

Debenham Parish Council- Recommendation and comments re. planning applications for “The Angel Inn”, 5 High Street, Debenham:

DC/20/05596 - Application for Listed Building Consent. Works to facilitate change of use from mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension and

DC/20/05595- Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension.

Recommendation: The Debenham Parish Council strongly recommends the refusal of both planning implications (which are intrinsically linked).

Comments: The Debenham Parish Council’s recommendation for the refusal of both applications was formed on the following basis:

- a) The applications are against a number of planning policies within the NPPF, MSDC Existing and emerging Local Plans, the Debenham Neighbourhood Plan and the Supplementary Planning Guidance- Retention of shops, post offices and public houses in villages (adopted February 2004).
- b) There is no evidence that the establishment was marketed diligently, at a fair price, for the required minimum length of time. A considerable number of statements made by the applicant can easily be challenged and their veracity is being contested by third parties.
- c) There is strong evidence of community support for the retention of the establishment. It has been in our village since the 16th Century and due to its central location has been the hub of the community for many years. It has brought the village together, has supported community events such as the Village Fete, has provided somewhere where people from all walks of life could meet and get to know each other, thus supporting community cohesion, and has a long-established symbiotic relationship with other businesses and organisations
 - A local community group was formed at the early stages when there was a risk this facility could be lost and this group has engaged with the Parish Council and the owners on numerous occasions.
 - There has been strong representation by the parish at meetings where similar applications have been discussed, including the latest one, albeit the meeting was held virtually.
 - A social media page was formed by the parish and some four hundred comments were logged against the application (representatives are looking at ways of transferring these to the planning portal).
 - The level of comments on the planning portal at this stage continues to be representative of the depth of feeling of this community.
 - The Parish Council applied for registration of ACV in May 2020 and although there have been some COVID-19 related delays, the process is ongoing.

Planning Policies:

DEBENHAM NEIGHBOURHOOD PLAN

Deb 10 (Supporting Financial Sustainability) a) 1. *“1. the siting, scale and design of any new buildings, or conversions of existing buildings and associated works, has regard to the local character and the historic and natural assets of the surrounding area;”* and 3 *“there will be no significant adverse impact from any traffic generated by the proposed development.”*

Deb 11 (Employment) *Any non-employment use proposed on sites and premises used for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this neighbourhood plan and other relevant adopted development plan policies, and one or more of the following criteria has been met (as appropriate to the site/premises and location); a) there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b) evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c) the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d) an alternative use or mix of uses would offer greater benefits to the community in meeting local business and employment needs”*

DEB 13 (Policy 13 – Debenham’s Retail Core) *a) Change of use of ground floor shops or services to residential within the core retail area identified on the Proposals Map will only be considered favourably where the business has been marketed diligently at a fair market price and continuously for at least one year.”*

DEB 18 (Policy 18 – Historic Environment) *To ensure the conservation and enhancement of Debenham’s historic environment, proposals should, where appropriate: preserve or enhance the significance of the heritage assets of the village, their setting and the wider streetscape, including views into, within and out of the conservation area; b) retain buildings and spaces, the loss of which would cause harm to the character or appearance of the conservation area; e) demonstrate a clear understanding of the significance of the asset and of the wider context in which the heritage asset sits, alongside assessment of the potential impact of the development on the heritage asset and its context.”*

MID SUFFOLK DISTRICT COUNCIL- (EMERGING) LOCAL PLAN

Policy SP07 – Tourism *1) Settlements across Babergh and Mid Suffolk, many of which contain historic assets, tourism and leisure facilities, play an important role within the Districts. New development that supports this role will be encouraged, where appropriate in the scale, character and nature of their locality. 2) Historic, recreational and landscape-based tourism proposals that demonstrate protection and enhancement of heritage, the environment and landscape assets will be actively encouraged.*

Policy LP03 - Residential Extensions and Conversions *d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses. d) Will not materially, unacceptably or detrimentally affect the amenities of neighbouring properties or adversely affect neighbouring commercial uses.*

Policy LP13 - Safeguarding Economic Opportunities *2. The Councils shall resist the loss of identified employment sites, as well as other land and premises in lawful employment /commercial use.*

