

# Consultancy Unit

## Consultation Response Form



### THIS CONSULTATION IS NOW COMPLETE

<b>Reference Number:</b>	S/1483/19/LB
<b>Proposal:</b>	Total demolition of the building known as the 'Great Eastern Drying Shed'
<b>Site Address:</b>	Great Eastern Drying Shed, 163 High Street, Sawston, CB22 3HN
<b>Case Officer:</b>	RW

### Historic Buildings Comments

#### Recommendation

No objection is raised to the proposed demolition of the Great Eastern Drying Shed, subject to conditions. It appears to me that in this wholly exceptional case, the demolition has been clearly and convincingly justified.

This is an application for the total demolition of the Great Eastern Drying Shed in Sawston, which as a Grade II\* listed building is an asset of the highest significance (NPPF 194b). This proposal will cause the highest degree of harm to significance, termed substantial harm, which should be *wholly exceptional* (NPPF 194b). There is an overriding statutory presumption in favour of the preservation of listed buildings. The application is considered below within this context.

#### Significance

The Great Eastern Drying Shed is a Grade II\* listed building, upgraded in 2000. The building is included on the list as a building of *special architectural or historic interest*. As a Grade II\* building, it is a *particularly important building of more than special interest*. Only 5.5% of listed buildings are listed at Grade II\*. Together with Grade I listed buildings (2.5%), they are heritage assets of the *highest significance*.

The Grade II\* Great Eastern Drying Shed is almost 40 metres long by 6 metres deep, with three timber-framed and louvred upper floors over an arcaded brick ground floor, and has been dated to c.1850, contemporary with TS Evans' expansion of the tannery business. The wider site has a history as a tannery documented from 1649 and remains a working tannery to this day as 'Hutchings and Harding'. The tannery and its buildings make an important contribution to the history and industrial character of Sawston.

The Great Eastern Drying Shed is the largest example of its building type recorded. While a larger comparable drying shed has been identified (at Hayes Mill, Grade II\* and 10 metres longer), this building formed part of a paper mill and not a tannery. The comparative exercise serves to highlight the rarity and scale of the Great Eastern Drying Shed as an example of its building type.

The significance of the Great Eastern Drying Shed is found primarily in its '*exceptional scale and ambition*' (as Historic England comments). It is also considered to be a relatively unaltered example,

with the Listing Inspector describing it in 1991 as *'a complete example of functional architecture dating from the mid-nineteenth century'* and the Victorian Society writing in 2019 that *'the very specific function of drying sheds leads to a distinctive typology, which the Great Eastern Drying Shed represents without any of the compromises caused by later alterations and adaptations that affect similar buildings'*.

There is a consensus that the building does not display technical innovation in its function or construction. The basic structural form is associated with *'earlier, smaller scale drying sheds'* examples of which remain in use on the Hutchings and Harding site.

The applicant questions the circumstances around the upgrade in 2000, i.e. whether the building merits its II\* grading. The Head of Listing at Historic England has written to rebuff this, and in considering the application at hand there must be no doubt over the status and significance of the Drying Shed as a Grade II\* listed building.

The significance of the Great Eastern Drying Shed has nevertheless been assessed by the applicant in a Heritage Statement which complies with the requirements of the NPPF. The statement is supported by the raft of documents submitted with the application, including a 2009 PCA report which provides a detailed assessment of the historical background, and development of the building.

#### Condition and Repair

The Drying Shed is in extremely poor condition. Multiple areas of the building have suffered collapse and the building is not safe to enter. It is included on Historic England's Heritage at Risk Register where its condition is described as *'very bad'*.

