

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2020/1028/LB
Location: 1-5 Park Street Hatfield AL9 5AT
Proposal: Installation of internal wall and doorway
Officer: Mrs Sarah Madyausiku

Recommendation: Granted

6/2020/1028/LB

Context			
Site and Application description	<p>The building is Grade II* listed and located within the Old Hatfield Conservation Area. Originally constructed as an inn (The Chequers) in the 17th century, it has undergone substantial extensions and alterations in later centuries including a thorough refurbishment in the 1970s.</p> <p>The application is for the installation of an internal wall and doorway at first floor.</p>		
Constraints (as defined within WHDP 2005)	<p>LBC - LISTED BUILDING Houses and shop. C17 timber frame. Long range - Distance: 0 PAR - PARISH (HATFIELD) - Distance: 0 Wards - Hatfield East - Distance: 0 BLR - Brownfield Land Regisrty(Hatfield - Car Park north of Salisbury Square) - Distance: 0</p>		
Relevant planning history	<p>Application Number: 6/2018/2498/LB Decision: Granted Decision Date: 01 March 2019 Proposal: Internal and external alterations in connection with the change of use of the existing grade 2 listed building from office (B1) to 4 x residential flats (C3)</p> <p>Application Number: 6/2019/2677/COND Decision: Granted Decision Date: 15 January 2020 Proposal: Submission of details pursuant to condition 2 (structural interventions) on listed building consent 6/2018/2498/LB</p> <p>Application Number: 6/2020/0317/COND Decision: Granted Decision Date: 11 March 2020 Proposal: Submission of details pursuant to condition 1 (details of the new windows, doors and the shopfront at a scale of 1:1 to 1:20 (as appropriate) on Listed Building Consent 6/2018/2498/LB</p>		
Consultations			
Neighbour representations	Support: 0	Object: 0	Other: 0

Publicity	Site Notice Display Date: 18 June 2020 Site Notice Expiry Date: 9 July 2020 Press Advert Display Date: 10 June 2020 Press Advert Expiry Date: 24 June 2020
Summary of neighbour responses	None
Consultees and responses	HCC Historic Environment Advisor – No objection subject to conditions Place Services – No objection Historic England – Historic England supports this scheme and finds that it will result in a low level of harm to the building through the loss of part of an internal wall but, will conserve the important wall paintings in situ with appropriate materials. A condition is suggested requiring the details of fixing of the wood fibre board to the surrounding lathe and plaster be provided.
Relevant Policies	
NPPF	
Main Issues	
Impact on the character and setting of the listed building and adjoining listed buildings	<p>Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have <i>“special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”</i>. The specific historic environment policies within the National Planning Policy Framework (NPPF) are contained within paragraphs 184-202. Paragraph 192 of the NPPF states, <i>‘In determining planning applications, local planning authorities should take account of:</i></p> <ul style="list-style-type: none"> - <i>The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</i> - <i>The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</i> - <i>The desirability of new development making a positive contribution to local character and distinctiveness’</i> <p>Paragraph 193 of the NPPF outlines 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 and the more important the asset the greater the weight it should be given. Paragraph 194 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: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and world heritage sites, should be wholly exceptional. Where the harm is considered less than substantial Paragraph 196 states that this should be weighed against the public benefits of the proposal including, where appropriate, its optimum viable use. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.</p> <p>Planning permission and listed building consent (6/2018/2497/FULL and 6/2018/2498/LB) have been granted for the conversion of the building to flats. This permission/consent has been implemented.</p> <p>During the conversion works, wall paintings were discovered on the first floor.</p>

	<p>The most significant of these is a well-preserved wall painting of a chimera with a lion's head between decorative columns found along the first floor corridor, potentially dating to the early 17th century. It has survived beneath late 17th century-early 18th century timber panelling on the lower half of the wall and lath and plaster on the upper part of the wall. Given the significance of the paintings further investigation and reporting was carried out as to their significance. The paintings are considered to be very significant to the building and the resulting investigations have resulted in the listing status of the building being changed from a Grade II to Grade II*.</p> <p>The approved scheme proposed an opening through the wall that has the paintings which is no longer acceptable due to the loss of the highly significant heritage asset. This application has been submitted by the developer to try and overcome this issue by proposing to move the doorway into the corner of the adjacent room and preserve the wall painting in situ.</p> <p>Given the elevated status of the building to a Grade II* listing, greater weight should now be given to its conservation.</p> <p>English Heritage have been consulted on the application. In consultation with the Council's conservation advisor (Place Services), it is advised that there are no objections to the proposal because it preserves fabric of high significance. The proposed doorway would see the loss of some panelling, likely 18th century in date, however, this is acceptable in this case.</p> <p>Drawing No.SP_00_01 Rev B "PROPOSED 1ST FLOOR WALL DETAIL" drawing shows the detail of the new wall to be installed in the room at the front of the building to protect another wall painting. This is the most appropriate solution to prevent potential future damage to this particular wall painting.</p> <p>Whilst there are no objections to the proposed doorway, care is required with regard to the reinstatement of the lath and plaster in front of the wall painting. In this respect, the applicant has proposed a suitable "breathable board" as part of the application. Which is acceptable.</p> <p>In addition, a report by Archaeological Solutions LTD entitled "Historic Building Recording- Level 3" dated 19 August 2020 has been produced that fully records the wall paintings. The report by Archaeological Solutions states that a copy of the report will be deposited with the Hertfordshire Archives and Local Studies (building recording), County Hall, Hertford to ensure an historical record is kept. With this in mind, it is reasonable to attach a condition to this effect.</p> <p>To conclude, the proposal would result in low level harm to the building through the loss of part of an internal wall but, will conserve the important wall paintings in situ with appropriate materials. The proposal therefore meets the requirements of the NPPF.</p>
<p>Conclusion</p>	
<p>With the imposition of the recommended conditions, the proposal would not significantly impact upon the special interest of the Listed Building. The proposal would be acceptable to the provisions of the National Planning Policy Framework 2019 and the Planning (Listed Buildings and Conservation Areas) Act 1990.</p>	

Conditions:

PRIOR TO OCCUPATION

2. The development shall not be occupied until the report by Archaeological Solutions LTD entitled "Historic Building Recording- Level 3" dated 19 August 2020 has been deposited with the Hertfordshire Archives and Local Studies (building recording), County Hall, Hertford.

REASON: To ensure that a historical record is kept of any archaeological finds due to the implementation of the development and to comply with the Policy R29 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework 2019.

DRAWING NUMBERS

2. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
SP_00_01	B	Proposed Sacrificial Wall	29 June 2020
16_372 M 112_E		Proposed First Floor Plan	7 May 2020
16_372 L 102_B		Proposed Site Plan	7 May 2020
16_372 L 001_C		Location Plan	7 May 2020
135PS_1_A		Existing First Floor	19 May 2020
135PS_G_A-		Existing Ground Floor / Site Plan	19 May 2020
SK01		Proposed Wall Infill	9 July 2020

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

Informatives:

1. This consent does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (water interest etc.) Neither does this permission negate or override any private covenants or legal interest (easements or wayleaves) which may affect the land.

Determined By:

Mr Mark Peacock
5 October 2020