

Committee Report

Item No:

Reference: DC/18/05018

Case Officer: Gemma Pannell

Ward: Hadleigh North

Ward Member: Cllr Tina Campbell and Cllr Siân Dawson

RECOMMENDATION – GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS

Description of Development

Application for Listed Building Consent - Partial demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in Historic Section. Conversion of and erection of extension to form 16 apartments.

Location

Malthouse and adjoining buildings, Bridge Street, Hadleigh

Parish: Hadleigh

Expiry Date:

Application Type: Listed Building Consent

Development Type:

Applicant: Babergh District Council

Agent: Lawson Planning Partnership Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The applicant is Babergh District Council.

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework 2018

Babergh Core Strategy 2014:

- CS15 Implementing Sustainable Development in Babergh

Saved Policies in the Babergh Local Plan (2006):

- CN06 Listed Buildings – Alterations/ Extension/ Change of Use

Planning History

There is an extensive planning history relating to the broader site that is subject to proposed redevelopment, none of which is of relevance to this listed building consent application.

To note are the applications lodged concurrently for the redevelopment of the broader development site that the subject buildings form a part of, including the applications for listed building consent relating to four other listed buildings. These applications, currently pending consideration, are as follows:

- DC/18/04966 - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Malthouse, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land (full planning application).
- DC/18/04996 - River View and adjoining buildings, Corks Lane - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of eight apartments (LBC application).
- DC/18/04992 - 23 Bridge Street - Internal alterations to form 2 apartments (LBC application).
- DC/18/04991 - 21 Bridge Street and adjoining buildings - Partial demolition works; Internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level (LBC application).
- DC/18/04971 - The Cottage and adjoining buildings, Corks Lane - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works (LBC application).

Amended plans have been received in respect to application DC/18/04966. None of the amendments relate to the Malthouse other than the addition of a third storey to the proposed rear extension. This element of the scheme is considered later in this report. The balance of the amended plans received in respect to DC/18/04966 are not relevant to the determination of this listed building consent application.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. The below provides a summary of responses received in respect to the original November 2018 proposal and the amended February 2019 proposal.

A: Summary of Consultations

(i) Comments received in respect to the original November 2018 proposal:

Hadleigh Town Council

No recommendation will be made until further discussion is had with Babergh District Council.

Place Services – Heritage

Relevant comments taken from referral response received in respect to application DC/18/04966:

With regard to the Malthouse buildings I have no fundamental comments and the proposed plans reflect the outcomes of pre-application discussions. It is however unclear what the proposal is at second floor at the east extent of this building, this could be clarified. Further details are also required (I recommend pre-determination) pertaining to the form of new partitions and how these are to be fixed to the existing timber frame. It has been assumed that the existing windows will be retained.

I recommend conditions (attached to an approved application) pertaining to:

All new windows, doors in existing buildings.

Schedule of repairs to historic fabric such as windows and brick masonry.

The canopy to the rear of Number 23 is retained in the scheme.

All materials/fixtures to new build elements.

Further details pertaining to landscaping and public realm.

I recommend a scheme of archaeological building recording, commensurate with a 'Level 3' record as outlined in Historic England publication 'Understanding Historic Buildings', is undertaken across the whole site.

Historic England

This application proposes the conversion to residential use of the grade II listed former Malthouse. We consider the internal subdivision would result in harm to the historic significance of the listed building in terms of the National Planning Policy Framework. The Council should consider the justification for this harm including any public benefit that might result from the development and possible alternative approaches that would not entail this harm. The application also proposes the demolition of parts of the Council offices which are currently the subject of assessment by colleagues in Historic England's listing team. We would therefore recommend that this application is not determined until that time.

Alternatively, if the Council consider the proposed residential scheme for the malthouse is justified the elements of demolition could be withdrawn from the application to allow listed building consent for works to the malthouse to be granted.

The grade II listed former malthouse is a 12-bay two storey brick floor Malthouse constructed in the 19th century with wings protecting from each end. That facing Bridge Street abuts the gable end of the Malthouse, suggesting that it was the store and the kiln was situated at the other end. Despite the loss of the kiln the building is easily recognisable with the characteristic small window openings and open plan floors of the steep and malt floor levels. The building was converted to office use by the Council, but the open malting floors have remained largely undivided as open plan office space. The heritage statement accompanying this application states that these open spaces 'reveal the use and function of the building' but that their 'illustrate value is low' (section 5.3.3). This fails to give due weight to the importance of open floor areas in understanding the function of traditional floor Malthouse.

As purely functional buildings their operation is at the heart of the historic significance of malthouses. The movement of grain from the steep on the lower level and the progress of batches of germinating barley along the full length and breadth of the upper malting floor is

the basic process of floor malting and determines the internal footprint, floor heights and external fenestration of the building type. The office use of this former Malthouse has changed its industrial character, but retained these open spaces and therefore the ability to appreciate the process and scale of operation for which it was built. The subdivision into apartments will necessarily remove that ability and so affect the fundamental historic significance of the interiors.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned.