The Drying Shed has inherent structural weakness evident since construction with undersized timbers and poor lateral stability. However, in 1992 structural investigation on behalf of English Heritage found that *'only minor local timber repairs are required'*. In 2003, partial collapse in two positions was noted but a structural report found that *'timbers throughout the building are generally in a reasonable condition'*, and the building was considered safe to enter. By 2009 the building had deteriorated considerably and no longer *'felt safe to enter'*, however the 2009 Morton Partnership report concluded that *'in our view it is perfectly possible to repair the Great Eastern Drying Shed'*. By 2017, the FRR Architects reported to Historic England that *'although shoring is in place... sudden catastrophic collapse is a possibility'*

As set out in the Planning Statement, in November 2015, an 'Urgent Works Notice' was issued by SCDC, with grant-funding (eventually amounting to £240,000) secured from Historic England for scaffolding the building to provide weather protection to the roof and external timber frame, support to floor joists, and to facilitate access. A 5-year project plan was drawn up to undertake feasibility studies and repairs with a working group comprising Historic England, SCDC members and officers, and the site owners.

Historic England commissioned a building survey, schedule of works and costings, to inform feasibility studies for the repair of the building and finding a new use. These reports were delivered in 2017, with their content and conclusions checked in-house by Historic England. It was apparent at this point that the 'repair' of the building would entail dismantling it to the brick base, and then reconstructing the building with structural alterations (insertion of a steel frame) and replacement of most of the fabric. Elements of the building were considered to have potential for salvage generally

between nil and 30%; e.g: louvres- 10% salvage, timber frame -30% salvage, roof structure – no salvage.

On this basis, Historic England's East of England office brought the case before Historic England's Advisory Committee, which visited the site in November 2017. In January 2018 the Principal Inspector of Buildings and Areas for the East of England reported that *'The Historic Environment Advisory Committee (HEAC) agreed with the recommendations of the area office, particularly the key point that **the condition of the Great Eastern Drying Shed is such that its significance cannot be sustained even were it repaired.***'

In the 2019 Morton Partnership structural report commissioned by the applicant, an alternative approach to the insertion of a steel frame was put forward, focusing on the timber structure. This proposal would result in around 50% of the timber frame being replaced, an improvement over the 70% to be replaced under the 2017 scheme, but with no amendment to other salvage prospects, e.g. for the roof or louvres which remain as above. It was also noted that further collapsed had occurred since the 2017 HEAC visit.

In their response to the present application (2019), Historic England comment:

*'Historic England have, together with your authority, been working to find a way to secure the future of the building for many years. [Discussions] have centred around the condition of the building, the options for its repair and the implications of this on the significance of the structure, the potential for reuse and the likelihood of achieving this. ... The submitted reports show that very substantial dismantling and reconstruction would be necessary to repair the building. **If this were undertaken negligible heritage significance would remain.** ... after lengthy exploration of the options to secure the future of the building we have come to the view that in this exceptional case, **the building is beyond reasonable repair**'.*

The Victorian Society, a statutory consultee, does not object to the application but emphasises the significance of the building and asks SCDC to carefully consider the application against policy. In their earlier letter dated March 2019 (Appendix 31, Planning Statement), they wrote that *'The circumstances of the Drying Shed are exceptional, and we must acknowledge with regret at this stage that in principle demolition might have to be accepted...'*, further recommending that a full scholarly recording be undertaken and that any demolition should be as non-destructive as possible with sound fabric retained on site.

It should be noted that an objector to the application arranged for two conservation engineers to visit the site in May 2019. The objector reports that they are of the opinion that 80% of the historic fabric could be retained. The objector also asserts that *'recent investigation into feasibility has been coloured by the wish to demolish'*. However, no structural report has been produced by the objector for further examination. The reports submitted with the application clearly set out the condition of the building and the works necessary. They have been prepared by competent persons; their contents and conclusions have been accepted by Historic England. The 2017 reports which form the basis for this application were commissioned by Historic England and their results checked in-house. These reports were publicly funded through Historic England as part of the planned 5-year project seeking repair and reuse of the Drying Shed. The conclusions were accepted by Historic England's Advisory Committee. I therefore give a great deal of weight to the reports submitted with the application, and I do not consider that the objector's statement undermines their reliability.

