

**WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL**  
**DELEGATED REPORT**

<b>APPLICATION No:</b>	<b>N6/2009/1054/LB</b>
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**NOTATION:**

The application site lies within the mixed use development area at Broadwater Road West as designated by Policy EMP3 of the Welwyn Hatfield District Plan 2005.

The building is Grade II Listed.

**DESCRIPTION OF SITE:**

The Grade II Listed building, subject of this application comprises a detached modern movement building finished in an off white render with 2, 3 and 4 storey sections of a flat roof design. The building was designed by the architect Otto R Salvisberg (of Zurich) between 1938-40 in association with C Stanley Brown (later additions). The building is located in the north eastern corner of the development site and is currently unoccupied.

**DESCRIPTION OF PROPOSAL:**

Listed building consent is sought for the partial demolition of the rear element of the listed building as well as internal alterations to enable the building to be used for community use (D1 use – place of worship). The application is presented alongside a Listed Building Statement prepared on behalf of the applicant by their consultant DPP Heritage.

The Roche Products factory was included on the list of special architectural or historic interest at grade II on 10<sup>th</sup> October 1980. The list description was amended on April 1<sup>st</sup> 1981 to make reference to the later 1950's additions as being of no special interest.

The proposals include the demolition of this later 1950's addition at the rear of the property alongside the making good of the rear elevation of the building and internal alterations including the following:

- The removal of partition walls at ground floor (part of the 4 storey block) and retained single storey element to provide an open floor plan and flexible space for the proposed use of the building as a place of worship i.e. congregation hall and meeting room.
- The opening up of the basement area of the administration block through the removal of largely modern partition walls.
- The removal of partition walls (which define four cellular offices) at ground floor in the administration block – the doors removed here will also be used to repair those on the first floor that are to be retained and restored (or will be kept for future use).

- The installation of partitions to create a kitchen area in the ground floor of the administration block.
- The renewal of sanitary ware in the existing WC facilities and the provision of a disabled WC at ground floor in the current utility room.
- A minor alteration is proposed in an area which is highlighted as being sensitive to change (as defined by the applicant). This involves the provision of a fire escape stair from the basement to the southern service room flanking the main entrance lobby.

#### **PLANNING HISTORY:**

Recent planning history:  
None relevant

#### **SUMMARY OF DEVELOPMENT PLAN POLICIES:**

National Policy

PPS1: Delivering sustainable development

PPG15: Planning and the Historic Environment

East of England Plan 2008

ENV6 – The Historic Environment

Hertfordshire Structure Plan Review 1991 – 2011:

None

Welwyn Hatfield District Plan 2005:

SD1: Sustainable Development

R27: Demolition of Listed Buildings  
(Policies R25 & R26 – not ‘saved’)

Broadwater Road West SPD, 2008

#### **CONSULTATIONS**

BEAMS – the applicant had sought the pre-application advice of BEAMS on the proposed scope of works. No initial objection was raised with regard to the principle of demolition of the 1950s addition.

#### **REPRESENTATIONS**

**BEAMS** – the Conservation Officer recommends granting listed building consent, subject to conditions relating to further additional information and detailed design aspects.

**Natural England** are satisfied with the bat report accompanying the application and raise no objection to the proposed scheme.

The **County Archaeologist** has recommended that an archaeological impact assessment of the site should be provided by the applicant before the application is determined.

The **Environment Agency** make no objection to the listed building application.

**Thames Water** advise that with regard to sewerage infrastructure they raise no objection to the application.

Advertised by site and press notices.

Period for the site notice expired 20/07/09.

## DISCUSSION:

The main issues are:

### 1. The impact on the character, setting and integrity of the listed building.

Planning Policy R27 of the District Plan is relevant, alongside Policy ENV6 of the East of England Plan and the advice given in Planning Policy Guidance Note 15 (Planning and the Historic Environment).

In determining applications for Listed Building consent, the following duty is placed upon the Council;

*In considering whether to grant listed building consent for any works the local planning authority, or as the case may be, 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. (Planning (Listed Buildings and Conservation Areas Act) 1990).*

PPG15 sets out the general criteria that are relevant to the consideration of Listed Building Consent applications whilst Policy R27 of the District Plan sets out the Councils approach to planning applications involving the demolition (including partial demolition) of Listed Buildings. In assessing proposals that include the complete or partial demolition of any building of special or historic interest the Council will have regard to the following factors:

- The condition of the building and the costs involved in repairing and maintaining it.
- The adequacy of efforts made to retain the building in use.
- The merits of alternative proposals for the site.