Policy LP21 - The Historic Environment

Policy LP31 - Services and Facilities Within the Community *2. Loss of facilities -Development involving or comprising of the loss of an existing community facility, service or a premises, which is currently or last used to provide such use, will only be permitted if either; a. Compensatory provision of an alternative or improved facility will be, provided in an equally accessible or improved location; or b. The applicant can sufficiently demonstrate that the service or facility is not viable or valued by the community, either in its current or future form and is not needed for an alternative community use. 3. Evidence to demonstrate that a service or facility is not viable, either in its current or future form should be agreed with the Council in advance (before being gathered) and should include: a. A sustained marketing period of 6 months, undertaken at a realistic asking price and on a range of terms and in an appropriate format by an independent qualified assessor; and b. Regard to any material considerations, designations or adopted plans for the area.*

MID SUFFOLK DISTRICT COUNCIL LOCAL PLAN 1998- E6 RETENTION OF INDIVIDUAL INDUSTRIAL AND COMERCIAL SITES, Policy E6

The district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. In considering applications for change of use or the redevelopment of existing premises to non-employment generating activities, the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety

SUPPLEMENTARY PLANNING GUIDANCE- RETENTION OF SHOPS, POST OFFICES AND PUBLIC HOUSES IN VILLAGES (ADOPTED FEBRUARY 2004) 3.2 and 5.4.

Please note case law and appeal decision in the case of North Wiltshire District Council v The White Horse Inn, Station road, Minety, in particular the similarities with the applications being considered:

In the case of The Angel Inn, the applicant argued that the business was not viable before its closure. Evidence can be provided that this was not the case and that the previous Landlady was willing to continue managing this profitable business but that her lease/tenancy were terminated by the owner.

Although there is another pub in the village, "The Woolpack", it is an extremely small one, which cannot cater for families or groups and is without disabled access, thus excluding a considerable proportion of a growing core village.

The projections for growth and development on the Debenham Neighbourhood Plan have also highlighted the need for a suitably sized, accessible and mixed provision public house/restaurant/community hub, for which the Angel is ideally located due to its central, High Street location.

The loss of this remaining principle public house in the village would be detrimental to the well-being of the community in general and would unnecessarily add to the unfair feeling of exclusion and discrimination not just to parishioners with a physical disability but also families. It would also be detrimental to tourism and visitors and would therefore affect the economic viability of some of our existing businesses.

Contrary to the information provided with the application, it can be evidenced that the pub was not suitably marketed for sale at a competitive price for the period indicated. It can also be evidenced that offers to purchase the business by a local community group were not progressed due to the owner's inability to negotiate in a fair and timely manner.

The financial viability of the business itself can be further evidenced by a full professional survey, which was commissioned by the Debenham Parish Council in response to public demand for action. This may be provided by request.

NATIONAL PLANNING POLICY FRAMEWORK (February 2019)

29. *Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies¹⁶.*

30. *Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently*

80. *Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.*

83. *Planning policies and decisions should enable: (...) d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

91. *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.*

92. *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

184. *Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶¹. 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.*

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; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.*

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;*

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,*

-----Original Message-----

From: debenham.pc@btinternet.com <debenham.pc@btinternet.com>

Sent: 01 March 2021 14:24

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05596

Dear Alex

Following the recent re-submission of both Angel Inn applications (DC/20/05596 and DC/20/05595), please note that the Debenham Parish Council would like to re-submit the comments previously sent to Planning, with the addition of the following:

The Parish Council concurs with the Heritage Officer's report and continues to strongly recommend the refusal of both planning applications .

May we please also add that since the first applications were submitted, the Parish Council has successfully applied for the re-registration of the Angel Inn as an Asset of Community Value.

Kindest regards

Dina

Mrs Dina Bedwell, BEd (Hons), CPE, CiLCA Parish Clerk and Responsible Financial Officer- Debenham Parish Council Office Hours: Monday, Tuesday and Friday 9.30am to 3.30pm Tel. 01473 787861 (messages may be left on answermachine)

Thank you for contacting the Debenham Parish Council. Should a response to your e-mail be necessary, we aim to respond within the next seven working days.

debenham.pc@btinternet.com

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Recommendation: The Debenham Parish Council strongly recommends the refusal of both planning implications (which are intrinsically linked).