It is therefore accepted that reconstruction with majority new fabric is necessary. It is acknowledged that the significance of the Grade II\* Drying Shed lies primarily in its scale and form, and not

primarily in its fabric. The scale, and even potentially the original construction, could be replicated. Nevertheless, replica buildings are not considered to equal the significance of historic buildings. This has been tested in the courts and forms a general principle in the selection of listed buildings. Principles of Selection 2018, paragraph 23 states that loss of original fabric is relevant consideration when considering special interest. Paragraph 18 sets out that most buildings before 1850 will be of special interest where they retain ‘*a significant proportion of their fabric*’, and after 1850 greater selection is necessary. In my opinion, a ‘replica’ building, incorporating a minority amount of historic fabric, would not sustain or enhance the significance of the Grade II\* Drying Shed, and I agree with Historic England that negligible heritage significance would remain.

Subject to NPPF 191, see below, the impossibility of sustaining the significance of the Great Eastern Drying Shed due to the condition of the building is a consideration material to this application.

### Legislation and Policy

Any decisions relating to listed buildings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act as well as satisfying the relevant policies within the NPPF and Local Plan; applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

In considering whether to grant listed building consent, Section 16(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires LPAs to have *special regard* to the desirability of preserving a listed building; ‘preserving’ is equated to doing no harm. There is a strong statutory presumption in favour of preservation and therefore refusal of consent where harm is identified.

The South Cambridgeshire Local Plan recognises that heritage assets are irreplaceable and vulnerable to both neglect and unsympathetic change, and confirms the Council’s commitment to ensuring the future viable use of assets within the district (6.44, 6.51). There is no specific local policy setting out tests for the demolition of Listed Buildings, however Policy NH/14 Heritage Assets sets out that proposals will be supported where they sustain the significance of heritage assets, as appropriate to their significance, and in accordance with the NPPF.

The NPPF sets out that *great weight* should be given to the conservation of heritage assets, and the more important the asset, the greater the weight should be (193). *Any* harm to significance should require clear and convincing justification (194). Substantial harm to assets of the highest significance should be *wholly exceptional* (194b). As a Grade II\* listed building, the Drying Shed is an asset of the highest significance (194b). Where substantial harm to, or total loss of, significance is identified LPAs should refuse consent, unless the harm is necessary to achieve substantial public benefits or four tests are met (195). In this case the identified benefits are not substantial, and therefore to be compliant with policy the application should demonstrate that all the following apply:

195(a) the nature of the heritage asset prevents all reasonable uses of the site; and

195(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

195(c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

195(d) the harm or loss is outweighed by the benefit of bringing the site back into use.

1. 195(a) The nature of the heritage asset prevents all reasonable uses of the site

The test under 195(a) is whether the nature of the heritage asset prevents reasonable use. The current condition of the building is material to this, although the effect of the condition of the building on its significance is considered separately above. The viability of conversion, which would change the 'nature' of the Drying Shed, is also considered separately.

It is clear that the Drying Shed in its current form cannot be used in any way. Multiple areas of the building have suffered collapse and the building is not safe to enter. In their 2017 report commissioned by Historic England, FRR architects found that *'although shoring is in place... sudden catastrophic collapse is a possibility'*. Ed Morton in 2019 noted the collapse of *'part of the roof to the south side linked to collapse of the wall below and associated loss of floor structures,'* and found that while imminent collapse didn't appear likely, this couldn't be guaranteed.

Were the building 'repaired' to a safe condition, its highly specialised form presents difficulties which severely restrict use of the building. Its original use is no longer relevant to the processes of the tannery. The building is, by design, open to wind and rain yet admits little natural light. The floor to ceiling heights are very low (2.08m, 1.8m), an obstacle to both a storage use and human occupancy. Difficulties accessing the upper floors further restricts a storage use, which has been identified as possible only at ground and first floors. The building is situated within a working tannery, with no guarantee that access would be possible other than through the tannery. This context is noted by multiple parties as a major obstacle to finding a use for the Drying Shed, including in the Marketing Report, the Commercial Valuation, and by Judith Martin of the IBPT who in the objection submitted May 2019 wrote of their 2002 withdrawal that *'with the site in its then (and continuing) state ... the chances of finding a tenant or buyer to take on a historic building on that site were almost nil'*.

