

Regarding Land to R/O 132 Station Road N22

HERITAGE STATEMENT

Statement Commissioned by Adjacent Neighbours

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1.0 Introduction

- 1.1 This statement has been commissioned by adjacent neighbours, in respect of garden land r/o 132 Station Road N22 and the application for Planning Permission submitted by Arden Properties Ltd, ref HGY/2020/1841.

2.0 Heritage, Conservation and the Application

- 2.1 The application site falls within the Wood Green Common Conservation Area. The application relates to a small triangular garden site close-bounded by small gardens, and an adjoining plot occupied by a historic Coach House. The Wood Green Common CA is contiguous with the Trinity Gardens CA which lies to the north. The joint CAs are coherent well-structured areas. The site supported, and may have been incorporated in, the early development of Wood Green village (Saxon). The two CAs together evidence the historic development of Wood Green from Bounds Green Road in the north to the line of the railway to the west of Wood Green Common.
- 2.2 The site comprises three parts, the Coach House section to the west, a central garden area and an eastern garden area. The site is for the most part garden land.



Figure 1: Aerial View of Site

Primary legislation rules that garden land is not 'brownfield land'. The contained, coherent and small-scale nature of the site and adjacent gardens is evident from a bird's eye view (Figure 1). Garden land is highly protected.

- 2.3 The land for five of the proposed joined houses has been garden since the late 1890's, this following on from the demolition of the house known as The Grange which stood within the site (Figure 2). The Grange dated from c1600 at the latest. Given that the land has been left open since the 1890s, the site of The Grange and archaeological deposits associated with this large ancient house are almost certainly sealed in undisturbed ground, at the site.
- 2.4 The site, other than The Grange and the stables to The Grange (Coach House), seems never to have been built over or had intrusive structures erected upon it. There were garden structures associated with 132 Station Road, and formerly 69 Park Avenue, when ownership was with 69 Park Avenue.
- 2.5 The site is 'open' land which is contiguous with the adjacent gardens on Barratt Avenue, Station Road and Park Avenue, creating an open space between the rear elevations of the adjoining terraces.
- 2.6 The site supports good tree and shrub vegetation. In the CA the trees are protected. There are some trees in adjacent gardens.
- 2.7 The site appears to support a broad ecology, both flora and fauna.

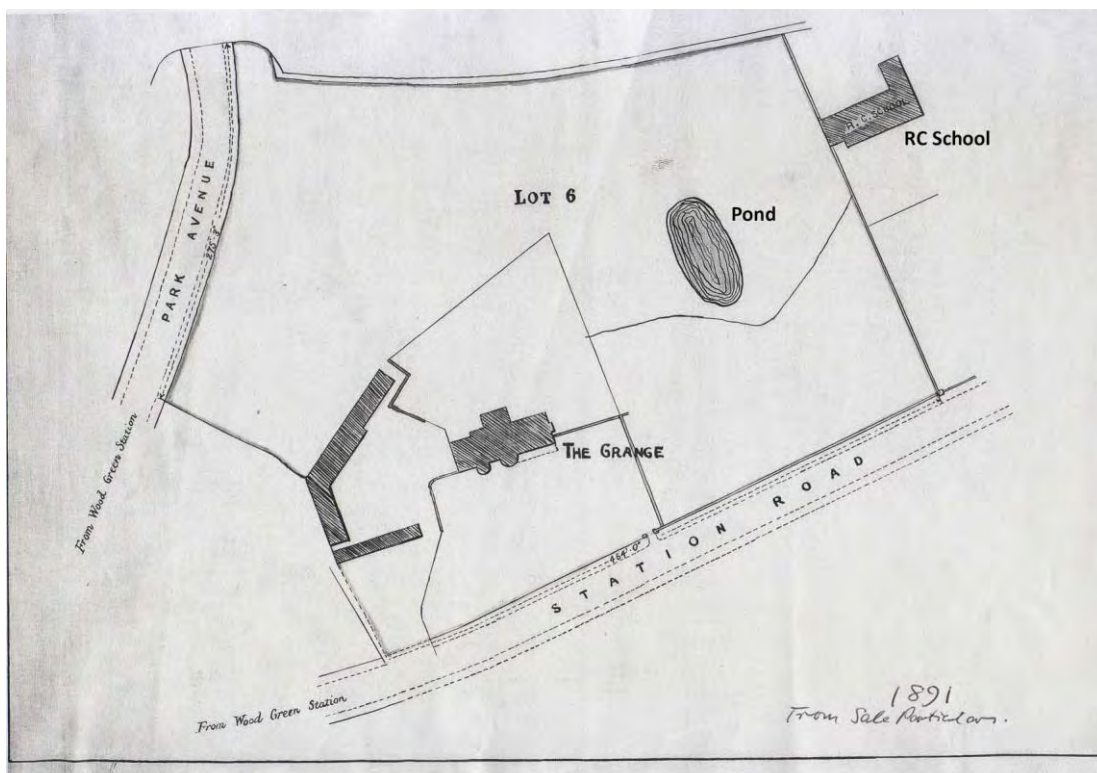


Figure 2: The Grange Sale Particulars/ Advertisement 1891

- 2.8 The Victorian Coach House (cited in the CA Appraisal) predates the surrounding houses. It is a Victorian building replacing, or possibly incorporating in part, earlier stable buildings as are shown on the well drawn and dimensioned sale particulars

plan of 1891 relating to the sale of The Grange and associated land. The Coach House (Figure 10), originally for horse drawn vehicles, came to serve a motor vehicle. There is good brick work, original upper first floor windows and finely shaped Portland stone capped gables which are visible in the view from Park Avenue and from neighbouring buildings. This building is in use as a recording studio, is in good condition, and as a distinctive and indeed unique building in the CA, it makes a positive contribution. The upper storey retains the central loft door to the hay loft which served into the paved stable yard below. Demolition of this building is not justified. Loss of the Coach House would represent substantial harm to the CA including how the site relates to the historic layout of the area. The evidence points to stabling having been in this spot for centuries. This is elucidated further below (paras 3.4-3.7).



Figure 3: Boundary wall at the Coach House. Section of the old wall (note old red brick laid in lime mortar) running to junction with the Coach House. The old wall has been cut back and the Coach House built up to the wall so that the far sides align. The Coach House is Victorian yellow stock brick.

