

5m E/12/0270/A - The unauthorised removal of historic architectural features of a Grade II listed building at St Anne's Church, Slough Road, Allens Green, Sawbridgeworth, Herts, CM21 0LR

Parish: HIGH WYCH CP

Ward: MUCH HADHAM

RECOMMENDATION:

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to commence prosecution proceedings for the alteration of a listed building in a manner adversely affecting its character as a building of special architectural or historic interest and to take enforcement action under Section 38 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure works to restore the building to its former state.

Period for compliance: 3 Months

Reasons why it is expedient to instigate prosecution proceedings and/or issue an enforcement notice:

1. The unauthorised works to this designated heritage asset have resulted in substantial harm to the Grade II Listed Building and fail to sustain or enhance the historic and architectural significance of the building. There is no evidence to show that the significant harm caused in this case is necessary to achieve any substantial public benefits and the works are thereby contrary to national planning policy set out in Section 12 of the National Planning Policy Framework.

_____ (027012.PD)

1.0 Background:

- 1.1 The site is shown on the attached Ordnance Survey extract. It lies within the Rural Area beyond the Metropolitan Green Belt and to the west of the settlement of Sawbridgeworth.
- 1.2 The property is a small detached, Grade II listed, Victorian church designed with flint, white brick and with a slate roof. It is currently being converted into a two-bedroom dwelling following the grant of planning permission and listed building consent in March 2012 under planning references 3/11/0065/FP and 3/10/1614/LB.

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- 1.3 Following a number of concerns that the Conservation Officer had regarding the ongoing conversion works at the building, a site visit was made by the Conservation Officer and Enforcement Officer to look at and discuss with the owner what works had taken place.
- 1.4 During this visit, it was discovered that the internal steps leading to the church altar, identified for retention within the above applications, had been removed without consent. In determining the applications, it had been agreed that the historic steps were to remain and that a false floor would be constructed over them to enable the conversion to a dwelling whilst still retaining these important historic features.
- 1.5 The owner admitted to Officers that the steps had been removed although the materials had been kept and were currently lying outside the property. He indicated that the reason for removal was due to the poor condition of the steps.
- 1.6 Photographs of the site will be made available at the meeting.

2.0 Planning History:

- 2.1 The following planning history is of relevance in this matter:-

3/10/1614/LB	Internal alterations to accommodate conversion of Church to a two-bedroom dwelling	Approved with conditions
3/11/0065/FP	Conversion of church into a 2 bedroom house with new access and associated parking.	Approved with conditions.

3.0 Policy:

- 3.1 The relevant planning policy in this case is contained within Section 12 of the National Planning Policy Framework (NPPF).

4.0 Considerations:

- 4.1 The building is a 19th Century Victorian mission church and is Grade II listed.
- 4.2 The church does benefit from listed building consent and planning permission to refurbish the interior and exterior of the property to facilitate its conversion to a two bedroom residential dwelling. However,

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following discussions with the Council's Conservation Officer and Planning Officer, a number of key features throughout the building were identified as worthy of retention as they formed part of the historic structure of the church.

- 4.3 The owner's Structural Engineer wrote to the Planning Officer on 2 August 2012 to discharge some of the conditions attached to the permissions and in which they stated that they wished to remove the steps in question. A reply was sent from the Conservation Officer on the 21 August stating '*The permission did not include reducing the level of the altar floor to match the store and main floor, this **would not** be an acceptable approach and confirmation needs to be provided that this is not the approach the owner is taking*'.
- 4.4 Nevertheless, the altar steps were subsequently removed without reference back to officers. This has removed an important element of the historic value of the church. It is noted that replacement of the altar steps is technically possible, as most of the original material has apparently been stored on the site. This is the minimum that would be required to mitigate the harm caused and it is recommended that a listed building enforcement notice be served requiring this to be done.
- 4.5 However, any replacement steps will of course only ever be a replica of the original historic feature and therefore substantial harm has already been caused to the architectural and historic significance of the listed building that cannot satisfactorily be remedied. Furthermore, there appears to be no public benefit that arises from this damage that would outweigh the harm caused. As such, it is also recommended that prosecution proceedings be instigated for the unauthorised works.

5.0 Recommendation:

- 5.1 For the above reasons, it is recommended that prosecution proceedings are instigated and that authorisation be given to issue and serve a listed building enforcement notice requiring the reinstatement of the altar steps once a schedule of works has been agreed with the owner.