I consider that the NPPF 195(a) test is met.

2. 195(b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation

Planning Practice Guidance sets out that *'it is important that any use is viable, not just for the owner but also the future conservation of the asset'*. The guidance warns against harmful changes in the interest of speculative uses, and notes that some heritage assets will have limited or no economic end use (ID: 18a-015-20140306). Guidance further sets out that appropriate marketing is required to demonstrate redundancy, and the aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree (ID: 18a-016-20140306).

A three-year marketing exercise (2010-2013) undertaken in discussion with English Heritage concluded that the Drying Shed had **no viable commercial use**. The 2013 report sets out the marketing initiatives undertaken and reports four 'notable enquiries' but no offers and no 'serious interest'. The report found that the property was not suitable for commercial uses due to difficult access and location within a working tannery, restricted ceiling heights, an existing 'over-supply' of commercial/storage units in the vicinity, refurbishment timescales, and refurbishment costs which *'are prohibitive to making it viable for commercial uses'*.

Conversion has been explored since 1995, though no end user was ever identified. As explored under the 2002 Feasibility Study, with conversion to an 'office/craft workshop space' the Drying Shed was given a potential end value of £350,000 - £500,000 (Commercial Valuation 2002) *on the basis that* the whole site would be developed, including relocation of the factory area and provision of access and car parking, and that owner buy-in, a clear contamination status and planning permission would be secured. However there remained a projected shortfall which would require grant funding; a conservation deficit of between £465,000 and £615,000 was identified.

In 2019 the repair of the building was costed at £1,200,000. The cost does not include conversion or fit-out and the resulting building would be without services such as electricity and would not be wind or water-tight due to the louvred storeys above the brick base. A 2009 commercial valuation identified that a repaired building may be suitable for storage, but only to the ground and first floor, and may have a rental value of £1 per square foot over 2,250sf – amounting £4,500pa. A repaired building would have nil market value. Unrepaired, it was assessed as having neither market value nor rental value.

It seems clear that no viable use of the heritage asset itself can be found, and that appropriate marketing has been undertaken to demonstrate this. I consider that the NPPF 195(b) test has been met.

3. 195(c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible

Grant or charitable funding appears to have first been seriously considered in the 1995 Feasibility Study commissioned by Hutchings & Harding. **English Heritage** (which became Historic England in 2015) were not able to provide grant funding as the building was then listed at Grade II and no Conservation Area Partnership Scheme was established. **SCDC** were able to provide Conservation grants at the time out of an annual budget of £80,000, but only up to 40% the cost of the work, and not if the building was to have a commercial use following repair. Under the 1995 whole site scheme, the Drying Shed was proposed to be a 'Heritage Centre' which would have qualified, and a request for grant aid was placed on the committee agenda to be considered under the Conservation Budget and the Museums Budget. It was apparently not successful. An additional line of enquiry to the **County Museums Officer** similarly lead nowhere.

Following the upgrading of the building to Grade II\* in 2000, the 2002 Feasibility Study was funded by **Sawston Parish Council**, the **Architectural Heritage Fund (AHF)** and the **Industrial Buildings Preservation Trust (IBPT)**. The IBPT become closely involved and a whole site scheme was again considered (see 195(b) above). The Drying Shed was to be converted to commercial use, precluding much eligibility for grants, and in costing the works a conservation deficit of £465,000 to £615,000 was identified. The IBPT later withdrew from the project.

The SCDC Conservation Manager wrote in December 2003: '*I understand that while [English Heritage] may support the scheme, it is considered likely that the extent of alteration required to make the building re-useable would now preclude their grant support*', but goes on to discuss seeking member support for urgent works by SCDC which were deemed necessary to the brick base, roof and to 'stabilise the structure'. Minutes from a subsequent 2004 meeting are included at Appendix 19 of the Planning Statement. It was identified that grants from SCDC were unlikely to be forthcoming; a local member expressed concern about spending public money on 'holding repairs' without a viable use identified.

