers consider that the public benefit of bringing the building back into use is sufficient to offset the less than substantial harm which has been identified. On balance therefore, the impact on the heritage significance of the hotel building is considered acceptable.

Equalities

Section 149 of the Equality Act 2010, which came into force on 5th April 2011, imposes important duties on public authorities in the exercise of their functions, including a duty to have regard to the need to:

“(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.”

For the purposes of this obligation the term “protected characteristic” includes:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The above duties require an authority to demonstrate that any decision it makes is reached “in a fair, transparent and accountable way, considering the needs and the rights of different members of the community and the duty applies to a local planning authority when determining a planning application.” Officers consider that the application does not give rise to any concerns in respect of the above

CONCLUSION

The proposed works are considered to comply with relevant Development Plan and NPPF policies relating to protection of heritage assets and are therefore considered acceptable.

RECOMMENDATION

That Committee resolve to grant listed building consent subject to the following conditions:

1. The works hereby granted consent shall be begun not later than three years from the date of this consent.
REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall be carried out in accordance with the approved plans as shown listed in the table below.
REASON: For the avoidance of doubt and in the interests of proper planning.

<u>Plan and Document Reference</u>	<u>Date Received</u>
GDL_001	09.09.2022
GDL_002	09.09.2022
GDL_100	04.07.2022
GDL_101	04.07.2022
GDL_102	04.07.2022
GDL_103	04.07.2022
GDL_104	04.07.2022
GDL_110	04.07.2022
GDL_111	04.07.2022
GDL_112	04.07.2022
GDL_120	04.07.2022
GDL_121	04.07.2022
GDL_151	04.07.2022
GDL_152	04.07.2022
GDL_153	04.07.2022
GDL_160	04.07.2022

GDL_161	04.07.2022
GDL_170	04.07.2022
GDL_171	04.07.2022
GDL_201	04.07.2022
GDL_202	04.07.2022
GDL_210	04.07.2022
GDL_203	04.07.2022
GDL_204	04.07.2022
GDL_205	15.05.2023
GDL_211	04.07.2022
GDL_212	04.07.2022
GDL_213	04.07.2022
GDL_214	04.07.2022
GDL_215	15.05.2023
GDL_220	04.07.2022
GDL_221	04.07.2022