

## DEVELOPMENT MANAGEMENT COMMITTEE – 4 DECEMBER 2024

<b>Application Number</b>	3/23/2185/LBC
<b>Proposal</b>	Insertion of partition walls, flooring, kitchen/prep area, stage, bar, external flue and food storage area. Alterations to first floor WC/s to include removal of bath, relocation of sinks and insertion of toilets. Installation of 3 external signage, new screen fence, acoustic works including the installation of secondary glazing and noise absorption and erection of rear canopy.
<b>Location</b>	28 Knight Street, Sawbridgeworth, Hertfordshire, CM21 9AT
<b>Parish</b>	Sawbridgeworth Town Council
<b>Ward</b>	Sawbridgeworth

<b>Date of Registration of Application</b>	16 November 2023
<b>Reason for Committee Report</b>	The corresponding Full Planning Application has been called in by councillor Eric Buckmaster as the application has generated a huge interest in Sawbridgeworth. Residents are concerned as to the impact on their amenity, noise, congestion, and obstruction of pavements by vehicles.
<b>Case Officer</b>	Ellen Neumann

### **RECOMMENDATION**

That listed building consent be GRANTED subject to the conditions set out at the end of this report.

#### **1.0 Summary of Proposal and Main Issues**

- 1.1 The proposal is for the carrying out of internal and external works to 28 Knight Street, which is a Grade II Listed Building, falling within Sawbridgeworth Ward.
- 1.2 This application is running concurrently with a full planning application under local planning authority reference 3/23/2062/FUL.
- 1.3 The proposal consists of the insertion of partition walls, flooring, kitchen/prep area, stage, bar, external flue, and food storage area. Alterations to first floor WC/s to include removal of bath, relocation of sinks and insertion of toilets. Installation of 3 external signage, new

screen fence, acoustic works including the installation of secondary glazing and noise absorption and erection of rear canopy.

- 1.4 The application has been amended from that originally submitted. Various plans and supporting documents were amended/received during the determination period of the application. This has been done to address concerns raised by various consultees.
- 1.5 It should be noted that the description of development was amended during the applications determination period to remove the change of use, as this does not require listed building consent and is being addressed in the full application running alongside this one.

## **2.0 Site Description**

2.0 The building is Grade II Listed, and lies within Sawbridgeworth Conservation Area and the built up area of Sawbridgeworth. The building, previously occupied by Barclays Bank, is currently unoccupied.

2.1 The list description for the 28 Knight Street states:

*"KNIGHT STREET 1. 5253 (West Side) No 28 (Barclay's Bank) TL 4839 1491:3/52 6.6.52 II GV 2. Circa 1730 show front added to older building, altered and extended in last century. Plastered N gable and steep old tile roof probably C17 timber- framed with external gable chimney on S: 2 storey parapeted red brick front and possibly N flank wall of front block c.1730. Extensive red brick, tiled roof rear wing probably c.1900 and later. 5 window front of red brick with lighter rubbed and moulded brick dressings. Giant order pilasters at each end with moulded base and cap, returned architrave, frieze, cornice and projecting panel in parapet over. Cornice alone runs across the elevation breaking forward at each pilaster. Moulded brick band at floor level returned before pilaster. Plain projecting plinth. Gauged segmental arches to all windows. Relief rustication to central window over door. Slightly recessed sash windows with 6/6 panes and segmental heads to frame and upper sash. Windows renewed on Gd floor with horns, square heads to frames and projecting wooden cills. Broad wooden doorcase. Rusticated Doric pilasters, full entablature, and flat moulded hood with small ogee hipped metal roof over. This facade is a sophisticated architectural composition and a tour de force in brick craftsmanship. Illustrated by Nathaniel Lloyd in his A History of English*

*Brickwork (1928) 234. Compare the contemporary facades at 40 Knight Street, 11 Bell Street, and White Lion PH in London Road."*