Comments: The Debenham Parish Council’s recommendation for the refusal of both applications was formed on the following basis:

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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,*



Historic England

Sir/Madam Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

5 February 2021

Dear Sir/Madam Scott

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL
Application No. DC/20/05595**

Thank you for your letter of 4 February 2021 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

L. Fawkes

Lynette Fawkes

Inspector of Historic Building and Areas
E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk





Historic England

Alex Scott
Babergh Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582751

Our ref: **W:** P01332830

21 December 2020

Dear Alex Scott

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**THE ANGEL INN, 5 HIGH STREET, DEBENHAM, STOWMARKET, SUFFOLK, IP14
6QL**

Application No. DC/20/05595

Thank you for your letter of 11 December 2020 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

Yours sincerely

Lynette Fawkes

Inspector of Historic Building and Areas

E-mail: lynette.fawkes@historicengland.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



Your Ref:DC/20/05595
Our Ref: SCC/CON/0529/21
Date: 23 February 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The proposed change of use would not have a significant impact on the highway network and is not considered to be detrimental to highway safety.

Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

Your Ref:DC/20/05595
Our Ref: SCC/CON/5102/20
Date: 22 December 2020
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
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IP1 2BX

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/20/05595

PROPOSAL: Change of Use of mixed C3/Sui Generis drinking establishment
use to mixed C3/Class E and replacement of C20 rear extension

LOCATION: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Notice is hereby given that the County Council as Highway Authority make the following comments:

The current proposal would not have a detrimental impact on the highway network at this location.
Therefore, SCC does not wish to raise an objection to DC/20/05595 under highway safety grounds.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure

-----Original Message-----

From: BMSDC Economic Development <BMSDCEconomicDevelopment@baberghmidsuffolk.gov.uk>

Sent: 03 March 2021 10:13

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/20/05595 - 01/01/2021

The plans that have been submitted, appears (although unclear) to be significantly weighted to residential with a small inadequately serviced area and would be unlikely to attract a business occupier.

Public Houses are a valued amenity, and we would regret the loss of the social and visitor amenity provided by a pub, and would be against the principal of an alternative commercial employment generating use.

Therefore we would not support it in its current format.

Kind Regards

Beccy Coombs

From: Paul Harrison <Paul.Harrison@babberghmidsuffolk.gov.uk>

Sent: 05 March 2021 16:27

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>

Subject: DC 20 05595 Debenham amended plans

Heritage consultation response

Alex

In some respects the amended plans address my first comment.

The proposed two-storey extension is reduced in width so that it is attached to the later part of the listed building only rather than straddling across two parts. The structure's physical relationship with the existing building is not improved, with a gap of 450mm between the existing rear external wall and the main structure of the extension, filled with a valley gutter and other panels. The effect is that the extension would appear as a separate structure immediately behind the listed building, but only minimally attached and avoiding subservience, which contrasts with traditional buildings where subsequent additions are intimately attached with an impression of organic development.

The design of the extension as amended would now have a symmetrical rear elevation with less horizontal emphasis, and lower ridge, but would still appear assertive and incongruous in this context. In particular its northern wall seems now to sit over a void at ground floor, a disturbing effect that seems to make the relationship of internal and external volumes incoherent and ambiguous, which should be avoided in extending traditional buildings.

Reduction in the width of the two-storey extension leaves the first-floor gallery remaining exposed, but I do not agree that the current unsatisfactory situation, where the flat roof attaches below the gallery, would be improved by attaching a lean-to glazed roof along the whole of its rear face. The glazed roof would not be invisible – at best it would be transparent, and highly reflective. Neither do I consider the flat roof's predecessor, a short pentice roof seen in a photograph of the 1930s, to be a suitable precedent. My view remains that the lean-to would be detrimental to appreciation of this very important feature, and would not 'better reveal' its significance.

Investigative opening-up has been carried out where the proposed extension's first floor would be accessed from the rear gallery. The details describe modern finishes but do not describe the stud flanking the window. More importantly, the opening-up is in an area that would be unaffected by the proposed opening, which would be to the right of the window (as seen in the photo) up to the wall, and partly under the window. The opening-up should be extended to this area with horizontal and vertical strips to the full extent of the proposed opening.

In my view the proposed extensions as amended would have a harmful impact on the building's special architectural and historic significance; the level of harm is reduced by the amendments, but remains close to medium. I would repeat that in my view harm to the building's heritage significance would arise not from the change of use, or from subdivision of the property, or from the alterations associated with subdivision, but only from the size, scale and design of the proposed extension.