2.9 The access path from Station Road is bounded on its western side by an ancient brick wall which marks the boundary with the New River (Figure 3). The line of the wall with its distinctive kink is shown on the 1864 Ordnance Sheet (Figure 4). The wall retains very old red brick set in lime mortar, and this clearly predates the Victorian Coach House. This wall is the most ancient above ground built element in the CA. It is a significant element in the CA. Heavy construction traffic on the access route could threaten the wall.

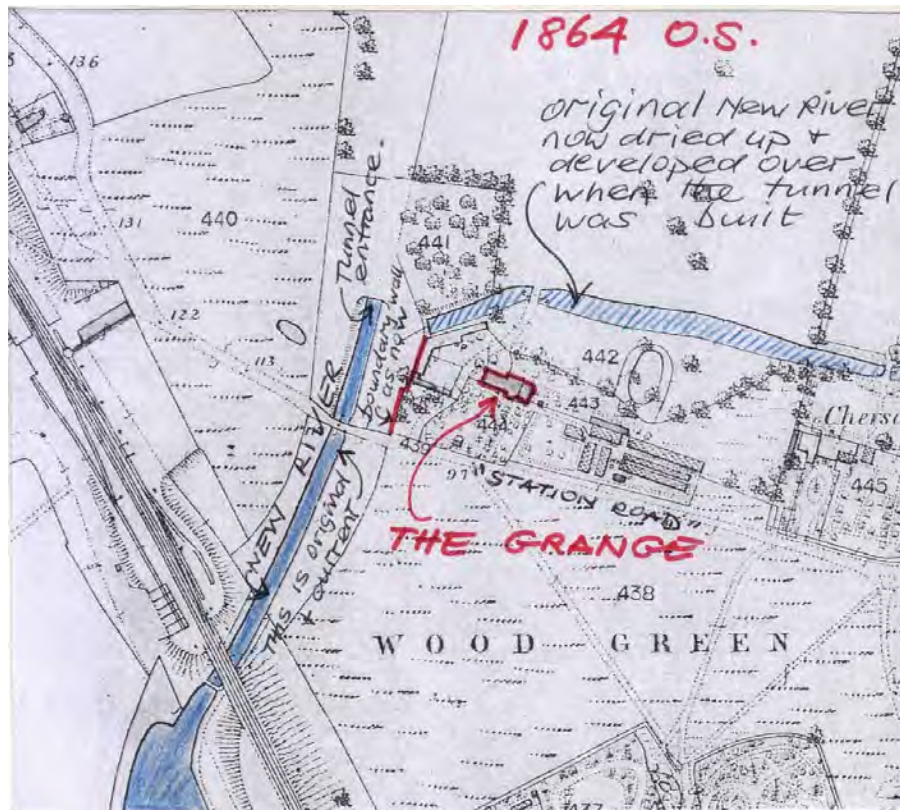


Figure 4: 1864 OS Sheet

- 2.10 The narrow access from Barratt Avenue into the small eastern part of the site has only ever served as an access to domestic garden land. Part of The Grange would seem to underlie this land at its western end, where deep excavation for one of the houses is proposed.
- 2.11 The character of the site is 'green' both visually, in relation to its verdant mature tree cover (Figure 5), and in its performance; at present all rainfall is held within the site with no drainage into public drains. As has been noted, the site, together with the adjoining gardens, contributes positively to the open and green character of the Conservation Area. The proposal would take down all trees and shrubs, build over the open land, and result in the site being almost entirely non-permeable hard surface, that would add to the wastewater load into the public sewer. The meadow roof would offer very little mitigation. Green open character and green performance would be virtually eliminated from the site. The applicant's tree report



Figure 5: Green open character of the site

dismisses the value of the trees. The trees are positive contributors, are in good condition and not near the end of their lives.

- 2.12 The character of the site is 'open'. The proposal would completely destroy this character. Built-over land is not in planning or conservation terms 'open'. 'Open' character is of the ground-scape, the lay of the land, and the natural elements, plants and trees, that the ground supports. It also relates to the function of the ground, for example, permeability and sustainability. In CAs these considerations are required by legislation and included in guidance. An intervention does not preserve or enhance if it does not respect character, the lay of the ground, and the elements on and in the ground that contribute to the qualities that support the CA designation in the first place. Views within and through areas are also important. Aspects limited to views of and over proposed roofs, or into proposed deep sunken areas, would not reconstitute 'open' character.
- 2.13 Design in a CA needs to start with a fair and balanced analysis and appreciation of the qualities of the site as these need to be respected, if they are to be preserved and enhanced by a proposal. This does not seem to have been the approach adopted by the applicant. The site and open space (site plus adjoining gardens) is entirely garden yet the proposed houses have no gardens at all, but completely inert sunken courtyards.
- 2.14 One can conceive of new buildings, and have experienced new buildings, in CAs that are good interventions that enhance. Good interventions can bring out the inherent qualities for which the site was designated, but this is not the case with this application.
- 2.15 The change to the character would also include noise generated within and introduced to the centre of the site, concentrated by the reflective hard surfaces of the sunken courtyards. The proposed courtyards are close to the adjacent houses (Figure 13 and Figure 14). The courtyards, being the only external space available to the dwellings (three bed/four bed dwellings), could be intensely used. Against the Barratt Avenue boundary five air source heat pumps are proposed. Air source heat pumps are noisy in operation, a well maintained single pump causing noise levels of 60dBA. The losses in amenity would contribute to the loss of quiet and therefore character of the area.
- 2.16 Amenity lighting to the pathways through the site, in the house yards, and the internal lighting emitting from the dwellings would change the character of the site radically. Adjoining properties are all very close.
- 2.17 Amenity losses taken together are substantial. Policy protects amenity.
- 2.18 The proposal would completely erase significance in relation to archaeological deposits, the history of the site and history of the area. The demolition of the Coach House, loss of all trees on the site, and complete loss of open space would produce a complete loss of character within the site.
- 2.19 The proposal would not be a new development making a positive contribution to local character and distinctiveness. The proposal, a very large spreading mono-form, would sit within and be built out of a massive excavation into the ground. This design does not allow the character of the site to persist. The proposal for the site takes nothing from the character of the site, or the CA as a whole, into the design. Cramming structures into a deep excavation into the ground, with no

acknowledgement of the site's character, qualities and significances, does not meet legislative and planning requirements. This proposal distinguishes itself by ignoring the significances of the assets and how they could inform sustainable design.