We have reviewed the proposed alterations to the former malthouse in light of this government policy and consider that the subdivision of the interiors would result in harm to the historic significance of the grade II listed building by subdividing the open working floors which would remove the ability to appreciate the building's original function. The Heritage Statement concludes this would have a 'low adverse' effect. This is not a very helpful term as the NPPF asks the Council to consider the 'harm' to historic significance proposals would result in. We consider that the subdivision would clearly be harmful to the historic significance of the building.

As noted above the NPPF requires a clear and convincing justification to be found for any such harm. Paragraph 196 requires local planning authorities to weigh less than substantial harm to listed buildings against any public benefit delivered by the proposed development. In this case the proposed new housing contained within the listed malthouse could be such a benefit and we would leave it to the Council to make that judgement. However, we would note that the office use is well suited to the building and its retention in commercial use - even if not occupied by the Council – could also deliver a public benefit as well as keeping the building in use. This option should therefore be considered.

This application also proposes the demolition of parts of the Council offices constructed by Arup Associates in 1978-82. Because of their physical attachment to The Cottage the Council have included the demolition in this application for listed building consent. The Heritage Statement submitted in support of this application describes this complex of modern building in some detail. It is clear that it is of some considerable architectural interest and the work of an important practice and is currently the subject of assessment by colleagues in Historic England's listing team. We cannot comment on the full impact of this demolition until this assessment has been concluded. We would therefore recommend that this application is not determined until that time. Alternatively, if the Council consider the proposed residential scheme for the malthouse is justified the elements of demolition could be deleted from the application to allow listed building consent for works to the malthouse to be granted.

Historic England has concerns regarding the application on heritage grounds, in particular the proposed subdivision of the malthouse interiors. We would recommend the justification for this is carefully considered along with alternative approaches that would not involve this subdivision. This application also proposes the demolition of parts of the Council offices constructed by Arup Associates in 1978-82 which are currently the subject of assessment by colleagues in Historic England's listing team. We would therefore recommend that this application is not determined until that time. Alternatively, if the Council consider the

proposed residential scheme for the malthouse is justified the elements of demolition could be withdrawn from the application to allow listed building consent for works to the malthouse to be granted.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF.

Note – Historic England has since confirmed the Arup building will not be listed. Historic England advice following that decision has been received and is as follows:

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

Hadleigh Society

The proposals for conversion of the Malting's to eight flats, the substantial demolition of the Arup Council extension and the conversion and extension of the remainder to create 14 flats are considered unsympathetic and most damaging to the special architectural and historic character of the Listed Malting's and adjoining listed buildings.

The proposed demolition of part of the distinguished award winning Arup Council extension is poorly justified in the Heritage Statement, and the replacement with a large 2 storey flat roof block extension appears rather utilitarian and wholly incongruous as set against the retained modern offices and listed Malting.

The existing open plan ground and first floor and colonnaded ground floor of the Listed Malthouse are an important and intrinsic element of the special architectural and historic interest of this building. The proposal makes no recognition of this character and subdivides the open plan area into an incoherent myriad of rooms with no consideration given to the position of columns, nor any attempt to retain the open floor plan character of the former malting operations.

In conclusion it is considered that the demolition, new build and conversion, individually and cumulatively, cause significant harm to the listed building and are contrary to the policy of the NPPF and the current local plan policies which require safeguarding of designated heritage assets from unsympathetic alterations to both the asset and its setting.

Twentieth Century Society

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

Suffolk Preservation Society

Demolition of Bridge House would result in substantial harm.

Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.

44 car spaces within the greensward is wholly unacceptable.

Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.

The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.

Lack of affordable housing.

(ii) Comments received following submission of amended plans (amended February 2019 proposal):

Hadleigh Town Council

The changes for re-consultation were noted but concerns still remained regarding flooding and car parking issues. It was felt that because there have been no assurances about the situation with the cricket club being resolved, Hadleigh Town Council cannot approve this application.

Place Services – Heritage

No comments relevant to this application.

Historic England

Thank you for consulting us on the amendments to the suite of applications concerning redevelopment of the Corks Lane site and Bridge House, Hadleigh. I do not have any comment to make on the majority of these, though do note the amendments made to block 6 and Bridge House in application number 18/4966 and are content with these. In our advice to the Council concerning the proposed alterations to the listed buildings at the Corks Lane site we asked for amendments to the design of the extension to River House. The amendments to application 18/4996 show a simplification of the rear extension to the listed building combined with setbacks in the line of development which break up the mass of building seen from the west. These are positive changes and while we retain some reservations about the massing of building around Riverview are also content with these amendments.