The statement submitted offers no explanation why an extension is proposed, and in particular makes no case for the success of the change of use being dependent on the extension. Accordingly I repeat my view that the extension does not offer any tangible

outcome that could be construed as a public benefit in the terms of the balance required in NPPF 196. Without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. I recommend omission or further amendment of the rear extensions. If the extensions are not amended, then fabric to be removed in the former gallery should be further investigated as described above, prior to determination of the application.

Paul

Paul Harrison
Heritage and Design Officer

Consultation Response Pro forma

1	Application Number	DC/20/05595 Angel PH, Debenham	
2	Date of Response	19.1.21	
3	Responding Officer	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
4	Summary and Recommendation (please delete those N/A) Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	<ol style="list-style-type: none"> 1. I consider that the proposal would cause <ul style="list-style-type: none"> • less than substantial harm to a designated heritage asset because the proposed extensions would detract from its architectural and historic significance. • The level of harm is rated medium. 2. I recommend that the application be amended so as to omit the proposed extensions, or to reduce their impact. 	
5	Discussion Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>The significance of the building is authoritatively appraised in a report by Leigh Alston which was submitted with application 4375/15. The core of the building is a 1400s house extended by incorporation into a house of the mid-1500s, with a further extension to the south of the 1600s. The building is recorded as the Angel in 1621 and is likely to have been an inn from the mid-1500s. In more recent times the building has been subdivided into residential and commercial elements. Although after several significant phases of development the building does not have the importance and integrity as a whole that would warrant a grading at II*, it has several rare features including an open first floor gallery added in the 1500s to the rear elevation. Such features allowed spectators to watch performance and spectacles in the yard, and are generally associated with inns. The gallery extends along the rear of the 1500s element and is now enclosed as a first-floor passage. A single-storey addition to the rear slightly obscures its original form.</p> <p>History In 2016 a scheme for change of use and extension of the northern bay was granted upon appeal.</p> <p>Change of use It is generally considered that the best use for a listed building will be the one it was built for. In this instance the first preference should be for the building to remain</p>	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

	<p>a public house or in a related hospitality use, which would also serve to sustain the vitality and viability of the village.</p> <p>If it is demonstrated to the satisfaction of decision-makers that the present use and similar uses are not viable, there is likely to be some compromise to the building's heritage value resulting from necessary alterations to facilitate a new use, and the NPPF expects harm from such works to be avoided or minimised.</p> <p>Alterations Within the historic part of the building, alterations would be quite limited, with removal of an internal draught lobby at ground floor, and insertion of a partition to form a bathroom at first floor. As the integrity of the plan-form at first floor has been lost in previous alterations, this is not considered to have harmful impact provided the partition is not on the line of the the chamfered tie-beam (the Heritage Statement incorrectly states that it is).</p> <p>Extension The existing single-storey flat-roofed extension to the rear elevation would be removed and replaced with a single storey lean-to extension and an extension of two storeys with attic. The two-storey extension would provide a master bedroom at first floor. It would be in a contemporary idiom finished in weatherboarding and slate.</p> <p>I have considerable concerns over the impact of the proposed extension on existing fabric, on the building's architectural character, and on appreciation of its features of special interest.</p> <p>The extension would not relate well to the existing form of the building as it would awkwardly straddle the clear junction of the earlier part and the 1600s addition. It would be asymmetrical in its rear elevation, with some horizontal emphasis despite its steep roof. In scale it would dwarf the more respectful addition approved in 2016, and would form an assertive and incongruous addition.</p> <p>Moreover it would actually obscure from view the full form and extent of the 1500s gallery, identified in Leigh Alston's report as follows: <i>'Its chief historic interest relates to a rare and exceptionally well preserved rear gallery of the 16th</i></p>
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	<p><i>century that allowed external access to the first-floor guest rooms ...'</i></p> <p>At present the flat-roofed extension partly respects this feature by tucking underneath it, but the present proposal would raise a lean-to roof against the gallery, removing the overhang from sight. With the south end and the overhang hidden, the gallery disappears as a feature. The proposal includes forming a doorway from the gallery into the proposed extension, but it is not clear what the merit is of fabric or features to be removed; the application should demonstrate that no historic fabric would be affected.</p> <p>The Heritage Statement seems to depart from Mr Alston's appraisal by playing down the importance of the gallery, and the impact upon it (6.13, 6.17, 7.5). But the Statement does acknowledge that the proposal would result in harm, while claiming that it would 'complement the listed building' (6.17). The Planning Statement similarly states that 'the rear elevation (including the 16th century gallery) would remain completely unaffected'.</p> <p>I disagree strongly with these points. The gallery is of very great interest and in the words of the NPPF its form should be 'better revealed' by new work, not obscured. In my view the proposed extensions would have a harmful impact on the building's special architectural and historic significance; the level of harm would be medium. I would stress that in my view harm to the building's heritage significance would arise not from the change of use, from subdivision of the property, or from the associated alterations, but only from the size, scale and design of the proposed extension.</p> <p>Justification</p> <p>The NPPF expects 'clear and convincing justification' for any harm. Public benefits can also outweigh harm, whether benefits in heritage terms such as securing a new use for a building, or in other terms.</p> <p>Statements which accompany the application offer no justification for this harm. In my view there is no explanation why an extension is proposed – the existing building appears to provide a viable three-bedroom unit, and it is nowhere suggested that the extension would enable some beneficial outcome that would not otherwise happen. I would also point out that complying with NPPF policies can hardly be construed as a public benefit – clear and convincing justification for harm is required.</p>
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		<p>In my view without the proposed extensions the proposal would potentially secure future use of the building with minimal harmful impacts. In fact it may even be possible that more modest and respectful extensions would avoid harm.</p> <p>On a technical point, the elevation drawings are not consistent as the rear elevation of the proposed extension has a projecting window feature, which is not shown on the side elevation drawings.</p>
6	<p>Amendments, Clarification or Additional Information Required (if holding objection)</p> <p>If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate</p>	<p>I recommend omission or amendment of the rear extensions.</p> <p>If the proposal is not amended, then the nature and merit of fabric to be removed in the former gallery should be confirmed by investigative opening-up prior to any decision.</p>
7	<p>Recommended conditions</p>	<p>Notwithstanding the above, if recommendation is favourable, removal of redundant cables, ducts, services and devices from the rear elevation should be secured.</p>