### **3.0 Planning History**

Application Number	Proposal	Decision	Date
3/99/0924/AD	FASCIA DISPLAY SIGN FOR ATM CASH DISPENSER	Approved subject to conditions	10.04.2000
3/99/0925/FP	REPLACEMENT OF 1 NO ATM CASH DISPENSER WITH A NEW MACHINE	Approved subject to conditions	10.04.2000
3/99/1072/LB	THE REPLACEMENT OF 1NO ATM CASH DISPENSER WITH A NEW MACHINE	Approved subject to conditions	10.04.2000
3/00/1331/AD	TO UPDATE AND REPLACE EXISTING EXTERNAL SIGNAGE WITH 400MM NON-ILLUMINATED INDIVIDUAL LETTERING.	Approved subject to conditions	12.01.2001
3/00/1332/LB	TO UPDATE AND REPLACE EXISTING EXTERNAL SIGNAGE WITH 400MM NON-ILLUMINATED INDIVIDUAL LETTERING	Approved subject to conditions	12.01.2001
3/00/2076/LB	INTERNAL ALTERATIONS TO BUILDING	Approved subject to conditions	14.06.2001
3/00/2077/FP	CREATE NEW ENTRANCEWAY- REMOVE WINDOW AND BRICKWORK AND CREATE NEW DOORWAY	Application withdrawn by Applicant/Agent	27.06.2001

3/01/0292/FP	CREATE NEW ENTRANCEWAY. REMOVE WINDOW & BRICKWORK, CREATE NEW DOORWAY.	Application withdrawn by Applicant/Agent	21.03.2001
3/01/0293/LB	DISABLED ACCESS, REMOVE WINDOW AND BREAK OUT BRICKWORK TO PROVIDE NEW ENTRANCE. NEW WINDOWS & NEW GLAZED SCREEN WITH POWER ASSISTED DOOR - TO FORM NEW ENTRANCE LOBBY (TO COMPLY WITH DDA REQUIREMENTS).	Application withdrawn by Applicant/Agent	27.06.2001
3/01/0888/LB	PROJECTING GLOBE SIGN	Approved subject to conditions	25.09.2001
3/03/1102/LB	REPLACEMENT OF ATM TO MEET DDA REQUIREMENTS.	Approved subject to conditions	30.07.2003
3/03/1464/AD	REPLACEMENT ATM MACHINE.	Approved subject to conditions	15.09.2003
3/05/0488/FP	Remove step at main entrance. Replace existing door with timber door. External push pad to front elevation. Relocate handrails	Approved subject to conditions	29.04.2005
3/05/0489/LB	Remove step at main entrance. Replace existing door with new timber door. Extend frame. Relocate existing handrails and	Approved subject to conditions	05.05.2005

	make good areas affected. Lower lobby floor and install internal chair lift. External push pad adjacent to door.		
3/13/0990/AD	2no. non-illuminated fascia signs and 1no non illuminated projecting sign	Approved subject to conditions	05.08.2013
3/13/1128/LB	2no Non-illuminated fascia signs , 1no Non-illuminated Projecting Sign, 1no. ATM Surround ,1no Branch Nameplate. 2no replacement security fire exit doors. Dusted crystal vinyl to inner face of glazing to interview room. Replace 9no hammered glass panes to interview room window. Internal refurbishment.	Approved subject to conditions	20.08.2013
3/14/1850/LB	Replacement of external ATM	Approved subject to conditions	04.12.2014
3/18/1899/LBC	Removal of ATM and install new window. Removal of cameras and walls made good. Removal of signage and walls made good and the removal of night safe and installation of steel plate. Internal alterations to include - Removal of counters	Approved subject to conditions	22.10.2018

	and non-load bearing partitions		
3/24/0142/FUL	Repair works to the flat roof over First floor level and exposure of chimney at ground floor level only to north wall.	Approved subject to conditions	03.04.2024
3/24/0143/LBC	Repair works to the flat roof over First floor level and exposure of chimney at ground floor level only to north wall.	Approved subject to conditions	03.04.2024

#### **4.0 Main Policy Issues**

- 4.1 The main policy issues relate to the relevant planning policies in the East Herts District Plan 2018 and the National Planning Policy Framework 2023 (NPPF) as set out below.

<b>Key Issue</b>	<b>NPPF</b>	<b>District Plan</b>
Whether the impact on the designated Heritage Asset is acceptable	Chapter 16	HA1, HA7

Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

#### **5.0 Summary of Consultee Responses**

- 5.1 EHDC Conservation and Urban Design: were consulted. The Conservation Officer previously objected to elements to the scheme and raised concerns about the choice of materials for acoustic works and proposed partitions. Following receipt of amendments, the Conservation Officer is satisfied that the revisions address the comments raised and raise no objections subject to conditions.

5.2 HCC Historic Environment Unit: were consulted and concluded the development would unlikely have a significant impact on heritage assets of archaeological or architectural interest.

5.3 (Note: EHDC, East Herts District Council; HCC, Hertfordshire County Council)

## **6.0 Town/Parish Council Representations.**

6.1 Sawbridgeworth Town Council made no objection to the proposal and have referred to their comments on the full application.