- 2.20 'Significance' in conservation legislation exists in relation to archaeological interest, architectural interest and historic interest. The proposal does not preserve, and neither does it enhance, the significances of the heritage assets, in any of the above terms.
- 2.21 Archaeological potential is not assessed by the applicant. Architectural significance in relation to the Coach House is dismissed by the applicant, and total demolition of this unique building in the CA is proposed.
- 2.22 The historic significance and legibility of the site with respect to its historical development would be eradicated.
- 2.23 The applicant's Heritage Statement is inaccurate in referring to the site as having been part of Cherson House. That building was the next large house built well to the east of The Grange. The Grange occupied the site under consideration. Cherson House was not related to the application site. The applicant seems not to have researched the history and significance of this site.

3.0 Outline History of the Site

- 3.1 The site lies just to the west of an area of high archaeological value, potentially Saxon or possibly even Bronze Age settlement.

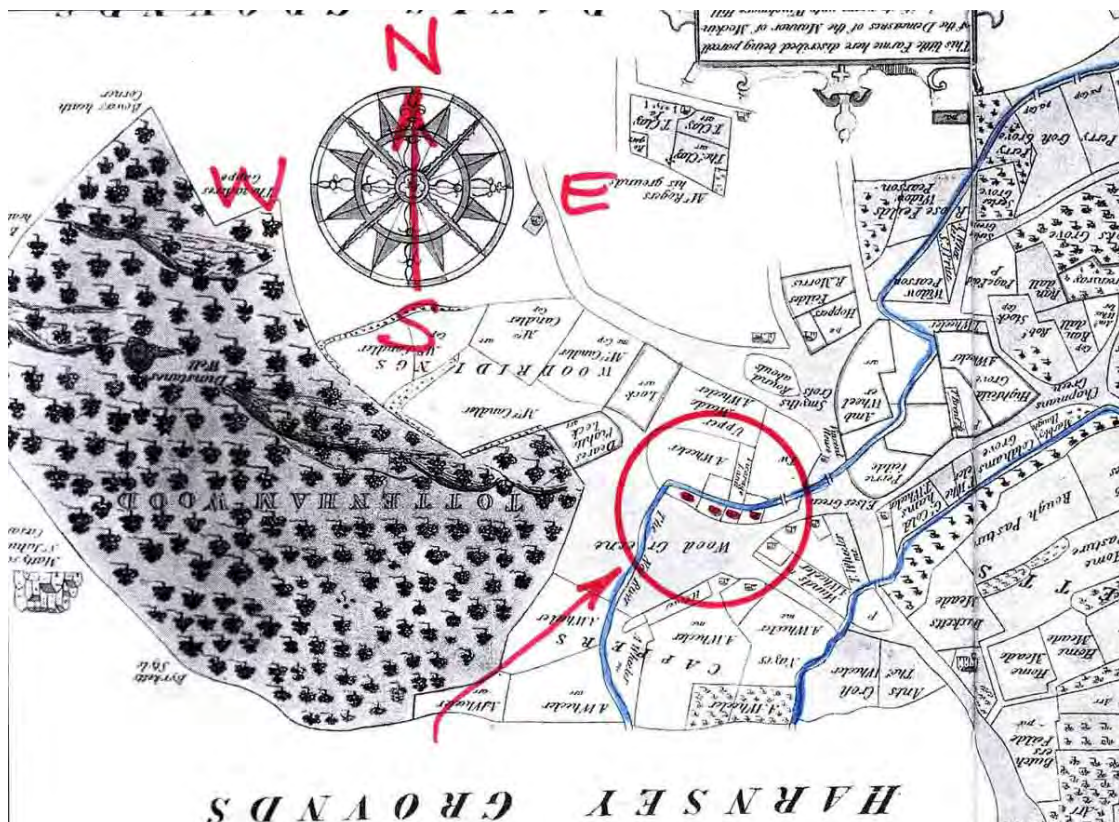


Figure 6: 1619 Parish Map OS Sheet

- 3.2 The site lies close to the New River as first constructed between 1609 and 1613, going through Wood Green in 1612. By reference to the 1619 Parish Map (Figure 6) there are large houses in their own grounds shown backing onto the New River (original line that is below Barratt Avenue). One of these sites is shown as owned by A. Wheeler and another plot is marked as vicarage land.
- 3.3 It should be noted that the early plot boundaries (1619 map) all run linearly across the line of the New River itself, indicating that the plots did, and the related habitations most probably, predate the construction of the New River. One of these plots and houses is that of The Grange. The Grange was a substantial house and it was built on the site of the current application. In 1891 Mrs Pearson-Kidd sold a substantial parcel of land including The Grange. The site was not part of Cherson House as stated by the applicant; that house lay well to the east of the proposal beyond the site, on land now occupied by St Paul's Roman Catholic Church.
- 3.4 The 1864 OS map (Figure 7) shows the site at a significant time in the development of the area; by this time the New River has been realigned by means of a culvert (below Nightingale Gardens), but the 1864 map still indicates the original line of the river bed, which was a depression in the landscape. (Barratt Avenue was built over the old river-bed). The Grange and its extensive gardens are shown on the 1864 sheet, as is the stable yard (the paved yard outside the Coach House) which was associated with The Grange.