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From: David Harrold <David.Harrold@babberghmidsuffolk.gov.uk>

Sent: 16 February 2021 09:10

To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>

Subject: Plan ref - DC/20/05595 The Angel Inn, 5 High Street, Debenham. Environmental Health - Noise/Odour/Light/Smoke

Thank you for reconsulting on the above application and further information received with respect to revised drawings.

I can confirm with respect to noise and other environmental health issues that I do not have any further comments to make.

David Harrold MCIEH
Senior Environmental Health Officer

Babergh & Midsuffolk District Councils
t: 01449 724718
e: david.harrold@babberghmidsuffolk.gov.uk

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>

Sent: 16 December 2020 10:27

To: Alex Scott <Alex.Scott@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>

Subject: DC/20/05595

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/20/05595

Proposal: Planning Application. Change of Use of mixed C3/Sui Generis drinking establishment

use to mixed C3/Class E and replacement of C20 rear extension

Location: The Angel Inn, 5 High Street, Debenham, Stowmarket Suffolk IP14 6QL

Thank you for the opportunity to comment on this application.

Environmental Protection have no objections in principle. However, the demolition and construction works have the potential to have an adverse effect on the existing premises. I would therefore recommend the following conditions:

- Demolition and Construction working hours:
Noise intrusive work during the construction of the development must take place between the following hours:
Monday to Friday between 08:00hrs and 18:00hrs
Saturday between 09:00hrs and 13:00hrs
No work to be undertaken on Sunday, bank or public holidays
Note: The above shall also apply to deliveries.
- ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT TO BE AGREED
Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-
 - a) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
 - b) Details of how construction and worker traffic and parking shall be managed.
 - c) Details of any protection measures for footpaths surrounding the site.
 - d) Details of any means of access to the site during construction.
 - e) Details of the scheduled timing/phasing of development for the overall construction period.
 - f) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.(All waste removed shall be sheeted prior to transportation from site) The development shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. Note: This condition is required to be agreed prior to the commencement of any demolition or construction process

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

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Appeal Decisions

Site visit made on 1 June 2016

by J Flack BA Solicitor

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2016

Appeal A: APP/W3520/W/16/3146428

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4374/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The development proposed is described as partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility”.
-

Appeal B: APP/W3520/Y/16/3146429

The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mrs Stacey Paine against the decision of Mid Suffolk District Council.
 - The application Ref 4375/15, dated 14 December 2015, was refused by notice dated 3 March 2016.
 - The works proposed are described as first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility.
-

Decisions

1. **Appeal A:** the appeal is allowed and planning permission is granted for partial change of use, first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application, Ref 4374/15, dated 14 December 2015, subject to the conditions set out in the Schedule to this decision.
2. **Appeal B:** the appeal is allowed and listed building consent is granted for first floor extension to reinstate former 2 storey rear wing and former separate dwelling, internal alterations including relocation of toilet facilities, to retain the public house as a community facility at The Angel Inn, 5 High Street, Debenham, Suffolk IP14 6QL in accordance with the terms of the application

Ref 4375/15, dated 14 December 2015 subject to the conditions set out in the Schedule to this decision.

