

UTT/19/1995/FUL

(Saffron Walden)

(Called in by CLLR Freeman, impact on street scene and conservation area and impact to listed buildings)

PROPOSAL: **Proposed demolition of the existing extension and non-historic elements and erection of single storey extension and alterations to the gallery building and boundary wall.**

LOCATION: **Saffron Walden Castle, Museum Street, Saffron Walden**

APPLICANT: **The Fry Art Gallery**

AGENT: **Wilby and Burnett**

EXPIRY DATE: **18th October 2019**

CASE OFFICER: **Chris Tyler**

1. NOTATION

- 1.1 Within Development Limits
- Conservation Area
- Local heritage List

2. DESCRIPTION OF SITE

- 2.1 The site relates to the Fry Art Gallery to the north of Castle street in Saffron Walden

3. PROPOSAL

- 3.1 This application is for the demolition of existing extension and non-historic elements and erection of single storey extension. Alterations include proposed new fire exit and rebuild of boundary wall.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

5. APPLICANT'S CASE

- 5.1 The applicant has provided a detailed heritage, design and access statement in support of the planning application to illustrate the process that has led to the

development proposal and to explain and justify the proposal in a structured way. The proposal will include the improved access and disabilities access. Currently, volunteers have to manipulate a heavy folding ramp into position. This entails some health and safety risk of back injury to volunteers and provides a somewhat undignified access for the wheelchair user and families with a pushchair. The operation takes a little time during which the main entrance/exit route is blocked for general use and on a number of occasions, wheelchair users have declined to use this ramp as it is unavoidably steep.

Introduction of new fire exit

The essential alternative means of escape route in case of fire currently goes through the gallery's outside space, via a gate into and through the garden of 21 Castle Street (the adjoining property) and then through a further gate to reach a place of safety (see drawing 3273/PD03). This is a poor arrangement which is difficult to manage and has the potential to compromise the security of 21 Castle Street

Extension to the building to provide workspace

The existing building provides no dedicated workspace. This means that essential access on, Collection management and research work associated with the expanding Collection can only be carried out when the gallery is closed and restricts the hours during which the gallery can be open to the public.

Improved Storage

The existing storage spaces are too small and inefficient for the Collection as it grows through the provision of grants and the generosity of private individuals. Cramped storage inhibits the further promotion and development of the Collection and hinders its conservation and display to the exemplary curatorial standards to which the Gallery aspires.

Without Accreditation from Arts Council England the Gallery would be unable to apply for grants or borrow from other national museums. This also reduces the attraction and opportunity for showing the Collection to a wider society, increasing diversity, and the demographic of visitors. Museums must observe relevant Codes of Conduct, legal requirements and obligations, including those relating to health and safety, employment and contract law, and international agreements.

6. RELEVANT SITE HISTORY

- 6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2018)

7.2 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy ENV1- Design of development within the conservation area

Policy ENV2- Development affecting Listed Buildings

Policy LC2 - Access to Leisure and Cultural Facilities

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN7 - Nature Conservation
Policy GEN1- Access
Policy GEN8 - Vehicle Parking Standards
Policy ENV4 - Ancient Monuments and sites of Archaeological Importance

7.3 Supplementary Documents

Uttlesford Local Heritage List (2018)

8. PARISH COUNCIL COMMENTS

- 8.1 No objections or comments received

9.0 CONSULTATIONS

The Highways Authority

- 9.1 From a highway and transportation perspective the Highway Authority has no objections to make on this proposal.

Due to the constraints with the site, the unloading/loading and that associated with the construction period is best dealt with by the developer liaising with Essex Highways throughout the process at a local level.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

Ecology

- 9.2 No Objections

The bat survey has been reviewed and there is sufficient information to determine the site has low suitability for roosting bats. No Further mitigation is required.

Conservation Officer

- 9.3 No Objections

The proposal includes a revised proposals following the withdrawal of the previous scheme. It is considered that although the development will include an increase in footprint, the accumulation of extensions/ additions and design of the proposal will not result in a detrimental impact to the setting and character of the conservation area, adjacent listed building and surrounding area. The low level design of the extension will not impact or detract from the views from the footpath to St Marys Church. With the imposition of conditions the proposal is considered acceptable.