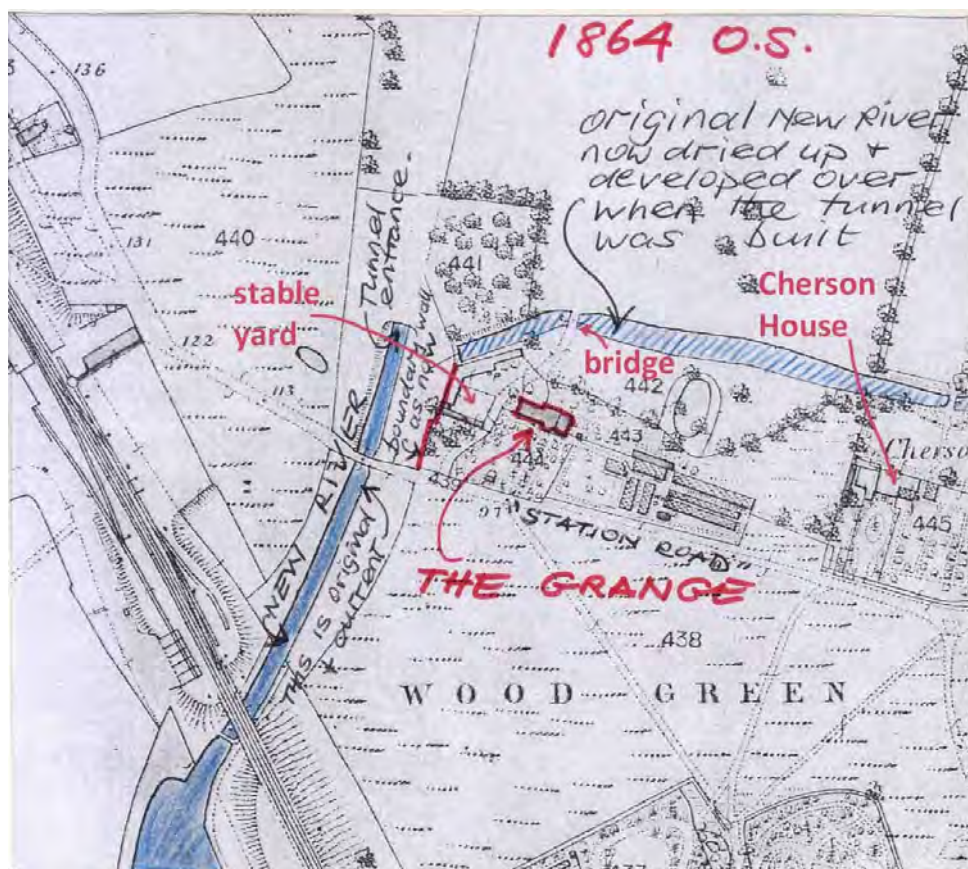


Figure 7: 1864 OS Sheet labelled

3.5 The 1864 sheet also shows an access path from Station Road, almost at the same position as the current crossover, leading through the stable yard, which is extant as part of the Coach House yard, to a bridge over the abandoned section of the New River, and into fields. This field path must predate the construction of the New River (1612); the New River Company probably had to provide a bridge to give the owner access to the fields beyond. This evidence is supportive of early occupation of the site, the subject of this application, prior to the construction of the New River, that is before 1612. The history of significant occupation on the site is therefore traced back to the late mediaeval period.

3.6 The parcel of land sold by Mrs Pearson-Kidd included the original bed of the New River. The parcel was then laid out in the last decade of the 19th century to create Barratt Avenue (built over the original New River), and some houses on Park Avenue and Station Road, but leaving a triangle of land at the centre, that being the position of The Grange which was demolished. When the Park Avenue houses were built, all the land which is the site for the current application, became the gardens and Coach House/ stabling for 69 Park Avenue. It is notable that 69 Park Avenue happens to be considerably larger than the other houses in that terrace.

3.7 The 1891 sale plan for The Grange (Figure 8) indicates the following;

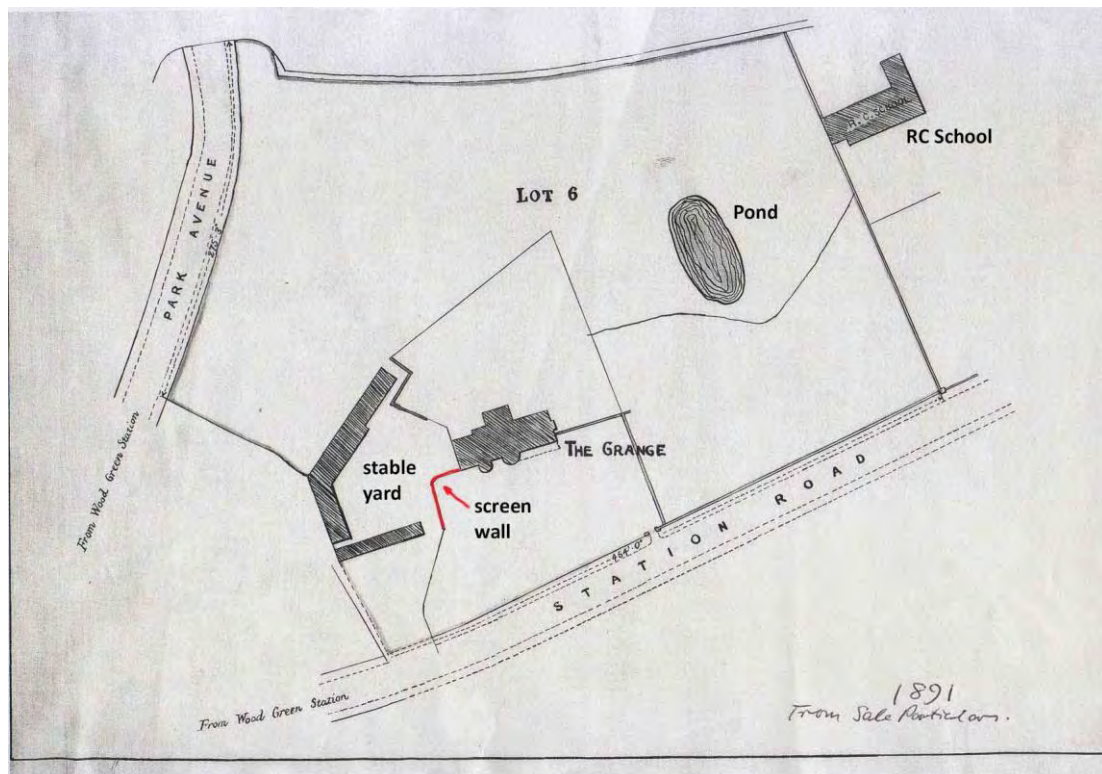


Figure 8: The Grange Sale Particulars/ Advertisement 1891 labelled

The Grange was a very substantial house incorporating two very prominent projecting bays to the principle facade. The main front lay parallel with Station Road but set well back.