Preliminary matters

3. The proposed development and works (the appeal proposal) follow on from a previous proposal (the previous proposal). Appeals against the Council's failure to determine applications for planning permission and listed building consent for the previous proposal were dismissed on 6 February 2015. It is important that there be consistency in planning decisions, and these appeal decisions¹ are thus of substantial materiality to my assessment of the appeal proposal. I have however assessed the appeal proposal on its own merits in the light of the evidence before me, noting carefully the various differences between the two proposals.

Application for costs

4. An application for costs in relation to both appeals was made by Mrs Stacey Paine against Mid Suffolk District Council. This application is the subject of separate Decisions.

Main Issues

5. The main issues are:-
 - Appeals A and B: Whether the appeal proposal would preserve the Grade II listed building known as the Angel Inn, any features of special architectural or historic interest that it possesses and the setting of this and adjacent listed buildings, and whether it would preserve the character or appearance of the Debenham Conservation Area; and
 - Appeal A: The effect of the appeal proposal on the long term future of the public house.

Reasons

Listed buildings and conservation area

6. The appeal listed building has its origins in the C15 and contains substantial C16 and C17 elements. Although the building has been subject to various modern alterations and losses, it remains a valuable example of vernacular architecture, retaining many features of historical importance which illustrate its early evolution. These include remarkable apotropaic symbols incised on two C16 fireplace lintels, a plank and muntin screen and door head adjacent to one of the front entrances, and a rare C16 inn gallery at the rear of the building. I saw that there is some rot to window frames, but this is very localised and in general the building appears to be well-maintained. Given all of these matters, and the reinforcement of the mixed residential and commercial character of the village centre which the current public house use provides, the appeal building makes a substantial positive contribution to the conservation area, which includes many fine historic buildings. Of particular note in the context of the appeal proposal is the Grade II* listed 1-3 High Street, which contains a rear wing of high historical status adjoining the location of the proposed extension to the appeal building.

¹ APP/W3520/A/14/2227486 and APP/W3520/E/14/2227489

7. This extension would be of two storey height, replacing the present single storey rear wing extending along the boundary with No 3. The wing is an unattractive and dissonant C20 structure with a flat roof, and the evidence before me concurs that its removal would be beneficial to the appeal listed building. Whilst the proposed extension would wrap around the northern extremity of the gallery, it would do so to only a very limited extent which would not be materially harmful to the significance of this element of the building. Nor would the extension involve any unacceptable interference with or loss of historic fabric, noting in particular that, at first floor level, the northern wall of the gallery and the east wall of the northernmost room of the building comprise modern blockwork.
8. The scale of the proposed extension would be considerably less than that proposed by the previous scheme. Although the extension would be slightly wider than the early wing which the present C20 extension replaced, it would overall be narrower than the extension proposed by the previous scheme. Moreover, the two storey garden room and connecting element proposed by the previous proposal have been deleted. In my view, the appeal proposal represents a considerable improvement over the previous proposal in terms of its bulk and complexity. No part of the extension would project beyond the adjoining rear wing of No 3, and the modesty and simplicity of its form and design would achieve a satisfactory and appropriately respectful relationship with the appeal building and No 3.
9. The rooflights proposed would be minor features on the less sensitive north roof slope of the extension, and although some further information is necessary to resolve the final appearance of detailing and materials of the proposed works, this could be satisfactorily addressed by appropriate conditions. I recognise that the proposal would involve some landscaping and other works to create a boundary for the new dwelling together with parking and private amenity areas, but these would be minor works which would not impact materially on the setting of the appeal building or other adjacent listed buildings.
10. Given the significance of the adjoining rear wing of No 3, it will be important that construction of the extension does not compromise this structure. However, a letter² from a structural engineer and an accompanying drawing are before me. There is no substantial evidence before me to contradict the letter's statement that the proposed configuration of the extension's structure would be such as to secure that no additional loading would be imposed by the extension on the party wall, and that there would be no undermining of its foundations due to the proposed steel frame and isolated foundations of the extension. Historic England and adjoining occupiers have expressed concerns as to the absence of a method statement. However, those concerns are not shared by the Council, which does not object to the proposal in this respect. Overall, I consider that whilst the detail of the means of construction of the frame and foundations of the extension does require some further resolution, this could be satisfactorily addressed by a condition requiring an approved method statement to be implemented.
11. I saw on my visit that the ground floor of the appeal building has been subdivided by temporary partitions. This subdivision would be made permanent under the appeal proposal, and at first floor level the northernmost room would

