

My ref: CCC/20/074/PRIO
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Place and Economy
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By Email only to:
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SUBMISSION UNDER PART 11 (HERITAGE AND DEMOLITION) OF SCHEDULE 2 TO THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 (AS AMENDED) RELATING TO A REQUEST TO CAMBRIDGESHIRE COUNTY COUNCIL FOR A DETERMINATION WHETHER PRIOR APPROVAL IS REQUIRED FOR THE DEMOLITION OF TWO 85M BRICK BUILT CHIMNEYS AT SAXON BRICKWORKS, PETERBOROUGH ROAD, WHITTLESEY, CAMBRIDGESHIRE, PE7 1PJ

This decision letter is written in response to your recent application validated on 05 November 2020 for the prior approval for the method of demolition of the two 85m brick chimneys at the Saxon Brickworks.

An EIA Screening exercise has been undertaken for the proposal which considers the indicative criteria for screening proposed development set out within the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017. It is considered that in the light of the submitted information and the proposed nature of the demolition works that the proposed works would not result in significant environmental effects and that the production of an Environmental Statement is not required in this instance. I attach a copy for your information.

Consultation has been carried out and comments received from Historic England, the County Historic Environment Team and the County Ecologist which are detailed below for your information:

Historic England

Saxon Pit has been serving brickworks for over 100 years and the chimneys are iconic on the skyline, representing a long standing industry in the area. The existing structures of the Saxon Works do, however, date to 1971. When the modern works opened it consisted of only the southern kiln and chimney along with a rectangular-shaped building immediately to the north (possibly a drying shed) – at this time the late-C19 works it replaced were still extant. By 1990, however, the late-C19 works had been demolished and the second kiln and chimney along with several ancillary buildings had been erected at the modern works. Saxon Brickworks is therefore a very late example of brickworks, being developed from 1971.

The fact that the kilns and ancillary buildings from the Saxon Brickworks have themselves now been demolished the readability of how the brickworks functioned in terms of process-flow - from receiving and storing clay via its manufacturing stages through to storage and distribution – has been significantly compromised.

Overall, despite the clear local interest, the two chimneys would not merit listing in their own right due to their very late date. In addition, as several buildings associated with the manufacturing process were demolished in the early C21, along with the kilns, their functional relationship within the wider industrial landscape has been denuded.

County Historic Environment Team

The brickworks at Whittlesey, of which Saxon Pit represents one site, have been a major source of employment in the town for over 100 years and a substantial socio-economic contributor in the region (cf Hillier, R 1981 Clay that Burns A History of the Fletton Brick Industry. London Brick Company Ltd). Whittlesey is defined by its brickworks, the architecture of the industrial buildings and iconic chimney stacks in the same way that the sidings, rail tracks and breaking mounds once signified March and the Colleges define Cambridge. The industrial heritage of Whittlesey should, therefore not be overlooked by applications seeking to redevelop an important industrial landscape and demolish structural elements of the tangible historic environment and it is recommended that work is undertaken ahead of demolition to record the historic land use before it is altered. This work is required in advance of any proposal to demolish the Chimneys.

The demolition of the remaining chimney stacks constitutes the total loss of an undesignated heritage asset. Whilst retention of these structures may not be viable, the impacts of the proposal should be appropriately mitigated by a programme of work to preserve by record the remaining aspects of undesignated heritage assets according to the requirements of paragraphs 197 and 198 of the National Planning Policy Framework 2019. This report should also set this industrial site in its social context within the town and address how the demolition works may be captured for use in exhibitions planned in the town. This work is required in advance of any demolition that might be authorised.

The Structural Survey undertaken by Richter in September 2020 indicates stress tests and modelling that indicate that the chimney stacks are not safe owing to the estimated strength of the brickwork and as they are situated on cracked base plinths. Former kiln buildings were removed from around the chimneys in 2013, unfortunately without prior record despite the advice of this office, and this work is likely to have significantly weakened the structures. The photographs contained in the report indicate considerable damage to the plinth, while also revealing supporting arches of the kiln tunnels. The recommendation to demolish the structures, via a pre-weakening process, has been given and it is likely that pre-weakening also occurred during the demolition of the kilns in 2013.