As is noted by Policy R27 there is generally a presumption not to grant either the complete or partial demolition of a listed building other than in exceptional circumstances. In this instance the applicants have put forward a strong argument for the justification for the extent of building to be demolished. This primarily revolves around the fact that the portion of building to be demolished predominantly comprises of a 1950s addition which is noted in the list description as being of no special interest (although a small part of the single storey element from the first phase of the building is also to be demolished). Furthermore, the applicants argue that the demolition is required for the proper planning of the development site which will secure the future use of the listed building. In this regard the listed building application should be read alongside planning application N6/2009/1053/MA which proposes the erection of 207 dwellings together with associated open space, landscaping, car parking and new access arrangements. Whilst this application has yet to be considered, the future redevelopment of this site is envisaged to come forward, given that the site is within the Broadwater Road West mixed use development area (as identified by Policy EMP3 of the District Plan and detailed in the Broadwater Road West SPD, adopted 2008).

With regard to the proposed alterations the applicants have identified those areas most sensitive to change and are intending to focus the internal alterations in those areas that have already experienced alteration. There is only one proposed alteration within the areas defined as sensitive to change and this is for the

installation of a fire escape stair from the basement to the southern service room flanking the lobby area. However, this staircase will be wholly located within the existing service room with the entrance moved to provide direct access to the lobby by re-using the existing door. As such it is argued that the spatial qualities of this main entrance lobby and principal stair case will remain unchanged.

The proposed demolition and alterations have been considered by the conservation officer alongside the justification put forward by the applicants in the Heritage Statement accompanying the application and in principle considers that the proposed re-use of the building as a church is appropriate as a viable new life for the building. Furthermore, the conservation officer considers that the sympathetic conversion, repair and retention of all significant features together with the internal space, the external immediate setting and context will provide this iconic building with a degree of separation from the proposed wider redevelopment area.

Some discussion was had with regard to the design approach to the rear (west) elevation that is to be made good following the demolition of the 1950s addition, and ultimately it is considered that the proposed blank façade would be appropriate given the proposed use of the room (which will serve as the main congregational hall for the church) and the character of this building given its strong minimalist composition. However, details and the final making good of this elevation would need to be conditioned.

This ties with the consideration of the setting of the building and the advice of Policy R27 which states that the demolition and major alteration of a listed building will not be acceptable without detailed plans for the site's development. The accompanying major application submitted by the applicants sets out their intention for the whole site and whilst the details of this scheme are yet to be determined it is recognised that the building is located within a defined development site. The SPD for the site presents a strong design vision but does not require the partial demolition of the this listed building. However, the SPD does recognise that the Roche Reception building does not lend itself easily to residential conversion and alternative uses will be considered (including community uses for the site) and it can be argued that the design aspirations for the site as set out in the SPD would not be compromised by the proposed works to the building. Ultimately, the setting of the building and the advice of the Conservation Officer in this regard will be primarily considered as part of the accompanying major application. However, in line with the guidance in PPG 15 it is recommended that a condition which ties the proposed demolition with a contract for the works to the wider development site is recommended.

In summary, the proposals would not have a detrimental impact upon the character or setting of the Listed Building, and would not detrimentally affect the historic integrity of the composition.. The applicants have put forward an argument for the proposed demolition and alterations and it is considered that the distinctive elements of the building will be unaffected by the proposed works. The proposals are therefore considered acceptable with regard to the provisions of PPG15 and ENV6 of the East of England Plan and Policy R27 of the District Plan.

A balance has to be struck between maintaining the historic character of the building and to allow the building and the development site to adapt to future uses. The viability of the building will be improved if it can be brought into use as the applicant has not been able to find another user willing to take on the building with its original function of office accommodation. The applicant has confirmed that under their instruction, the building was put to the market on their behalf (by Drivas Jonas) in the

early part of 2008 and that despite initial interest from a hotel operator this was soon discounted and since that time Herts International Church have been the only party interested in taking on the building.

With regard to the comments from the County Archaeologist, the need for an archaeological assessment is being discussed further in relation to the major application. Given that consent is recommended, the applicants will be required (via condition) to record details of the building by measured drawings, text and photographs (part of which is satisfied by the information submitted with the application) to meet the requirements of Policy R27 of the District Plan. This will need to be submitted and agreed by the Council and is considered a reasonable approach.

