

Called-in Planning Inquiry – application
By Sainsbury Supermarkets Ltd

Proof of Evidence on behalf of Hertford Civic Society

Architectural design, listed building
And conservation area matters

David Kirby

1. Introduction

- 1.1 My name is David Kirby. I am a chartered and registered architect, with the diploma of architecture from Manchester University; I am a member of the RIBA.
- 1.2 I have been in practice in Hertford since 1969; our work has included commercial, retail, medical and ecclesiastical work as well as residential buildings. I have experience of working on all grades of listed buildings and much of our work is in conservation areas.
- 1.3 I was the first honorary secretary of Hertford Civic Society and am a life member.

2. Scope of Evidence

- 2.1 I appear with other members of our Society and fully support the aims of the Society as put forward by Andrew Sangster.
- 2.2 My evidence will challenge the views put forward that the applicants have given sufficient consideration to the importance of this part of Hertford's conservation area. In failing in this respect they have failed to present sufficient and accurate information to justify their stated objectives. Furthermore this failure results in a new building which is insensitive to the character of the area and unworthy of its setting. It therefore fails to meet the various policy statements adopted by Central and Local Government.

3. Policies and Guidance for Retail and Town Centres

- 3.1 I have looked at and accept as common ground the Planning Policy framework set out in the Statement of Common Ground published on the 14th August.
- 3.2 The Civic Society does not accept what appears to be common ground between the applicants and the District Council that the Conservation area solely involves the Listed Brewery and otherwise only requires surgical demolition to "improve" it.

4. The key objectives in the applicants Design and Access Statement (D.A.S.)
- 4.1 The D.A.S. submitted with the application clearly sets out 15 KEY OBJECTIVES. They follow on and are based upon an opening review of national and district policies and a section (S.4) which differentiates key issues.
- 4.2 Of the 15 KEY OBJECTIVES I propose to examine the first 4 with reference to some of the others. Of the remainder, some are dealt with by my colleagues and the balance are of a straightforward technical nature, with which the Society does not disagree.
- 4.3 Before proceeding to these first four key objectives, however, I must state that, in the view of the Society, the D.A.S. has completely failed to consider the fundamental principles of development in a conservation area, as set out in PPG15 and adopted by the LPA in its own policies.
- 4.4 This failure results in inadequate consideration being given to the character of Hartham Lane, the buildings around the area and the relationships with both Hartham and the connection from Hartham Lane onto Cowbridge and on into the town centre.
- 4.5 This lack of consideration is reflected in the low level of detail provided to support the ambitious written objectives, but more seriously it is revealed in the lack of sympathy between the new building and its near-neighbours.
- 4.6 I do recognize the extremely thorough historical and technical appraisal which has been given to the listed brewery building. There can be no question that the work has been carried out by historic building specialists but, in my opinion, it is precisely this division of labour between various experts which fails to achieve a holistic solution to a major development in a conservation area.
- 4.7 PPG15, para 4.2 states the issue clearly: "it is the quality and interest of areas, rather than that of individual buildings, which should be the prime consideration in identifying conservation areas".
- 4.8 It is unfortunate that, in preparing their conservation area character statement in 1998, the District Council should have treated the Hartham Lane area in a rather dismissive and superficial manner. This should not have prevented the Council from requiring a proper conservation area analysis of the full character of the area and, following on this, requiring "elevations which show the new development in its setting..... with special regard... for such matters as scale, height, form, massing, respect for the traditional pattern of frontages ..etc... in the interests of harmonising the new development with its neighbours in the conservation area (PPG15 para 4.18).
- 4.9 The Hartham Lane conservation area includes a number of buildings which are not shabby or unoccupied. The Lane is a transition from the commercial activity at the Cowbridge (southern) end to the open land at Hartham. Since the Sainsbury development extends the commercial activity down the lane, every effort ought to have been made to provide continuity between the new

store and Cowbridge, rather than relying solely on the Listed Brewery. The following pictures demonstrate the character of the area in better detail.

4.10 Photographic review of Hartham Lane – see appendix

Photos 1,2,3

The entrance to Hartham Lane from Cowbridge is marked by the dignified head offices of McMullens with the modest domestic scale Hertford Town Church on the opposite side of the road. This point on Cowbridge effectively marks the present end of shopping from St Andrew Street and the Town Centre and, in considering the relationship with the Town, this route should, at least, be considered alongside the proposed footbridge route.