Historic England have advised that the extant stacks are the latest to have been built at the works and date to c. 1971. It is therefore recommended that recording work can be based on architectural drawings made at that time and to show subsequent modifications to the chimneys and kilns from later drawings or site observations. Documentary work is therefore needed to show original and later industrial buildings, complemented by the compilation of a well-illustrated social and architectural history of the site. Use of Hanson and London Brick Company's archive will be an important resource. A series of photographs of Saxon Works structures were taken when the Bronze Age logboats excavated by Cambridge Archaeological Unit at Must Farm Quarry nearby were temporarily stored there in 2012. They form an important part of the documentary archive for the site. The work described above requires an immediate commission and it is therefore also strongly recommended that the proposed dates for any demolition works are revised to occur later in the time bracket (04th January to 04th March) rather than earlier. A photographic record of the chimneys prior to, during and following demolition will be included in the record made for this former industrial brick-making site.

A brief for the report that will record the kiln and chimney architecture, reconstruct its form prior to 2013 and document the industrial heritage of the Saxon Works can be obtained from the County Historic Environment Team on request.

County Ecologist

The applicant is advised that the chimney stacks have the potential to be utilised by protected species – bats and peregrines – which themselves or their roost/nest may be affected by the method of the demolition works.

Potential impact on the Nene Washes SPA/Ramsar/SSSi from pollution associated with the demolition works must also be considered.

- All bat species are European Protected Species (Habitats Directive). It is an offence to deliberately disturb, capture, injure, kill any European Protected Species or damage or destroy their breeding site or resting place, e.g. bat roost (regulation 43 of [The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#))
- Peregrine Falcon is listed on Schedule 1 of the [Wildlife and Countryside Act 1981 \(as amended\)](#). It is an offence to intentionally or recklessly disturb any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young or disturb dependant young of such a bird. Furthermore, all wild birds, their eggs and nests (in active use) are protected under the WCA1981.
- Ramsar and Special Protection Areas are afforded legal protection from destructive or damaging activities under section 28 of the [Wildlife and Countryside Act 1981 \(as amended\)](#) and consent may be required from [Natural England](#) for works affecting these or SSSIs.

Specialist advice should be sought by an ecologist experienced at working on brickwork chimneys to ensure compliance with the above wildlife legislation. This is likely to require detailed survey work for both peregrine falcons and bats, and may require surveys throughout the year using specialist survey equipment.

Conclusion

Whilst protected species are not specifically referred to in the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) as amended, regulation 9 of 'The Conservation of Habitats and Species Regulations 2017 as amended' would still apply. This states that the "*competent authority must exercise their functions which are relevant to nature conservation..... so as to secure compliance with the requirements of the Directives*". Accordingly, the County Council must consider the Directives in making a decision in respect of this application. It is therefore considered that even though there is no "reminder" in Schedule 2 Part 11 of the GPDO, European protected species must still be taken into account.

It is reasonably considered that the 85m brick chimneys could offer a suitable habitat for bats and peregrine falcons and this position is supported by the comments made by the County Ecologist above. Both are protected species and adequate evidence must be provided to be satisfied that the Regulations won't be breached by the proposed method of demolition and subsequently be able to establish if the proposed works may be licensed. Without the submission of the required survey information, given the strict protections afforded to both bats and peregrine falcons, the County Planning Authority cannot be satisfied that there would not be a material adverse effect on the protected species.

It is therefore considered that the submitted method of demolition of the 2 no. 85m brick chimneys would fail to satisfy the requirements of Part 11 Class B and that the proposed works as insufficient evidence ecological survey evidence has been provided to ensure the protection of the European Protected Species identified above and would not therefore constitute permitted development as set out under Part 11 class B of the GPDO. The submission of a formal Prior Approval Application would

therefore be required in this instance including sufficient survey and reporting information to address the substantial ecological and heritage asset concerns outlined above.

Yours sincerely,

A handwritten signature in grey ink that reads "EC Fitch". The letters are cursive and slightly slanted.

Emma Fitch (Miss)
Joint Interim Assistant Director,
Environment and Commercial