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

Hadleigh Society

The amendments to the design are considered inconsequential and do not alter the Society's strong objections to the scheme on the grounds of design, poor and inadequate parking provision, and serious damage to the setting, appearance and special character of adjoining listed buildings and the Conservation Area.

Suffolk Preservation Society

Twentieth Century Society

B: Representations

None received.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is located on the western side of Bridge Street, to the north of the Hadleigh town centre. The subject Grade II listed building forms part of a much broader site

proposed for redevelopment, comprising the former Babergh District Council offices complex.

- 1.2. The site is occupied by a former Malthouse building previously used by Babergh District Council as offices. The building abuts Bridge Street and has a return wing that projects westward into the broader redevelopment site. The building's northern elevation forms the broader site's northern boundary.
- 1.3. Immediately north is the cricket ground associated with the Hadleigh Cricket Club. Opposite the site on the eastern side of Bridge Street is residential development. Immediately to the south is the balance of the redevelopment site.
- 1.4. Adjoining the subject building on its southern side is 23 Bridge Street, a Grade II listed building. Adjoining its western side is the Arup building. Immediately south is an open courtyard, located to the rear of 23 Bridge Street.

2. The Proposal

- 2.1 Listed Building Consent is sought for internal and external alterations to facilitate conversion of the former Malthouse building into eight dwellings, together with a proposed three storey extension to the rear of the building, linking it to the converted adjacent three storey pavilion block. The three storey extension proposes to accommodate 16 dwellings – six at ground floor, six at first floor and four at second floor level. A total of 24 dwellings is proposed.
- 2.2 The three storey extension is modern, incorporates a flat roof, and the top floor is set back from the first floor facades providing roof terraces for the two second floor dwellings. The extension is finished in a mix of brick, render, horizontal timber cladding and aluminium framed windows. The material specification for the top floor railings to the perimeter of the roof terraces is not specified.
- 2.3 The conversion works are predominantly internal, featuring retention of the existing stair core but otherwise removal of almost all existing partitions and insertion of new partitions. The spiral staircase and mezzanine floor will be replaced with a new staircase and mezzanine floor.
- 2.4 The wall which is currently the northern external wall of the single storey infill extension between the Malthouse building and pavilion building will be retained as a boundary wall, with the window openings retained and a new opening created to form an access onto the adjacent cricket pitch.
- 2.5 With regard to openings, all existing windows will be retained and refurbished, with a new system of replacement secondary glazing proposed for the windows in the Bridge Street elevation.
- 2.6 A detailed schedule of works supports the application.

3. Historic Character of the Listed Building

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

- 3.2 Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.4 The elements of the proposed works requiring careful attention in the context of the special architectural and historic interest of the Grade II listed Malthouse are:
- the part demolition of the Arup building;
 - the three storey modern rear extension; and
 - the internal subdivision of the Malthouse building.

Demolition - Arup Building

- 3.5 The part removal of the Arup complex to the rear of the Malthouse requires listed building consent because this building is physically attached to the listed building. As noted above, Historic England has very recently considered an application to list the Arup building and determined that it does not meet the necessary national criteria for inclusion on the List of Buildings of Special Architectural or Historic Interest. It is clear from the submissions received, in particular the Twentieth Century Society, that the building is of significance at a level that it is appropriately regarded as a non-designated heritage asset.
- 3.6 However, the more recent Arup building does not contribute to the special architectural and historic interest of the Malthouse. This is clear from the listing date of the cottage - 1972 - which predates the construction of the Arup building by a good number of years. The significance of the Malthouse is derived from its former operation as a maltings and its associated industrial character, not by the modern office building to its rear.
- 3.7 Part removal of the Arup complex to the rear of the Malthouse will not compromise the special architectural features or historic interest of the Malthouse. Removal of the Arup building does not result in the loss of designated heritage fabric. It is noteworthy that the Heritage Consultant and Historic England do not object to the removal of the attached Arup building. It is concluded that no harm to the significance of the listed building would result from the removal of the Arup building.

Three Storey Addition

- 3.8 The proposed three storey addition is located to the rear of the Malthouse, in the location of the existing Arup building. The form, design and appearance of the addition is overtly contemporary. Contrasting old with new by adopting contemporary design detailing is accepted heritage practice. The contrast will be stark, however this is not unacceptable given it occurs at the rear, less sensitive and less visible interface.