## **CONCLUSION:**

It is considered that the proposal strikes an acceptable balance which would hopefully secure the long term use of the Listed Building whilst preserving the historic integrity of the building as required by PPG15. The evidence submitted by the applicant has demonstrated that there are exceptional circumstances that warrant the partial demolition of the building and these have been considered in line with the guidance in Policy 27 of the District Plan.

## **RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS**

### **CONDITIONS:**

1. C.2.2 – Time Limit (LB)
2. C.13.1: Development in accordance with approved plans WGC AL (0) 200, WGC AL (0) 201, WGC AL (0) 211, WGC AL (0) 250, WGC AL (0) 251, WGC AL (0) 252, WGC AL (0) 260 and WGC AL (0) 261 received and dated 02 June 2009
3. Following the carrying out or completion of the building operations or alterations for which consent is hereby granted, all *making good* of the existing building shall be carried out in materials and finishes which closely match, like-for-like, those historic materials and finishing details used in the existing building or structure to accord with usual conservation good practice and to the satisfaction of the Local Planning Authority. If there is any doubt regarding the approach to any proposed making good, or any alternative materials are proposed, a precise specification of the materials and finishes should be submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure that the special architectural and historic interest, character and appearance of the building are properly maintained, in accordance with PPG 15 and standard conservation good practice.

4. Notwithstanding the details shown on the approved drawings listed in condition 2 above, no works shall take place until detailed plans of the west elevation are submitted to and agreed in writing by the Local Planning Authority. The required plans shall be submitted at 1:5 scale illustrating the detail of the proposed new door openings, frames and doors as identified on approved drawing WGC AL (0) 260. The works shall then be implemented in accordance with these approved details.

REASON: To protect the historic fabric and aesthetic quality of the Listed Building in accordance with Planning Policy Guidance Note 15.

- 5 Prior to the commencement of demolition or enabling works, the developer shall record details of the existing building by measured plans, text and shall undertake a photographic record survey of the building as existing to the satisfaction of the local planning authority.

REASON: The building is Grade II Listed and a record should be made before it is altered in accordance with the provisions of Policy R27 of the Welwyn Hatfield District Plan, adopted 2005.

- 6 No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the programme and method for the partial demolition and the steps required to be taken during the process of work to secure the safety and stability of that part of the building that is to be retained.
  - ii. details of adequate support and shelter arrangements to be provided at all time to the walls and roof whilst the building works are carried out.
  - iii. details of any repair works proposed.
  - iv. details of any materials to be removed which in the opinion of the Local Planning Authority should be salvaged for re-use.
  - v. details of proper and adequate protection to those features/areas of the building noted as being of special interest in the listing description or noted as areas that are sensitive to change in the applicants Heritage Statement (received and dated 02 June 2009) for the duration of the works.
  - vi. measures to control the emission of dust and dirt during the works.

REASON: To ensure that the building is protected during demolition and construction, that articles and materials that are of an intrinsic quality are available for re-use and to prevent the total or partial collapse of the building in the interests of protecting the character and appearance of the listed building.

7. No demolition works hereby approved shall commence until a contract for the redevelopment of the site has been made and confirmed and planning permission has been granted for the redevelopment for which the contract provides (either in accordance with the provisions of planning application N6/2009/1053/MA or otherwise an alternative application). A copy of the contract shall be submitted to and accepted in writing by the Local Planning Authority prior to the commencement of these works.

REASON: The works are only permitted by virtue of the wider redevelopment to be carried out in accordance with the provisions of Policy R27 of the Welwyn Hatfield District Plan, 2005.

## **SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:**

### **Reason for Grant of FP/LB/CA/DT/ (Approvals only):**

The proposal has been considered against Planning Policy Guidance PPG15, East of England Plan 2008 policy ENV6, and Welwyn Hatfield District Plan 2005, Policy R27,

in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer's report which can be inspected at these offices).

**INFORMATIVES:**

Section 8(1)-(2) of the Listed Buildings and Conservation Areas Act 1990 requires the Royal Commission on the Historical Monuments of England (RCHME) to be allowed at least one month to record a listed building before demolition takes place (unless they indicate that they do not wish to record it). English Heritage has assumed the statutory recording activity formerly undertaken by the Royal Commission on the Historical Monuments of England, which merged with English Heritage in 1999. For further information please contact the English Heritage Architectural Investigation Section at 37 Tanner Row, York, Y01 6WP.

**Signature of author..... Date.....**