The house had an impressive frontage to Station Road 454ft (138m) in length. The principle façade of the house was 76ft (23m) long and it was 42ft (12.7m) deep. This size indicates a high-status house. The outline plan shown in the

sales particulars indicates a complex building, a formal front but an accretative plan, possibly with a late mediaeval house at its core.

There were stables and possibly other offices serving the house all neatly screened from the house, indicating careful design intent, set to the west side of the house, occupying the same location as the existing Coach House and yard. (An interesting persistence of use.)

There is also a large pond indicated towards the north-east of the land that was put up for sale.

3.8 By building the late nineteenth century houses around the perimeter of the Pearson-Kidd plot, the old house, The Grange, was skirted around completely rather than built over. This would explain why the site came to be as it is, with a wedge of land accessed from Station Road by an ancient track. The Grange, one of the earliest houses of Wood Green, almost certainly lies below the land subject of the current application. Overlay of historic maps with the modern map shows the house location in the centre of the overall site (Figure 9).



Figure 9: The Grange overlay on Modern OS Sheet. There is archaeological potential of a significant order at the garden site. The house, The Grange, may be one of the earliest to be constructed in Wood Green.

4.0 Archaeology

- 4.1 Given that the site had a substantial house since before 1612, the site must have very high archaeological potential. Given its proximity to the 'Saxon Village' along the length of ground which gently rises to the west, it is possible that the period of habitation goes back to much earlier times. The undisturbed nature of the site is a significant consideration in assessing its archaeological potential.
- 4.2 The site may retain archaeology of exceptional significance. There has been little research carried out on The Grange and the land associated with it.
- 4.3 The optimum course with respect to archaeology is to leave it undisturbed because it is a unique and irreplaceable resource. 'Rescue archaeology' may have to be resorted to in the case of development, or placing of special foundations devised to preserve the archaeology, but this is always a last resort. Where at all possible deposits should remain undisturbed.
- 4.4 The present proposal, by excavating to great depth, would completely destroy the archaeological potential of the site, potential which is not considered in the applicant's Heritage Statement.

5.0 Impacts on Heritage Assets

- 5.1 The site is located in the Wood Green Common Conservation Area.



Figure 10: The Coach House, 140 Station Road

- 5.2 The Coach House (Figure 10) is unlisted but it is a significant building in the context of the CA, being the earliest building, predating the surrounding houses. It is significant in that it has survived substantially as originally built, and has been simply fitted out in a completely reversible manner, to serve its present function as a recording studio. It has served this use for many years and is excellent for this specialist use. The elevation facing the Station Road entrance exhibits careful design. The decoration of the white doors is inappropriate but easily addressed. The brickwork, fenestration and carved Portland stone capped shaped gables are all well designed.
- 5.3 The site supports a good range of trees, with several very good specimens. There are some trees in adjoining gardens which would be threatened by the excavations and concrete structures.
- 5.4 Although the site is behind houses, there are views into the site from the surrounding streets (Figure 11) and the trees make a particular impact on aspect, contributing to the characteristically open character of the site.



Figure 11: Glimpsed view from the street in Barratt Avenue

5.5 The character of the CA is discussed in the Local Authority's appraisal. The houses surrounding the site are unspoiled, coherent and well designed, employing



Figure 12: Views east along Barratt Avenue

very good quality brick and slate, and wooden windows, all carefully designed and proportioned. The houses on Barratt Avenue and Park Avenue are particularly well designed, and very intact (Figure 12). Those on Station Road, although intact and substantially unaltered, have had some render added and some windows changed. Such changes are however reversible, and of themselves do not