In 2006 the applicant contacted Andrew Lansley MP who corresponded with English Heritage Chief Executive Simon Thurley; Dr Thurley wrote that English Heritage would not be able to fund conversion, though *'we may be able to facilitate its reuse by grant-aiding its repair'*. Over the next two years there followed correspondence between the applicant and SCDC, including a 2008 letter from SCDC to the applicant noting discussions between SCDC and EH to serve a notice *'in order to stabilise the building, make it wind and weather tight, carry out any urgent works, etc'*. It is not clear why an Urgent Works Notice was not served at this time, however it may be that in the economic climate of 2008 neither SCDC nor English Heritage were able to grant fund the works required.

The applicant notes that English Heritage's 2011 'Saving Industrial Heritage at Risk' campaign did not touch on the Drying Shed, and that a 2014 approach to the Architectural Heritage Fund failed to lead anywhere.

Following site visits in 2013 and 2015, English Heritage/Historic England confirmed in August 2015 the availability of the grant to support an Urgent Works Notice. The SCDC Planning Committee authorised the issuing of a notice, which was then served by SCDC in November 2015.

A significant amount of public money (approaching £241,124) has been spent via Historic England grant funding since 2015, on scaffolding (to protect and shore up the building), surveys and feasibility studies. **Historic England's consultation response makes it clear that further public funds will not be made available *'in the absence of any viable option to return the building to an appropriate and self-sustaining use'*.**

With a conservation deficit of £1.2million identified in 2019, SCDC would not be able to take the Drying Shed into public ownership or fund the work upfront.

With no viable use identified, significant charitable or grant funding would be necessary not just for the initial project, but in an ongoing fashion for the maintenance of the building. The 2019 Structural Report by The Morton Partnership found that a repaired building would *'remain vulnerable to water ingress'* and that *'maintenance requirements are likely to be high and ongoing'*.

It seems clear that an open ended seven figure restoration project resulting in a redundant building of negligible significance will not attract funding. Feasibility studies including structural reports have been charitably or grant funded on occasion, but it has been shown not to be possible to secure charitable or grant funding beyond this initial step. The application at hand clearly demonstrates that the conservation of the Great Eastern Drying Shed by grant-funding, not-for-profit, charitable or public ownership is not possible, and has not been possible, over a period of at least 25 years.

I consider that the NPPF 195(c) test has been met.

#### 4. 195(d) The harm or loss is outweighed by the benefit of bringing the site back into use

The Planning Statement outlines that the hard standing, which is not proposed to be removed, will be used for open-air storage of manufacturing products and equipment. It says that this will increase the proximity of storage and main production areas, prevent current encroachment on the staff car parking area and rationalise forklift movements, making the wider site safer, tidier, and more efficient. The Planning Statement goes on to say that the increased space may allow for improvement to the effluent treatment plant on site, as the quality of discharged water from the site could bear improvement. The applicant further argues that removing the liability of the Drying Shed would facilitate investment into the business and commitment of funds to the other listed buildings.

I do not believe that the investment argument can be applied to 195(d) as the benefits referenced are more broadly applicable and do not directly relate to bringing back into use the area where the Drying Shed stands. Nevertheless, it does seem clear that the removal of the Drying Shed structure would facilitate business operations. However, I am in no way convinced that this is a benefit with much weight, much less one which outweighs the harm or loss, per the wording of NPPF paragraph 195(d). Further, Historic England advise in their consultation response that in the absence of a planning proposal for a new use (and none has been submitted), this test cannot be met.

I do not consider that the NPPF 195(d) test is met.

It should be noted that this means a decision to grant consent would not be in full accordance with the NPPF, or the Development Plan which sets out that proposals should be determined in accordance with the NPPF (NH/14). Applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

It is also noted that in March 2019 in the neighbouring district of North Hertfordshire, consent was given (in accordance with the consultation response from Historic England) to demolish a listed building where this fourth test was also not met (reference 18/03263/LBC). The circumstances of the case were found to be such that *'there would be no purpose served by refusing consent'*, though the tests of NPPF 195 were not met.