Photo 4

The group of buildings – the Town Church, the Brewery and the McMullen form an attractive group. The essential characteristics are those of mass walling with traditional fenestration – domestic in scale for the church, slightly larger for the commercial buildings.

Photo 5

The walk down Hartham Lane is defined by the Listed Brewery building on the left (west) and the collection of brewery buildings and estate wall on the right (east). This gives a certain sense of enclosure, but, above all a sense of solidity, broken by the varied forms of industrial roofing, and traditional structural brickwork with conventional fenestration.

Photo 6

The other fork from Hartham Lane is more open but includes the unusual head office of major local contractor, Ekins. The late classical style with its glazed ceramic fascia and lettering, typical turn of the 19th /20th c., should certainly be at least indicated on general arrangement drawings and would deserve to be considered in views and access between the brewery courtyard and the service road.

Photo 7

The group of cottages at the bottom of Hartham Lane including the former “brewery tap” pub, the Unicorn, although neglected to the point of ruin, are part of the historic texture of the site. While little case can be argued for their retention, they provide further evidence of the prevalence of brick and simple forms. They also connect the residential element of the site to its adjoining part of the conservation area, the “Folly Island” residential area.

Photo 8

Finally this brings us to Hartham, the large open recreational space at the centre of Area 3 within the Hertford Conservation area. While the landscape report (section 10 of the D & AS) thoroughly surveys the trees and discusses the quality of landscape, the architects drawings give no evidence of consideration of the real visual relationship between Hartham and the new buildings.

4.11 Having taken a more thorough look at the character of the Conservation Area I now wish to return to those 4 key objectives which I consider to be the essential basis of this application:

“To preserve, enhance the existing listed buildings and to identify a viable future for ... the.. building”.

4.12 Objective 1. - I have examined the drawings prepared by a Acanthus and scheduled in the documents. Technically they are excellent with reference to the existing buildings and their need for repair. The group of utilization plans (drawings 71-76) indicate with blocks of colour how the use will be divided into Sainsbury, business and community use. It is not easy to be certain how such areas are assessed – areas of stairs, lavatories etc, but the figures seem to indicate:

Sainsbury use	175sqm + café
Business	1248sqm
Community	539sqm including the exhibition area

The yard area is 254sqm.

4.13 Objective 12 expands objective 1 by “identifying appropriate commercial uses” and it clearly states most employment uses will not be viable because of the cost of renovation. It seems unlikely that 175sqm of support accommodation and a café as part of the Sainsbury’s store can support the balance of other uses. Furthermore, of the 1248sqm of business use, 477sqm are at 1st floor level and above, which is unlikely to appeal to small craft shops, studios or other units requiring contact with the public.

It seems that the applicant has failed to prove viability.

4.14 I am disappointed that the drawings show no evidence of how “the utilization plans” are to be transferred to the level of detail information necessary for a proper consideration of the means of “preserving and enhancing the existing listed building”. Although the “artists impressions” of the listed buildings (D.A.S. fig 24 and 25) suggest canopies, exposed structure and kiosks with open shutters and a sketch from the store (fig.27) shows the coffee shop., none of this is translated to sufficient information to warrant approval.

4.15 Thus, the application fails to fulfil its objectives in relation to the brewery building:

- no method or detail is established to “ensure that all work carried out ... will aim to protect or recover the cultural significance of the building”.
- no evidence of care or interest in detail design is shown which can explain how the new is to be integrated into the existing fabric.

4.16 The problem of linking the listed building to the new store is not even outlined on the north elevation. The D & A Statement (section 7 Design 2) refers to where the new store touches the Listed Building it does so “lightly”. This is not an Outline application and this difficult area should have been presented in sufficient detail to convince the LPA and ourselves that the light touch was plausible.

