

6th December 2022

Cllr Thomas Bygott  
9 Station Road  
Oakington  
Cambridge CB24 3AH

07765 475 513  
cllr@bygott.net

The Planning Inspectorate  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

Dear Planning Inspectors,

**Former Felix Hotel, Whitehouse Lane, Girton, Cambridge CB3 0LX  
APP/W0530/W/22/3307903**

I write regarding an appeal of South Cambridgeshire District Council's decision to refuse planning permission in the above case. My purpose in writing is to request that the Planning Inspectorate **rejects** this appeal.

At the time of the original application I was one of the two district councillors for Girton and called the application in to the South Cambridgeshire District Planning Committee on 2nd May 2021 and spoke at the Planning Meeting on 22nd July 2022 at which the committee unanimously rejected the application. Although I now represent a different ward on the council, I have remained involved in this case as there is a clear public interest in protecting this fine Victorian building from demolition.

In the District Council's letter of Refusal of Planning Permission issued after its decision on 22nd July 2022, three reasons for refusal are cited:

1. The first cites the Green Belt and paragraphs 147-150 of the National Planning Policy Framework 2021 (NPPF),
2. The second cites the loss of the non-designated heritage asset and paragraph 203 of the NPPF, and
3. The third cites both these forms of harm and the very special circumstances required by paragraphs 147 and 148 of the NPPF.

In the appellants Statement of Case, they make arguments for the benefits of their proposal and the very special circumstances that might be balanced against the harm it would cause. In paragraph 6.8 of the Statement of Case, they cite a previous appeal that was upheld (APP/W0530/W/21/3280395) in which a retirement village had been proposed on Green Belt land in Stapleford.

Despite some similarities, there is a fundamental difference between these cases that stems from the necessity of the harm that must be done in order to achieve the benefits of each proposal. In the Stapleford case, the harm arises merely by the building's presence in the landscape and its visibility in local views, including from nearby heritage assets.

This case is very different because it involves the total loss of a heritage asset, the Victorian country house formerly known as Howe House and latterly as the main block of the Hotel Felix, and that this loss is not necessary in order to achieve the benefits of the proposal. The harm does not arise merely by proposed building's existence or by use as a care home, but by the specific design decision to demolish Howe House, which is one of many possible design decisions that could be made on this site.

Paragraphs 199 to 202 of the NPPF lead up to the paragraph 203 that is cited in the second reason for refusal. These paragraphs make clear that there is a balance that must be weighed between harm to a heritage asset on the one hand and and public benefits that would arise from the proposal on the other hand. For such a balance to exist, there must be a causal link between the benefits and the harm such that the harm is necessary to achieve the benefits.

As I pointed out at the Planning Committee on 22nd July 2022, Howe House is a relatively small building on a very large plot of land and there is ample room to build a care home on the site without demolishing it. When the Hotel Felix had been approved in 2002, the design incorporated the Victorian building, Howe House, as the central block of a much larger hotel complex. It was thought at that time that the economic benefits from the use as a hotel would provide the funds for the building to be restored to its former glory. From that time until the hotel's closure during the coronavirus pandemic, its former owners kept the Victorian building in an exceptionally good state of repair. There is no reason why the applicants could not have designed their proposed buildings next to or around Howe House in the same way that the hotel had been.

#### **Heritage value of Howe House**

In paragraph 6.32 of the Statement of Case, the appellant states that "No conservation areas or listed buildings would be unacceptably impacted upon by the proposed development." This is factually incorrect as Howe House is locally listed on the Cambridgeshire Historic Environment Record (CHER) with number 05482. Being locally listed isn't quite the same as being nationally listed as Grade II, II\* or I, but as paragraph 189 of the NPPF makes clear, buildings of local historic value "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" as part of a scale that goes up from locally through nationally listed buildings to World Heritage Sites.



Before lodging the initial planning application, the appellant applied for and received a Certificate of Immunity from listing: number 1472304 in November 2020. The main reason that this certificate was issued is that it is extremely difficult for Victorian buildings to qualify for national listing, even as Grade II. Most buildings constructed before 1840 are listed. Howe House or The Close, as it has also been known during its history, was constructed in 1852 and only just misses out on being in the age category in which listing is much easier to obtain.