- 3.9 The addition will be largely concealed from many of the nearby public vantage points by the good number of surrounding buildings at the broader redevelopment site. Whilst the bulk of the addition is not insignificant, this is acceptable given it is of lesser scale than the existing adjacent northern office building to the rear of the Malthouse. Noteworthy is the fact that the top of the three storey addition only marginally extends beyond the eaves of the northern office building, with the distinctive square hip roof form of the office building retaining its prominence. Importantly, the top of the addition is set below the prevailing ridgeline of the Malthouse. The bulk of the addition is also moderated by the setbacks incorporated at the third floor level, a common design technique employed successfully to limit height and bulk impact of buildings. The third floor will be visible in more distant views, however it will not dominate or overwhelm the Malthouse given the physical relationship between the two. The proposed addition is less prominent and dominant than the Arup building it is proposed to replace.
- 3.10 The three storey addition will not mask or result in the loss of any special architectural or historic features of the Malthouse. The Malthouse elevations most affected by the addition are already compromised by the attached Arup complex. The three storey addition would cause harm to the significance of the Malthouse. For the reasons above the harm is deemed low.

Internal Subdivision

- 3.11 The internal subdivision is arguably the most contentious element of the scheme. The subdivision will result in the loss of the expansive internal open spaces that currently assists in understanding the historic workings of the former maltings operation. The loss of this understanding amounts to material harm. The residential conversion of former industrial buildings of this scale inevitably results in compromises in respect to historic internal layouts, owing to the more 'finer grain' functional requirements of domestic arrangements than compared with historic industrial uses.
- 3.12 Any harm to the special architectural and historic interest of a listed building or its setting must be attributed considerable importance and weight in accordance with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, respectively
- 3.13 The internal subdivision affects only the interior of the building, and therefore would not lead to the destruction of the building or part of the building. In other words, the building is preserved. Great weight is attached to the building's preservation in accordance with paragraph 193 of the NPPF.
- 3.14 The internal works will make the interpretation of the original historic use of the building more difficult but they do not alter the building's external appearance and therefore the appreciation of the historic use is not lost entirely. The proposal will not lead to the total loss of the building's heritage significance. The proposal is limited to one building forming part of a group of listed buildings. Additionally, Historic England whilst stating that the internal subdivision would 'affect the fundamental historic significance of the interiors' it does not conclude or describe the harm as being substantial. The Heritage Consultant does not raise a concern regarding the internal subdivision. As such, whilst material, officers consider the identified harm to the significance of the heritage asset resulting from the internal subdivision is less than substantial.

Planning Balance

- 3.15 Two different forms of material harm have been identified: harm resulting from the bulk, appearance and positioning of the three storey addition; and harm resulting from the internal subdivision. When considered together officers are of the view that, for the reasons outlined above, the harm is less than substantial.
- 3.16 Paragraph 196 of the NPPF requires that where less than substantial harm to the significance of a designated heritage asset is identified, it should be weighed against the public benefits of the proposal including securing its optimal viable use.
- 3.17 The conversion works would contribute to securing the long-term use of the listed building. Alternative uses for the building could potentially be accommodated in a manner that does not impact the internal layout to the extent of the proposed domestic subdivision, however the supporting Employment Viability Report demonstrates that alternative end users are unlikely to be attracted to the building for a range of reasons. Put another way, the only realistic way to achieve the benefit of securing the long term use of the listed building is by way of residential conversion. It is clear from a review of the Viability Report that the use of the site as proposed represents its optimum viable use. As noted above, paragraph 193 of the NPPF requires great weight to be placed on the conservation of designated heritage assets.
- 3.19 Council's Heritage Consultant recommends a suite of planning conditions to ensure control is retained over the detailed design elements of the scheme. The conditions are reasonable, necessary and appropriate given the building's Grade II listed status. Moreover, the conditions are consistent with well-established heritage practice and meet the tests set out at section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

PART FOUR – CONCLUSION

4. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015

- 4.1 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
- 4.2 Council officers have worked with the applicant through the life of the application.

5. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)

- 5.1 There are no known legal implications derived from the determination of this application.

6. Planning Balance

- 6.1 The above assessment concludes that whilst material harm will result from the proposal, it is outweighed by the public benefits, noting the proposed use represents the building's optimum viable use. Great weight is attached to the building's conservation, consistent with paragraph 193 of the NPPF. Noteworthy is that the works will not result in substantial harm and so paragraph 194 of the NPPF is not engaged.

- 6.3 The scheme of works respond in a sufficiently favourable manner to local policy CN06 and paragraph 192 of the NPPF. The proposal facilitates the conservation of a heritage asset, consistent with the overarching objective of achieving sustainable development as set out at paragraph 8 of the NPPF.
- 6.4 The re-use of the building secures its long term future and in so doing preserves the building, together with the majority of its special architectural features and historic interest. The proposal is therefore consistent with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDATION

(1) That the Acting Chief Planning Officer be authorised to grant Listed Building Consent subject to conditions including:

- Standard time limit
- Window and door details including joinery colour
- Details of repairs
- All materials/fixtures to new build elements
- Landscaping and public realm details
- Level 3 Archaeological building recording