ECC Archaeology

- 9.4 RECOMMENDATION: An Archaeological Programme of Monitoring

No development or preliminary groundworks can commence until a programme of archaeological monitoring has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and

approved by the planning authority.

Reason for Archaeological recommendation

The Historic Environment Record indicates the proposed development lies within an area of known archaeological deposits.

10 REPRESENTATIONS

- 10.2 No objections made, comments received include:
Conditions should be included in regards to the construction of the development.

11 APPRAISAL

The issues to consider in the determination of the application are:

- A The principle of development (NPPF, ULP Policies S1, GEN2, LC2 NPPF)
- B Whether the proposal would have a detrimental impact on the setting of the surrounding listed buildings and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).
- C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)
- D Impact on residential amenity, disturbance (ULP Policies GEN2 & GEN4)
- E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Parking Standards)
- F Nature Conservation (ULP Policy GEN7)
- G Any other material considerations

A The principle of development (NPPF, ULP Policies S1, GEN2, LC2 NPPF)

- 11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.
- 11.2 The proposal is for the proposed works to the Fry Art Gallery, the proposal includes single storey extension to the kitchen and infilling the eastern area of the building. The extensions and works to the building are considered of an appropriate scale and design that will include a traditional form and finish.
- 11.3 The proposed fire escape door will be incorporated into the small pavilion with a pyramidal natural slate roof and lantern, this emulates the existing access to the building. The removal of this part of the wall will include the reuse of bricks within the build of the extension. Taking into consideration the above points it is considered the development accords with ULP Policies S1, GEN2.
- 11.4 ULP Policy LC2 considers the development and the access to leisure and cultural facilities and advises development proposals for sports facilities, arts and leisure buildings, hotel and tourist facilities, will be required to provide inclusive access to all sections of the community, regardless of disability, age or gender.
- 11.5 One of the principal reasons for the proposed development is to provide improved access to the site for both visitors and staff members. As such it is considered this is a positive contribution to the existing building and accords with the aims of ULP Policy LC2.

- 11.6 Paragraph 8 (b) of the NPPF looks at the social thread of sustainable development, this core policy throughout the NPPF supports a strong, vibrant and healthy communities with accessible local services that reflect the community's needs and support its health, social and cultural well-being. Furthermore the location of the site is in close proximity to the town centre and as such paragraph 85 of the NPPF advises planning decision should support three role of the town centre. As such it is considered the proposal is in accordance with the NPPF regards to create a diverse social community services.
- 11.7 As such taking into consideration the location of the application site from the town centre and the positive contribution to culture and wellbeing the proposed development will accord with the aims of the NPPF.
- B Whether the proposal would have a detrimental impact on the setting of the surrounding listed buildings and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).**
- 11.8 The application is within the conservation area and the building is part of the adopted local heritage list (2018). This List has been compiled to formally identify and celebrate these assets of local importance, in a form that is accessible and informative to the local community, developers and planning officers. The list should be used to inform future development proposals, with a view to sustaining and enhancing the significance of heritage assets and putting them to viable uses Consistent with their conservation' Para. 185 – National Planning Policy Framework (NPPF).
- 11.9 The council's conservation officer has visited the site and contributed to pre-application negotiations. During the assessment of this planning application the council's conservation officer has also been consulted, no objections have been made subject to conditions. The proposals are compatible with the existing building and will contribute positively to the conservation area and its surroundings. The scale, design and siting of the proposal ensure the proposal will not result in a harmful impact to the historic setting of the neighbouring listed buildings.
- 11.10 In regards to the local heritage list, the assessment of the building considers it to be of a:
 Rarity,
 Aesthetic Value
 Social and communal value
- The proposal will not result in any harmful impact to the special character of the building, or impact the style, materials within the context of the local area. The works to the building will ensure the future social and community use of the building and provide improved access. As such taking due consideration of the local heritage list, the proposal will not de-value the local heritage status of the building.
- 11.11 The application site is within the conservation area, the council's conservation officer has advised the proposal as submitted (single storey) will not have a harmful impact to the setting of the conservation area. The extension and works to the building and wall will not compromise the conservation area with a dominating or intrusive feature that is out of character with the area. The reuse of brickwork should be conditioned, as such the proposal will have a positive effect to the conservation area.