## **8.0 Summary of Other Representations**

8.1 There have been 46 representations received with regards to the proposed development across both rounds of consultation – 42 in objection, 4 in support. The main reasons for objections across all rounds of consultation are summarised in the Officer report accompanying the planning application as the issues principally relate to development works in connection with the planning application and not the alterations applied for within the listed building consent.

## **9.0 Consideration of Issues**

9.1 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act states that the local planning authority 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." The specific historic environment policies within the NPPF are contained within paragraphs 195-214 (in Section 16).

9.2 Paragraph 205 of the Framework 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 should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

9.3 Paragraph 206 states that: "Any harm to, or loss of, the significance of a designated heritage asset (from its alterations or destruction, or from

development within its setting, should require clear and convincing justification."

- 9.4 Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, Paragraph 207 states that 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.
- 9.5 Paragraph 202 follows this and states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal".
- 9.6 Policy HA1 of the East Herts District Plan states that development proposals should preserve and where appropriate enhance the historic environment. Furthermore, Policy HA7 of the District Plan states that proposals will only be permitted where they would (a) not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and (b) respects the scale, design, materials and finishes of the existing building(s) and preserves its historic fabric.
- 9.7 28 Knight Street holds architectural significance, particularly through its impressive street-facing façade that enhances the character and appearance of the Conservation Area. Inside, it preserves historic construction methods like lath and plaster, along with original architectural features and materials. However, following its conversion into a bank, the building saw numerous unsympathetic internal alterations, including suspended ceilings, plasterboard, concrete, and coverings over original elements like fireplaces. Much of the internal compartmentalisation appears to be modern, with few historic partitions remaining, while some areas retain historic fabric.
- 9.8 The building was previously used as a cannabis farm and seized by the police, leaving damage such as holes in floors, ceilings, and walls from an improvised ventilation system, which affected its historic fabric. It has since remained vacant.
- 9.9 The proposed works for the change of use include external and internal alterations that require listed building consent. The external works



comprise installing a screen fence, and erecting an external flue, and a rear canopy.

- 9.10 The proposed canopy for the external seating area would be positioned along the building's north-facing flank wall, which is of lower architectural significance, making its placement acceptable. Plans indicate that the canopy frame would be timber, though the specific covering material is yet to be confirmed. The Conservation Team has therefore recommended a condition to ensure appropriate materials, which is considered reasonable.
- 9.11 An external flue is also proposed on the building's rear elevation. The flue would serve the kitchen and extend to the building's exterior. Although the flue would introduce a visual interruption to the rear elevation, this elevation contributes limited value to the overall significance of the listed building, making it acceptable. While its addition would cause minor loss of historic fabric, the Conservation Officer considers this impact negligible and believes it is outweighed by the benefit of facilitating the building's long-term sustainable use. Officers also acknowledge the potential contribution to the local economy to arise out of the building being brought back into use which comprises a further public benefit.
- 9.12 A new external fence is proposed to screen the bin store, comprising brick and close board fencing up to 1.8 meters high. The new boundary would replicate the existing wall and fence, and it is not expected to appear prominently in key views of the listed building. Officers therefore find this component of the proposal acceptable, as it would have a neutral impact on the building's setting.
- 9.13 New signage and associated lights are proposed to be installed on the front elevation of the building. The Conservation Team welcome the lighting as it would externally illuminate the signage and consider the chosen colours are acceptable. A condition has been recommended to ensure the lettering is made of metal rather than acrylic in order to be sympathetic to the character and special interest of the listed building by the use of traditional materials.
- 9.14 To enable the building's conversion, several internal alterations are also proposed. These include partition walls, flooring, kitchen/prep area, stage bar, and food storage area. Modifications to the first-floor WCs include removing a bath, relocating sinks, and adding toilets. Acoustic

measures, such as secondary glazing and noise absorption, are also proposed.