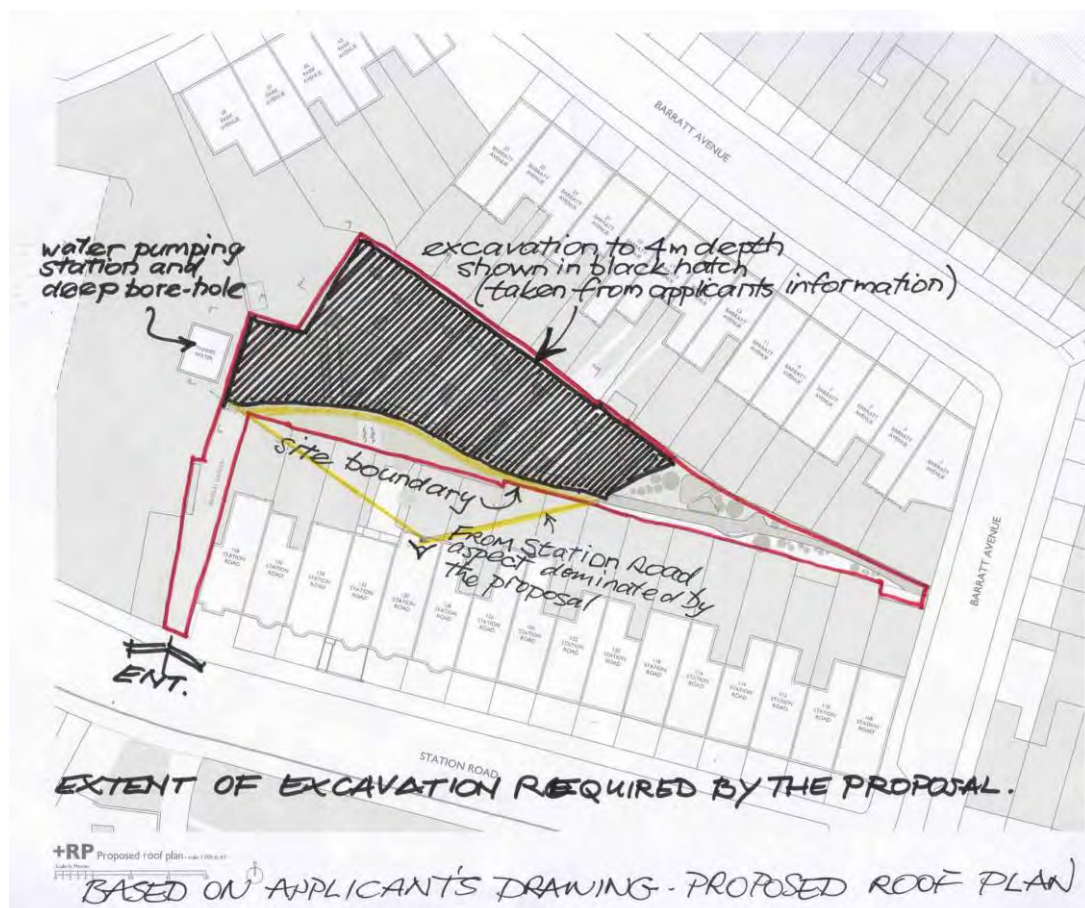


Figure 13: Extent of excavation required by proposal

diminish the overall quality of the CA. Indeed, the CA has seen significant improvement and enhancement in recent years.

- 5.6 All the houses around the site have small rear gardens which together with the garden land (the site) form an open space. The space is small and views across it from terrace to terrace are close. The proposal inserts a very large interruptive mono-form of signally huge scale (Figure 13) into the fine texture and grain of the area, at odds with the scale of the space itself and against the scale of the CA buildings. The immensity of the proposed roof form overwhelms the site, closer to the scale of an industrial building than that of dwellings. The size and shape of windows are out of scale with the houses, the proposed curved windows at the upper level, and plate glass elsewhere, approximately 2.3m square. This needs to be compared with the texture of the CA. The design is not consistent with the preservation or enhancement of the CA. Such large scale elements are out of character and scale with respect to the space available even before considering the impact on the Conservation Area.

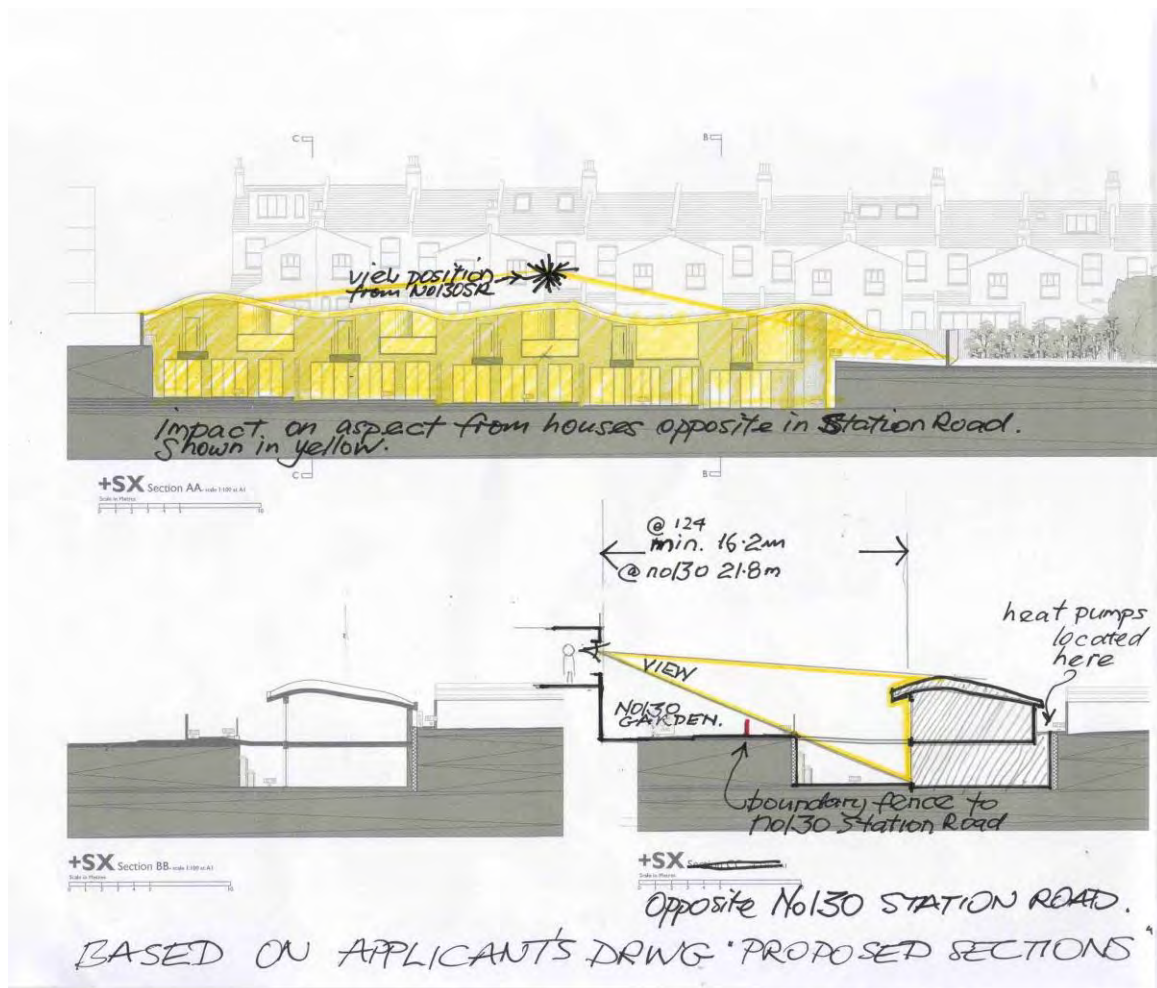


Figure 14: Impact on aspect from houses opposite in Station Road

- 5.7 It is remarkable that the proposed houses to be constructed on garden land have no gardens, and that the planting is limited to what can only be described as puny strips capable of supporting no more than minor decorative planting. The proportion of the site proposed to be built over and hard surface is immense and overwhelming. This is not consistent with legislation at any level.

5.8 The diagrams (Figure 13 and Figure 14) indicate the impact from first floor windows in Station Road. The closest windows in Station Road would face into bedroom windows only 16m away; from number 130 Station Road, first floor bedroom windows would face into bedroom windows 22m away. The diagrams show how the visual impact from Station Road is very extensive from side to side and intrusive into the proposed bedrooms. There would be major impacts on the open space. Visually the character of the open space, with mature trees, is destroyed and the proposal, by its nature, could never support replacement trees because the excavation would be deep into the inert London Clay. The site would be forever an all but barren form, despite a meadow roof, the viability of which, due to its shape and slopes is questionable.