11.12 As such taking the consultation responses the proposed development will not have any harmful impact to the setting and character of the surrounding historic buildings and the surrounding conservation area and therefore accords with the aims of Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)

11.13 ULP Policy ENV4 assesses the need for the development in regard to the impact on the archaeological importance of the site. A programme of work has been completed by Pre Construction archaeology which has been agreed with Historic England. Essex County Council archaeological specialist has assessed the proposal, no objections or further conditions are made. As such it is considered the proposal does not conflict with ULP Policy ENV4.

D Impact on residential amenity, disturbance (ULP Policies GEN2 & GEN4)

11.14 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.

11.15 The proposal, in the context of the works to the building is not considered to result in any significant impact or loss of residential amenity to neighbouring properties that will have any material harm. The works do not include the change of use of the site and as such the use of the extensions to the building will not result in any significant intensification. As such the proposal accords with ULP Policy GEN2.

11.16 ULP Policy GEN4 and ENV11 consider the development and the impact to neighbouring properties due to noise and disturbance.

11.17 The use of the building is not considered to have a significant intensification of use or material increase in noise that will result in any harm to neighbouring properties amenity value. That being said during the construction there will be some disruptions, a construction management plan should be secured by condition.

11.18 Taking into account the exiting use of the site, the imposition of conditions it is considered the development is in accordance with ULP Policies GEN2 and GEN4.

E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Local Residential Parking Standards)

11.19 The location of the application will utilise local town centre car parks, the direct street access is for permit holders only, and therefore it is unlikely the development will result in any increase in street parking. As such the proposal will not have a harmful impact to highway safety. The Highways Authority have been consulted, no objections have been made, that being said a construction management plan should be conditioned to ensure the site has sufficient storage and offloading during the construction period. The proposal accords with ULP Policy GEN1 and GEN8.

F Nature Conservation (ULP Policy GEN7)

11.20 The applicants submitted a biodiversity questionnaire and details of the proposed works to the building, Essex County Council Ecology has been consulted, no

objections have been made or requirement of further mitigation details. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

G Any other material considerations

- 11.21 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.
 - SP9- development within development limits
 - D1- High quality design
 - EN2- Design of development within conservation areas
 - EN4-Development affecting Listed Buildings
 - EN5- Schedule Monuments and sites of archaeological importance
 - TA1- Accessible Development
 - TA4- Vehicle parking standards
 - EN8- Protecting the natural environment
- 11.22 SP9- development within development limits
D1- High quality design
EN2- Design of development within conservation areas
EN4-Development affecting Listed Buildings
EN5- Schedule Monuments and sites of archaeological importance
TA1- Accessible Development
TA4- Vehicle parking standards
EN8- Protecting the natural environment

12. CONCLUSION

- 12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme in terms of the local heritage asset and its surroundings. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of the development hereby approved a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. "No preliminary groundwork's of any kind shall take place on the building until this condition is discharged by the Local Planning Authority

REASON:

This pre commencement condition is required to ensure there is sufficient archaeological recording of the building, in accordance with ULP Policy ENV4. The Historic Environment Record indicates the proposed developed lies within an area of known archaeological deposits.

The proposed development is located on Castle Street within the historic town of Saffron Walden. The settlement developed around the castle which was founded in the eleventh century by the de Mandeville's (EHER 411). In 1141 Geoffrey de Mandeville was given permission to remove Newport's market and transfer it to his castle at Saffron Walden. It is assumed that by this date the keep and its earthworks were well advanced if not finished. The development lies on the line of the medieval

town defences.

In the early to mid-13th century a large area to the south of the castle bailey was enclosed with new streets being laid out. Part of this enclosure survives as the Repell ditches (EHER 0443), part of which are preserved as a Scheduled Monument (SAM 54). There is therefore high potential for encountering archaeological deposits during the proposed development.

The archaeological work would comprise of monitoring groundworks to identify the extent and depth of archaeological deposits with appropriate time allowed to record if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor.

- 3 Notwithstanding the details shown on the submitted plans, details of the proposed external finishing materials shall be submitted and approved by the Local Planning Authority prior to the commencement of the works. The development will be implemented in accordance with the approved material and shall not be changed without prior written approval from the Local Planning Authority.

REASON: In the interest of protecting the architectural and historical significant setting of the adjacent listed building and setting of the conservation area in accordance with Local Policies ENV1, ENV2 and The National Planning Policy Framework.