- 4.17 I give this example as evidence of a complete lack of sufficient detail to justify approval of alterations and change of use to a building repeatedly described by the Appellants as being of “key local and national significance”.
- 4.18 In my opening paragraphs I referred to the failure to consider the Conservation Area adequately. The presentation of the Brewery drawings is technically excellent but nowhere do they put the building in its setting. There are no nearby buildings, no road or pavement surfaces and crucially, no connection with the new store. It therefore fails to satisfy the requirements of PPG15 or the LPA’s policies.
- 4.19 Objective 2 is to “facilitate the continued use of operational brewery buildings”. Drawing 2500 PL(2)427 shows a plan, apparently showing a boundary industrial fence, backing onto the car park and containing a large new building rising to about 10m high. The building is of a completely modern industrial character with a flat roof and a variety of claddings. This justifies the Society’s objections based upon a complete failure by the appellants to properly consider the Conservation area:
1. with its completely slab like form it bears no relationship or sense of harmony with the new store, the old brewery or any part of the area.
 2. it invalidates objective 7 “to provide links with Hartham Common” “such that views from Hartham Common to the site and especially the Listed Building are enhanced”.
- 4.20 We recognize that industrial buildings are constrained by technical and economic factors but it is rarely impossible to modify forms – roof layouts, wall detailing and modulations of surface in ways which can provide more sympathetic buildings in harmony with their neighbours. It seems ridiculous to us to seek to spend large sums of money adding “bolt on goodies” by way of the proposed S.106 agreement rather than requiring a proper conservation approach to the whole site.
- 4.21 Objective 3:
To safeguard the protection of the conservation area by demolition of buildings which are detrimental to the character of the area.
- We can only repeat the point that, without a proper survey of the conservation area, demolition cannot be properly considered. Furthermore, conservation area design should address enhancement of the whole (or relevant part) of the area. A superficial intention to demolish what is not liked or not convenient is entirely inadequate and should not have been accepted as a basis for an application.
- 4.22 Objective 4:
“To identify a store design which meets Sainsbury’s requirements of providing a positive contribution to its location”. The D and A Statement amplifies this objective – “The design of the new store will seek to maximise benefits to the existing Listed Building and the Conservation area. Pivotal to the success of the scheme is the level of interaction or even integration between the Listed Building and the proposed new store”.
- 4.23 Section 7 sets out the design principle that the new building will be “distinct in style and appearance to the existing Listed Building, but to be respectful so that where the new store touches the Listed Building it does so ‘lightly’”. I

have already commented on the complete lack of detail information to explain this and the same criticism extends to both the statement and the drawings.

- 4.24 Given the importance of the proposed development and its adjoining listed building, phrases such as “clean lines and simple detailing” should be properly illustrated on the proposal drawings.
- 4.25 Too much of the elevation and perspective sketch drawings is obscured by amorphous tree shapes. The east elevation on drawing 2500 PL(2)612 is not obscured however and it is clear the three pedimented bays which form the main elements of this principal shop entrance bear very little relationship to the listed building other than that they are triangular gables. Looking at the sketch (D.A.S. fig26) even this is obscured by the lightweight canopy whose horizontal line cuts across the weak rhythm of the 3 gables.
- 4.26 The higher roof behind on the western service yard of the development is not “echoing the roof line of the listed building” and, in the perspective sketches, is obscured by the gable ends on the east elevation. This may be no bad thing as the dominant feature of the roof from the east is the large ventilation louvers rather than any element of interaction with the listed brewery.
- 4.27 The overall impression is of a low budget out of town supermarket parked against the listed building. It takes no account of those principles of conservation design which require that, following careful assessment, account should be taken of all local characteristics such as the dominance of modelled walls over window area, the tighter rhythms created by small spans and so on.
- 4.28 Again it is noted that the architects’ drawings are schematic rather than adequately detailed and apart from the listed building, make no reference to the surrounding conservation area.

5. SUMMARY AND CONCLUSION

- 5.1 In the Society's submission this application should be refused, primarily due to a complete failure to analyse the character of the conservation area and to respond sympathetically to that analysis, in line with the requirements of PPG15.
- 5.2 While technically very competent, the proposals directed at ensuring the viability of the Listed Brewery are economically unexplained and architecturally lacking in the necessary detail to meet the stated objectives of preserving and enhancing the building. There is a complete failure to explain how the two buildings are connected.
- 5.3 The lack of sympathy with conservation principles (and the failure of the LPA to follow through their responsibilities) has resulted in a new store which is out of character with the whole area and it is of an architectural quality which fails to meet its own objectives.
- 5.4 The diagrammatic nature of the drawings reflect the lack of sympathy and are inadequate for such an important development.
- 5.5 The architects have failed to represent the complete project by omitting a full view of the impact of the McMullen retained brewery compound into their consideration of the views from Hartham and the Folly Island/river area. The new wall elevation and the industrial fencing are inadequately explained and seem to be ignored in their thinking.
- 5.6 In the view of the Society it is most unfortunate that this inadequate scheme should have got so far. The application should be refused.

D C Kirby
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