5.9 Substrate studies for meadow roofs have not looked at the behaviour of such slopes, but only 'flat' roofs. Maintenance in the longer term could be very problematic. Such roofs do not always succeed and require significant maintenance.

6.0 Construction Considerations and Ground Conditions

6.1 It has been noted above that the late 19th century houses in Barratt Avenue were built over the former course of the New River. It is therefore likely that the foundation ground conditions of the buildings near the site vary greatly. It is known that the local clay is highly shrinkable; at 69 Park Avenue, a neighbouring property, significant structural movement occurred last year and there is evidence at 67 and 69 of previous structural movement caused by ground conditions.

6.2 Impacts arising from deep excavations can include structural movements in neighbouring buildings and interference with ground water behaviour and local water tables, and 'perched water'. In this case a massive 13 ft (4m) deep concrete subterranean box approx. 150 ft (46m) long, up to 81 ft (25m) width would run along the boundary of the Barratt Avenue houses. The proposed excavation for the Coach House area would be contiguous with the main excavation of the site. The quantity of material to be removed as spoil to landfill would be gargantuan. The proximity of the proposed excavation to traditionally constructed houses, and impermeable concrete construction gives cause for concern.

6.3 Excavations for the lower level drainage would be below the basement level of the proposed dwellings, further deepening the required excavation locally to 5m or more. The drainage outfall position has not been identified, but the drainage would be to the public sewer. Depths would be critical and it should be established if the entire drainage systems would have to be pumped, raising the risk of flooding. The location of attenuation tanks, which are likely to be required, has not been shown. Such tanks would also entail additional deep excavation in another part of the site.

6.4 The proposal would entail very deep and extensive excavations right up to neighbours' boundaries. There is justified concern that damage could occur to neighbouring buildings, not only through the construction period but also in the longer term, and that below ground water flow may be interfered with, so that new structural instabilities arise, or that low cellars (as exist in adjoining houses), which are now dry, could be subject to increased dampness and flooding into the cellars, leading to fabric decay. Traditional construction, as employed in all surrounding

buildings, using porous materials, is vulnerable to change in ground moisture regime.

- 6.5 It should be noted that in 1891 there was a large pond on the land that was sold and, despite the realignment of the New River in 1852-59, having had 40 years drying out, the land still held a substantial body of water. The hydrology of the site and area may be complex and has not been considered insofar as the existing buildings may be impacted.

7.0 Applicant's Heritage Statement

- 7.1 Some considerations arising from the applicant's Heritage Statement, not addressed elsewhere in this statement.

- 'Setting' refers to that of the asset and not to that of the proposal. It is the impact that the proposal makes on the existing setting that is to be assessed and analysed. The setting of the intervention is not the consideration with respect to development in a CA or in relation to a significant building. The application does not adequately assess the setting of the CA and its buildings. The positive aspect from all neighbouring buildings and across the site as a whole would be lost and the open, green, quiet, tranquil, dark elements of the setting would be entirely lost. Trees in the setting of a CA are specifically referred to in the Historic England Guidance. The setting is not preserved or enhanced.
- Heritage Statement para 2.16. The applicant misapplies the guidance quoted to relate it to CAs whereas it refers to Listed Buildings.
- The applicant refers to HE Conservation Principles but the process advocated in the Principles has not been followed and carried forward to inform the design. Evidence about the site has not been researched, the Historic Value has not been reasonably assessed, the Aesthetic Value of the asset has not been reasonably assessed, and the Communal Value of the place has not been reasonably assessed.
- The applicant's Heritage Statement section 4.0 Heritage Assets does not set out a considered appreciation of the assets or their contribution to the CA. The Statement does not justify the proposals.
- Section 5 of the Heritage Statement wrongly identifies the site with that occupied by Cherson House to which it did not belong. The actual site seems not to have been adequately researched.
- At para 6.1 the Heritage Statement misinterprets the Coach House building. It is clearly a building to be used for stabling and horses with a hay loft and door for hoisting. No 69 Park Avenue is earlier than implied and has a decorative panel on its bay with the date 1896 in moulded terracotta. A house of this quality would not have been a builder's yard or office though it may have been occupied by a builder.
- At para 8.5 the site is referred to as a 'derelict area'. This is wrong in planning and conservation terms. The site has existing uses and any neglect in the main part of the site is the result of recent action/inaction since its acquisition in 2016. Neglect with respect to heritage assets is not a consideration in determining

applications. Until recently the garden was maintained in very good order as is evident from aerial views and a survey that noted the planting beds and the various trees.

8.0 Heritage Legislation, Policy and Guidance

8.1 To avoid repetition of all the legislation provisions in place and to limit length of this submission, I refer here in summary to Conservation Area matters that apply to determination of applications.

8.2 The site is protected as garden land. By virtue of their inclusion in the CA, trees are protected. The Coach House and yard is a significant (unique) building in the CA. In addition, the site has high archaeological potential being the location of The Grange, a house likely to date from the late middle ages.

8.3 In summary, the proposals entail the complete demolition of the Coach House and underlying archaeology associated with the building and yard, loss of all archaeology in the remainder of the site, loss of all trees on the site, loss of open character, and the introduction of impacts including noise and light pollution, which would detract from the public amenity of the CA.

8.4 Primary legislation (1990 Act) places a duty on Local Authorities; 'preserving or enhancing the character or appearance of that area'. The proposed excavation, buildings, structures and materials would not preserve or enhance the character or appearance.

8.5 National Planning Policy Framework 2019 para 127 reads as follows:

127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

8.6 The NPPF para 127 applies to any application, so the test for proposals in a CA is clearly a high test. Para 127 quite rightly approves of appropriate innovation. However, in this instance the design proposed is for 3 bed dwellings which are single aspect, incorporating an additional windowless room at basement level which could be used as a bedroom ('study' on the drawings), without gardens as such, and with access to the sunken yards only through bedrooms.