### Neglect?

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The deteriorated state of the building and extent of repairs necessary underlies this application for demolition and will be a material consideration in determining the application, unless NPPF paragraph 191 is found to apply:

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

Planning policy guidance explains that disrepair and damage and their impact on viability can be a material consideration in deciding an application, but the deteriorated state should be disregarded *'where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain'* (ID: 18a-014-20140306).

The Drying Shed has been in the ownership of Hutchings & Harding since 1976 and has come to be in its current condition under their ownership. The 1986 listing was appealed and lost. The owners then made two consecutive applications for demolition in 1990 and 1992, the latter refusal was appealed and subsequently lost. The aim of the owners at this point was obviously to get rid of the redundant building, but there is no evidence of deliberate neglect or damage in pursuit of this goal.

The Planning Statement asserts that *'attempts to find a viable use for the building that would ensure its long-term maintenance and preservation... has been an actively pursued goal since the 1992 Appeal'*, and this does appear to be the case. In 1995 the applicant commissioned a Feasibility Study which considered the whole site. The applicant sought opportunities for funding and alternative access to the Drying Shed. Unfortunately, access negotiations were inconclusive, funding was not forthcoming, and SCDC were not able to support the scheme due to the proposed proximity of residential and industrial areas. The scheme was not progressed.

The applicant did not appeal the 2000 upgrade to Grade II\* and was engaged in the following IBPT project. In 2002 they appear to have been reluctant to pursue a 'whole site' scheme which *may* have provided a future for the building, apparently over concerns about the considerable projected shortfall and incompatibility of the proposals with their business requirements. This is not relevant to the consideration of paragraph 191 as it does not relate to the deliberate damage or neglect of the Drying Shed in the hope of making consent easier to gain. The project to find a solution for the building itself was not progressed following the withdrawal by the IBPT.

Following two failed projects, it does not seem unreasonable that a further application for demolition was submitted in 2008. Following refusal of consent, the applicant has engaged with SCDC and English Heritage/Historic England up to the present day, has commissioned most of the reports produced over the past decade, and in 2010 - 2013 marketed the building for sale or rent.

However, in 2009, an Enforcement Notice was served as roof slates and louvre panels were being removed from the building. This work followed the refusal of consent and is likely to have contributed to the ongoing deterioration of the building. The Notice required the cessation of work and proper storage of the material but did not request reinstatement. The Notice was complied with (the material was properly stored) but was appealed on the basis that the work was carried out on health and safety grounds. The hearing never took place and so it was never determined if the grounds of the appeal were sound. Evidence that suggests they were include reports from 2003 and 2008 (prior to the works). The 2003 report noted '*there are a few local areas where the tiles have become dislodged*', an observation amended in 2008 to note '*significant loss of slates*'. In 2003 it was noted that '*non-structural framing to the louvres is in some areas loose and could become dislodged.*'

Reports from 1990, 1995, 2002, 2003, 2008, 2009, 2017 and 2019 document the progressive deterioration of the Drying Shed. The building has continued to deteriorate even while scaffolded. On balance, these reports and the behaviour of the owners over the past three decades are not considered to be consistent with 'evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent easier to gain'. On this basis I believe that the condition of the Drying Shed and its impact on viability can be a material consideration in deciding this application.

#### Brick base

The reports prepared in 2017 did not consider the brick ground floor, and HEAC felt that a case for the demolition of this brick base had not been justified. The retention of the brick base has also been raised by the Victorian Society. In light of the evidence presented to us and the comments received, SCDC advised the applicant at pre-app that further investigation would be required to assess the retention of the brick base. The application now before us includes a structural survey, schedule of repairs, and costings, together with an assessment of significance which all consider the brick base.