In the words of the Victorian Society, who have helped with the campaign to save the building and have added Howe House to their list of endangered Victorian country houses:

*"We recognise that a Certificate of Immunity has been issued for the building, but it is imperative to stress that this does not render a building devoid of architectural or historical interest. The criteria for national listing has become increasingly strict, and the standard that must be met for post 1850 country houses is particularly high given their relative abundance nationally. Despite not quite meeting these criteria, Hotel Felix should be considered a non-designated heritage asset of great local significance and treated as such."*

It is important to note that the relative abundance of Victorian buildings nationally partly arises from their solid construction and durability. There are also particular types and designs of Victorian buildings of which there are a large number of very similar examples. The design of Howe House differs from these popular and abundant designs. Although some of its features, such as circular bow windows and Dutch gables, are seen on other Victorian buildings, the combination of these features forms part of a unique, highly individual and creative composition. Howe House should be seen as a building that has only very narrowly failed to qualify as a Grade II nationally listed building and one which will probably one day become listed, as our society comes to better understand Victorian architecture and appreciate its value.

As a building of solid construction and durability, Howe House was built without using the obsolescent components, such as steel lintels, joist hangers or steel reinforcement bars in concrete that are used in modern construction. That means that it is capable of surviving indefinitely with regular maintenance. Even if the building were replaced by an exact replica, its replacement would be limited to a short, approximately 75 year, lifespan. The proposed replacement building is of a traditional design which seems to have been well-received. I have no objections to the proposed design - other than the demolition of Howe House. Whatever the merits of this proposed building, the replacement of an essentially permanent building by a temporary one should be regarded as an irreplaceable loss.

#### **Need for a review of the design proposal for this site**

In my call-in request, I made reference to the possibility of holding a Design Review Panel as an alternative to the application being refused. This was originally the suggestion of one of the Council's conservation officers and in my view should have been the preferred path for processing this application and improving the proposal to the point where it complies with planning law and is considered acceptable to the local community.

When an applicant puts forward a development proposal, there is often a process of consultation with the planning officers, neighbours and the local community in which small changes to the design are considered that would mitigate the impact of a proposed building and render it more acceptable in the eyes of stakeholders who might otherwise oppose the proposal. Occasionally, a proposal is submitted by an applicant whose stubbornness, intransigence and refusal to consider reasonable alternatives shortcuts this process. The result is an immature or incomplete proposal that unnecessarily generates opposition

because of a few minor details where a general principle of development might otherwise have been uncontested. The general consensus amongst local residents who have looked at the proposal seems to be: "I like their new building, but why do they have to demolish the old one?". Despite the long period of time that has elapsed since the application was first submitted, this is still an open and unresolved question.

Not all heritage buildings, be they locally or nationally listed, survive a planning application to demolish and replace them. However, the most basic level of protection given to these buildings in the planning system is to consider alternatives and explore what possibilities exist for preservation. This is not guaranteed to be successful, but consideration of this question, preferably in a public forum, satisfies stakeholders that the loss was unavoidable.

There are still a large number of unexplored possibilities that exist for how an 80 bed care home can be constructed on this site without the need to demolish Howe House. Those possibilities include using Howe House as an integral part of the care home, with split floor elevators installed to avoid the need for residents to walk up or down stairs. There is also the possibility of building the care home next to or around the preserved villa. There are many ancillary uses such as administration, offices, staff or visitor accommodation that Howe House could be used for without the need to directly connect the old and new buildings with a change of floor levels.

The latter possibility raises the question that the proposed facility might not fit the volume or area of buildings to be replaced. This is addressed within paragraph 208 of the NPPR:

*"208. Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies."*

I recommend that the appeal for this current application be **rejected**. The best way forward after that is for the applicant to submit a revised application after considering how the preservation of Howe House can be achieved alongside their other objectives.

Yours sincerely,



Tom

**Cllr Thomas Bygott**  
South Cambridgeshire District Councillor  
for Longstanton, Northstowe, Oakington and Westwick