- 9.15 The Conservation Team has noted that extensive external modifications over time have altered the internal room proportions, reducing their original significance. This allows for greater flexibility with reasonable internal layout changes.
- 9.16 The proposed works prioritise protecting the historic fabric by uncovering and repairing features where possible, an approach supported by the Conservation Team. Bathroom alterations are acceptable, as this area has been heavily modernised, resulting in minimal impact on the building's significance. Adjustments to partitions are also acceptable, as they primarily involve modern materials. In the kitchen area, where some historic fabric remains, a condition has been recommended by the Conservation Team to prevent cuts to historic timber frames, which is considered appropriate.
- 9.17 A small section of historic fabric at the front of the ground floor is proposed for removal to enhance symmetry and cohesion. The Conservation Team supports this change, viewing the heritage benefits, repairs, and sustainable use of the listed building as outweighing the impact. For acoustic upgrades, secondary glazing is proposed on the ground floor windows at the front and south-facing side. There are no objections, as this respects the character of the listed building. However, specific details of the secondary glazing will be required as a condition before work begins to ensure it remains invisible externally and respects the building's significance. Additionally, breathable hemp fibreboard and Thermafleece CosyWool insulation is proposed for the ground floor internal walls, which the Conservation Team considers appropriate.
- 9.18 To ensure that works are carried out in a suitable fashion, a "making good" condition is recommended. This condition is deemed reasonable and is set out in the conditions schedule below.
- 9.19 In summary, while the proposed works would result in less than substantial harm to the listed building (at the lower end of the sliding scale), it is considered that there will be a significant public benefit of bringing a listed building back into use, supporting the long-term preservation of the heritage asset. This public benefit, along with the potential contribution to the local economy as a result of bringing a

building back into use would outweigh the (less than substantial) harm to the significance of the heritage asset. Therefore, subject to conditions, the proposal is considered to comply with Policies HA1, HA7 of the District Plan and Section 16 of the NPPF.

- 9.20 This report also sets out how the LPA has demonstrated its statutory duty in giving special regard to the desirability of preserving the building, its setting and its features of special architectural or historic interest which it possesses in accord with Sections 16 and 66 of the Listed Buildings and Conservation Areas Act 1990.

### **Other matters**

- 9.21 The objections received within neighbour letters have been acknowledged and have been addressed in the full application which runs alongside this listed building consent.
- 9.22 Neighbour representations have raised concerns about incorrect publicity for the application. It should be noted that a press notice and site notice were issued for the listed building consent application. Neighbour consultations are not required for listed building consent applications under current legislation. However, all adjacent neighbours received notification letters for the full application.

### **10.0 Planning Balance/Conclusion**

- 10.1 The proposed works would result in less than substantial harm to the listed building, however, it is considered that the significant public benefit of bringing a listed building back into use which would support the local economy and support the long-term preservation of the heritage asset would outweigh any harm to significance of the heritage asset. As such, it is recommended that Listed Building Consent should be granted, subject to conditions.

### **Conditions**

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (As Amended).

- 2 The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

**Reason:** To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

- 3 Prior to any building works being first commenced, details of the new secondary glazing, including material, colour, and dimensions of the frame, shall be submitted to, and approved in writing by the Local Planning Authority and thereafter the development shall be implemented in accordance with the approved details.

**Reason:** To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018.

- 4 Notwithstanding the consent hereby granted, the internal wall insulation, as shown in drawing no. 0262-002 Rev B, shall be installed using breathable hemp fibreboard and Thermafleece CosyWool.

**Reason:** To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018.

- 5 Notwithstanding the consent hereby granted, the proposed signage, as shown in drawing no. 0263-012 and 0263-011, shall be constructed of metal.

**Reason:** To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018.

- 6 Notwithstanding the consent hereby granted, none of the timbers forming the structural frame of the building shall be cut, removed or otherwise altered without the prior consent in writing of the Local Planning Authority.

**Reason:** To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018.

- 7 Following completion of the building operations for which consent is

hereby granted, all 'making good' of the existing building shall be carried out in materials which closely match those used in the existing building to the satisfaction of the Local Planning Authority.

**Reason:** To ensure the historic and architectural character of the building is properly maintained, in accordance with Policy HA7 of the East Herts District Plan 2018.

### Informatives

- 1 This permission 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 which may affect the land.
- 2 East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that consent should be granted.
- 3 This permission does not convey any consent which may be required under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

### **Plans for Approval**

<b>Plan Ref</b>	<b>Version</b>	<b>Received</b>
0263-001		16 <sup>th</sup> November 2023
0263-002	Rev B	10 <sup>th</sup> September 2024
0263-003	Rev A	30 <sup>th</sup> January 2024
0263-004	Rev C	10 <sup>th</sup> September 2024
0263-005		16 <sup>th</sup> November 2023
0263-006		16 <sup>th</sup> November 2023
0263-007	Rev A	1 <sup>st</sup> February 2024

0263-008		16 <sup>th</sup> November 2023
0263-009		16 <sup>th</sup> November 2023
0263-010		16 <sup>th</sup> November 2023
0263-011		16 <sup>th</sup> November 2023
0263-012		16 <sup>th</sup> November 2023
0263-013	Rev C	6 <sup>th</sup> November 2024
1263-1000		1 <sup>st</sup> July 2024