Though the retention of the base would reduce the level of harm from 'total loss', the harm to the significance of the building would remain substantial. Divorced from the rest of the building it would not sustain the significance of the Grade II\* Drying Shed, serving only as a 'marker' for the footprint of the Drying Shed. The floor slab of the building is to remain following demolition and will serve a similar purpose. The brick base is of no particular interest by itself and repairs and some rebuilding would be necessary throughout if it were retained, amounting to £20,000 in addition to six-figure scaffolding and site costs. It is identified that the only possible use of the structure would be as a storage area for Hutchings & Harding, but that the nature of the arcaded structure with blocked and low openings would restrict use. There would be no viable use for a retained brick base. The

retention of the brick base would not meaningfully mitigate the harm to the Drying Shed, and would result in a conservation deficit. It is considered that the brick base has been adequately investigated, and it has been demonstrated that its retention is not a reasonable alternative to the proposed demolition.

Impact on other designated heritage assets.

The following designated heritage assets will be affected by the proposal to demolish the Great Eastern Drying Shed:

- Sawston Conservation Area
- Brooklands (Grade II listed buildings)
- The Crust Warehouse (Grade II listed building)
- Former Engine House (Grade II listed building)

The NPPF directs LPAs to take into account the significance of any heritage asset affected by a proposal, and to avoid or minimise conflict between the asset's conservation and any aspect of the proposal (190). Where less than substantial harm to the significance of a designated heritage asset is identified, this harm should be weighed against the public benefits of the proposal (196).

The Great Eastern Drying Shed has group value with three other listed buildings on the tannery site. The group value of the tannery buildings is considerable, as noted in Historic England's comments, and makes a large contribution to the significance of each listed building. The loss of the largest building in the group will cause harm, to a less than substantial degree, to each of the remaining buildings. The applicant has assessed that scale of harm to the significance of each listed building will be 'moderate' as the tannery as a whole will continue to function in its original use and there will still be a strong sense of group value amongst the remaining buildings; I agree with this assessment.

The demolition of the Drying Shed will also cause 'less than substantial' harm to the significance of Sawston Conservation Area. The Conservation Area is designated in part due to the industrial heritage of Sawston, to which the tannery is a principle contributor. The loss of the largest and most significant building on the tannery site will cause harm to the industrial character of Sawston Conservation Area. However, the continued operation of the tannery and use of the remaining listed buildings on site will limit the degree of harm. There will be limited impact on the appearance of the conservation area, given the location of the Drying Shed. The Conservation Area also includes the High Street, The Baulks, and Church Lane, area of distinct character and appearance which all contribute to its significance. Therefore, while the proposal will cause a moderate degree of harm to the industrial character of Sawston, the overall impact on the significance of the Conservation Area will be a lower degree of less than substantial harm.

The Planning Statement outlines several environmental, social, and economic benefits they consider will arise from the demolition. These include enabling the owners to commit funds and salvaged materials to the preservation of the other listed buildings on site, to focus on sustaining the business as the last working tannery in Sawston and last chamois tannery in the UK, and improving the safety of the Hutchings and Harding site to both authorised and unauthorised persons. While these benefits should be given some weight, I do not consider that they are sufficient to outweigh the 'less than substantial harm' to the four designated heritage assets listed above.

The proposal will cause less than substantial harm to four designated heritage assets, which is not outweighed by public benefits.

## Conclusion

The proposal is for the total loss of the Grade II\* Great Eastern Drying Shed. The proposal will cause the maximum level of *substantial harm* to the significance of this heritage asset. NPPF paragraph 195 sets out that unless the four tests are all met, consent should be refused where substantial harm is identified.

The application has demonstrated that:

- (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.

However, it is not considered that the fourth test has been met, whereby (d) the harm or loss is outweighed by the benefit of bringing the site back into use.

The loss of the Drying Shed will also cause *less than substantial harm* to the significance of three listed buildings and the Sawston Conservation Area. The identified harm is not outweighed by the minor public benefits which are associated with the proposal.

The proposal does not therefore fully comply with NPPF paragraph 195 or paragraph 196. Nevertheless, in this wholly exceptional case there are material considerations which indicate that consent should be granted.