8.7 The NPPF para 180 contains the following sub-paragraphs;

- b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their residential and amenity value for this reason; and
- c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

With respect to NPPF para 180 it is noted that;

- The site is tranquil undisturbed garden land that is prized
- The proposed development would negate its character and introduce artificial light into the 'dark' landscape

8.8 The NPPF para 185 contains the following;

- a) the desirability of sustaining and enhancing the significance of heritage assets, putting them to viable uses consistent with their conservation (my underline).

8.9 The NPPF para 192 contains the following;

In determining applications, Local 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;
- 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.

With respect to NPPF para 192;

- The proposal is not consistent with sustaining and enhancing the significance of the heritage asset and putting it to a viable use consistent with its conservation.
- The positive contribution and significance of the earliest building, the Coach House, is not properly assessed by the applicant.
- The proposal cannot make a positive contribution to local character and distinctiveness because the proposal entirely negates the character and distinctiveness of the site within the Conservation Area.

8.10 The NPPF para 195 reads as follows;

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.

With respect to NPPF para 195;

- The proposal would lead to the loss of significance of the designated asset in that an open tranquil undeveloped part of the CA, with mature planting, would be entirely destroyed.

8.11 The NPPF para 195 sets four tests, all of which need to be satisfied:

TEST (a): 'The nature of the heritage asset prevents all reasonable uses of the site.'

This is clearly not the case. The site is in three parcels, the Coach House, the central area, and the Barratt Avenue access section; these are variously, a building in business use, the Coach House, a garden formerly part of 132 Station Road, and a garden formerly related to 108 Station Road. The recording studio use of the Coach House fits very well with the conservation of the building, allowing a good compatible use without pressure to alter the building's structure, and maintaining an employment use, contributing to diversity. The original use of the building is apparent. The use sits lightly in the Conservation Area without any negative impacts on site or neighbours' interests.

The three parcels could continue in their existing use designations and be used. Uses which would not lead to the total loss of the asset have not been presented by the applicant.

TEST (b): 'No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.'

This test has not been explored. No marketing of the site as a whole or in its parts has been carried out.

The Coach House is a contributor to the CA and is in any case in good use.

There is great demand by people in the area for garden land. The garden could be used, let or sold for growing.

TEST (c): 'Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible.'

Alternative ownerships seem not to have not been explored.

TEST (d): 'The harm or loss is outweighed by the benefit of bringing the site back into use.'

The site has never been 'out of use'. The Coach House is in employment use and functions as a recording studio, the central section of the site is designated as garden (not brownfield) and until the sale of 132 Station Road in 2016, it was a rich and well maintained garden.

The site is not without use, but neglected in recent years. Such neglect is of no account and not to be considered in determination of an application.

9.0 Public Benefit

9.1 The public benefit test in relation to heritage assets is as follows;

What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

9.2 The NPPF para 130 reads as follows;

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.

9.3 This is a general direction in the National Legislation applying to all applications and therefore in relation to sensitive sites such as CAs the tests must be high tests.

9.4 The Local Authority's planning policies relate to the design of new structures and separately to historic and natural environment matters. In relation to heritage the Authority's policies apply:

- DM9 Management of the Historic Environment
- DM19 Nature Conservation
- DM20 Open Space and Green Grid
- DM21 and DM25 Sustainable Drainage Systems
- DM23 Environmental Protection

9.5 The proposed scheme fails to meet these policies.

9.6 The applicant makes the claim for Public Benefit and the provision of housing is such a benefit under the NPPF. However the NPPF makes clear that a proposal for housing of itself is not presumed to be appropriate development. The NPPF sets out at para 70 that Authorities' plans should consider the case for setting out policies to resist inappropriate development of residential gardens. The fundamental basis of an Authority's decision is set out at para 12 of the NPPF:

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

10.0 Conservation Area – Historic England

10.1 Historic England's Guidance (2019 Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1) with regard to CAs includes the following advice (at para 49) on the assessment of positive contributors of buildings in a CA and is of particular relevance with regard to considering the Coach House;

Positive contributors:

Most of the buildings in a Conservation Area will help to shape its character. The extent to which their contribution is considered as positive depends not just on their street elevations but also on their integrity as historic structures and the impact they have in three dimensions, perhaps in an interesting roofscape or skyline. Back elevations can be important, as can side views from alleys and yards. Whilst designated status (ie nationally listed) or previous identification as non-designated heritage assets (such as through local listing) will provide an indication of buildings that are recognised as contributing to the area's architectural and possibly historic interest, it will be important also to identify those unlisted buildings that make an important contribution to the character of the Conservation Area. A checklist of questions to help with this process can be found in Table 1. A positive response to one or more of the following may indicate that a particular element within a Conservation Area makes a positive contribution, provided that its historic form and value have not been eroded.'

and further in the HE Guidance:

- a) Importance of trees (para 53 pp). With regard to trees in CAs; 'The authority must pay special attention to the desirability of preserving or enhancing the appearance of that area.'
- b) HE gives advice on setting (para 58 pp). Setting relates to the setting of the existing buildings and not to the setting of the proposed building(s). The setting of the existing built assets in the CA would be substantially harmed by the proposal.

- c) HE Conservation Area guidance refers to the contribution of open space, green infrastructure, both public and private, assisting with adaptation to and mitigation of climate change. These green infrastructure matters are to be considered with respect to impact on significance on a heritage asset.

11.0 Conclusion

- 11.1 The proposed cramming of the site, and loss of character is not development of the site consistent with the Authority's policies and with the preservation or enhancement of the Conservation Area.
- 11.2 Heritage of significance would be lost with substantial harm with respect to history, archaeology, the Coach House, character and the setting of the heritage assets. The CA would not be preserved or enhanced.
- 11.3 The proposal is not consistent with the conservation of the character and history of the area. The harm to the history of the site and area is substantial, to the underlying archaeology is total, to the physical nature of the site is total, the open character of the site being eradicated. The proposal also requires total demolition of the Coach House; the loss of the Coach House is substantial harm in the context of the site. Losses to the CA taken together are substantial.
- 11.4 This scheme does not meet the Local Authority's policies for the Historic Environment or the legislative tests set for development in a CA. Implementation of this scheme would destroy the significance of the site and its contribution to the area, causing substantial harm.

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