Justification: The adjacent buildings are of historical importance, also the application site is within the conservation area and it is thereby necessary that these details are required before works commence to ensure that no detrimental harm to the setting of the heritage asset and character of the designated conservation area.

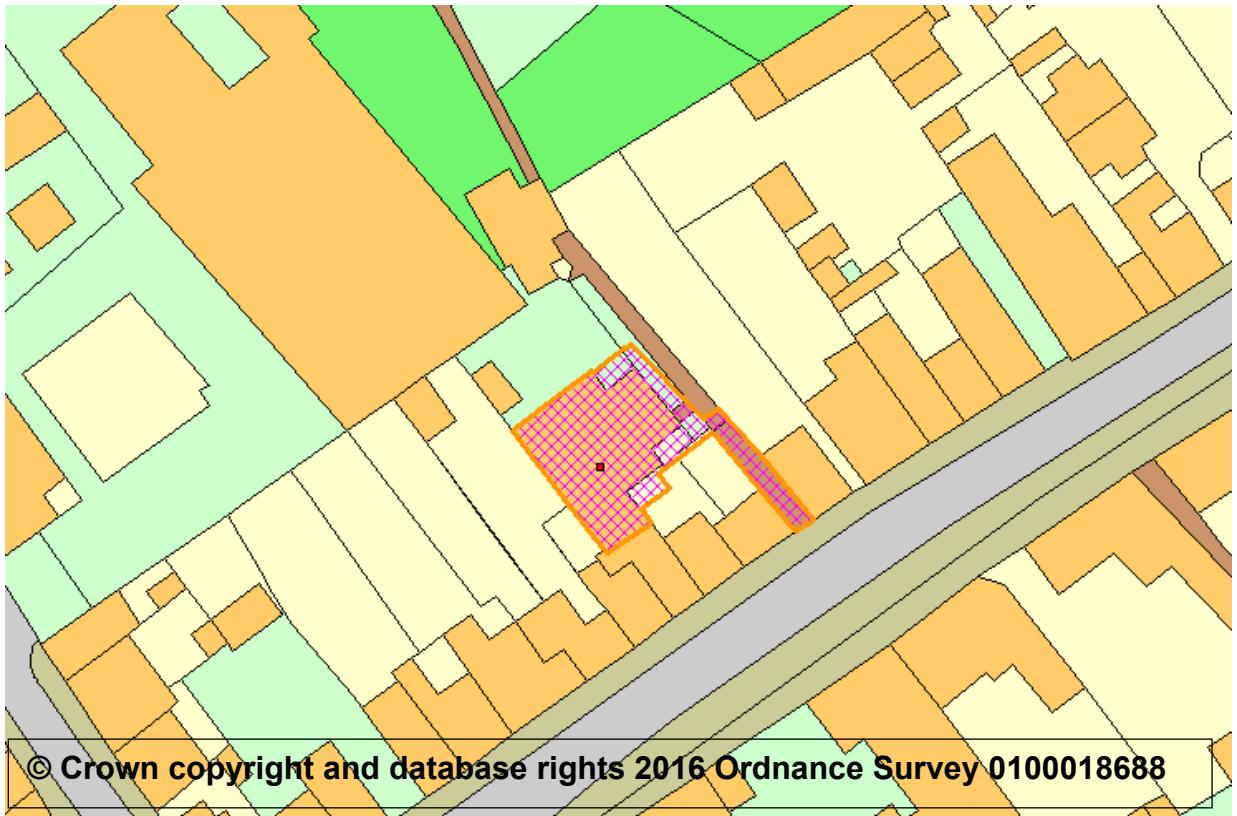
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- 4 Prior to the commencement of the development hereby approved a Construction Method Statement shall be submitted and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (a) the parking of vehicles of site operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials used in constructing the development
 - (d) the control of noise from construction including the hours of working
 - (e) wheel washing facilities
 - (f) measures to control the emission of dust and dirt during construction

REASON: The use of such pre commencement condition is required to protect the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 5 The development shall re-use the original bricks of the boundary wall which can be appropriable included and re-used.

REASON: In the interests of the historical importance of the wall in accordance with Policies GEN2, ENV1 of the Uttlesford Local Plan (adopted 2005).

- 6 All new rooflights to be of Conservation range unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the historical importance of the building in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005)



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Organisation: Uttlesford District Council

Department: Planning

Date: 26th September 2019