The condition of the building is a material consideration in determining this application. It has been demonstrated that the act of 'repairing' the building would itself cause substantial harm to significance, resulting essentially in a replica of negligible significance. It has been demonstrated that the work necessary for conversion or repair results in a very large conservation deficit, with the total for the repair work put at £1.2million in the 2019 costings. It has been demonstrated that the Drying Shed has no potential viable use (NPPF 195b), and that grant-funding, or not-for-profit, charitable or public ownership is not possible (NPPF 195c). There does not appear to be a future wherein the Great Eastern Drying Shed can be preserved as a building of special architectural or historic interest.

There appear to be two options:

- 1) Refuse the application to demolish the building. Remove protective scaffolding and take no further action. Results in ongoing deterioration and eventual loss, without opportunity to carefully dismantle the building and set aside salvageable elements. Building likely to be considered dangerous.
- 2) Approve the application to demolish the building. Require careful dismantling and salvage where possible as a condition of consent.

In these circumstances, I do not object to the demolition of the Great Eastern Drying Shed, a Grade II\* listed building, in accordance with the advice of Historic England and subject to the conditions below.

SCDC Historic Buildings Officer

26 June 2019

## **Requested Conditions**

- Level 4 Building Recording, to be prepared by a Buildings Archaeologist and deposited with the County Record Office. It is recommended that the DCLG approved wording is used, per the Cambridgeshire Historic Environment Team comments.
- Demolition implementation programme and schedule of works, to include details of salvage. Programme for the salvage, storage, and reuse of materials, to include but not limited to, slates, louvres, boards, structural members, bricks, rain water goods. Material to be salvaged must be identified on plan and elevation drawings and on site. Potential for reuse within the Tannery site must be identified. To include a written programme for dismantling the building and concurrent removal of salvageable material. Programme must include plans for appropriate weathertight storage of materials.

## **Appendix 1: Legislative and Policy Context**

The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (paragraph 8) that underpin the planning system [NPPG, reference ID: 18a-001-20140306]. Any decisions relating to listed buildings must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act as well as satisfying the relevant policies within the NPPF and Local Plan.

### Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16: Decision on application.

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

### South Cambridgeshire Local Plan 2018

Policy NH/14 Heritage Assets

2. Development proposals will be supported when they sustain and enhance the significance of heritage assets, including their settings, as appropriate to their significance and in accordance with the National Planning Policy Framework, particularly:

(a) Designated heritage assets, i.e. listed buildings, conservation areas, scheduled monuments, registered parks and gardens.

Supporting paragraph 6.43: A core planning principle of the NPPF (2012) is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Supporting paragraph 6.44: Heritage assets are buildings, monuments, sites, places, areas or landscapes which are significant because of their historic interest. They are irreplaceable but can be vulnerable to neglect or unsympathetic change.

Supporting paragraph 6.51: Finding viable uses which sustain rather than compromise the significance of historic buildings is fundamental to conservation (though not possible for all buildings). The need to secure the future of buildings may require a flexible approach to other policies or enabling development, Section 106 agreements or other planning contributions. Buildings at risk will be monitored and action taken to secure their repair and encourage sustaining uses. The Council is committed to ensuring the future viable uses of assets within the district.

### NPPF

184. ... These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

191. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

192. In determining applications, local planning 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.

193. 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.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- (b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and grade II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

195. 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 the 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.

196. 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 including, where appropriate, securing its optimum viable use.

199. Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible<sup>64</sup>. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

#### Planning Practice Guidance

Reference ID: 18a-014-20140306: *Should the deteriorated state of a heritage asset be taken into account in reaching a decision on an application?* Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset (National Planning Policy Framework paragraph 191). Local planning authorities may need to consider exercising their repair and compulsory purchase powers to remedy deliberate neglect or damage.

Reference ID: 18a-003-20140306: ...In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is

consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. ...

Reference ID: 18a-016-20140306: *What evidence is needed to demonstrate that there is no viable use?* Appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in paragraph 195, bullet 2 of the National Planning Policy Framework. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.