² Adam Power Associates, 27 November 2015

also be subdivided from the remainder of the building by a small partition. This aspect of the proposal and its impact on the appeal building is the sole remaining objection by the Council to the appeal proposal in terms of its impact on listed buildings and the conservation area.

12. The Inspector in the previous appeal decisions found that proposal before her would have had a detrimental effect on the current layout and plan form of the building, including the relationship of the gallery with the remainder of the building. However, it seems to me that this conclusion was reached on the basis of the overall extent of the alterations proposed, rather than indicating a view that the proposed permanent subdivision of the building would in any event be unacceptable. Moreover, the Inspector's overall conclusion that the proposal would have a harmful effect on the historic character and setting of the appeal building took into account two further matters which have been addressed by the appeal proposal: the proposed subdivision of a room to create a further bedroom has been deleted and, as I have noted, the overall scale of the development proposed has been substantially decreased.
13. The proposed subdivision would need to ensure satisfactory standards of sound insulation. However, securing this would be almost entirely a matter of an appropriate specification for the limited new partitions, given that the historic fabric which would divide the proposed dwelling from the remainder of the building consists of principally of a very thick chimney stack. I acknowledge, noting the appeal decision³ cited by the Council, that provision of adequate insulation may have potential to harm the character or appearance of a listed building. However, in the circumstances of the appeal building and proposal, I consider that the provision of insulation could appropriately be controlled by condition.
14. The subdivision would result in permanent revision of the floorplan and layout of the appeal building. However, this would be acceptably consonant with the complex evolution of the building over the centuries. The evidence before me indicates that the building has been subject to various amendments of use and configuration, and although it may well have been in single occupation for much of its life, it was subdivided into a separate inn and dwelling during a substantial part of the C20. The Council draws attention to the impact of the proposed subdivision on the relationship of the gallery with remainder of the building. However, this would not be detrimentally affected to a material extent, given that the current layout already results in a considerable sense of disconnection between the northern room and the gallery, the former being accessible from the latter only via a landing, a large intervening room and a narrow corridor.
15. The Council considers that it is preferable for the building to continue in unified ownership as this would allow for coherent future management. However, there is no evidence before me which demonstrates that the proposal would be likely to result in less satisfactory standards of maintenance and management of the appeal building. These are matters which will depend on a variety of factors, including the resources and commitment of owners. Taking all of the above matters into account, I conclude that the proposed subdivision of the appeal listed building would not be harmful to its special interest.

³ APP/D3505/W/14/3001531, 25 March 2015

16. The desirability of preserving the appeal listed building, adjacent listed buildings and their settings is a matter to which I am required to have special regard by virtue of sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and the preservation of the character and appearance of the conservation area is a matter to which I am similarly required to pay special attention by section 72 of the Act. However, for the reasons I have given, I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, and would also preserve their settings. For the same reasons, the proposal would not diminish the contribution which the appeal listed building makes to the conservation area, and I conclude that the proposal would preserve the character and appearance of the conservation area. The appeal proposal would thus accord in these respects with Policy FC1 of the Core Strategy Focused Review (CSFR)⁴, and with the objectives of Policy CS 5 of the Core Strategy⁵ and Policies SB2 and HB3 of the Local Plan⁶ relating to the protection and conservation of the historic environment.
17. Moreover, whilst the listed buildings and the conservation area are designated heritage assets for the purposes of the National Planning Policy Framework (the Framework) and paragraph 132 requires that great weight be given to their conservation, I have concluded that proposal would not be harmful to the significance of these assets. The appeal proposal would thus accord with the historic environment policies of the Framework.

Long term future of the public house

18. I saw on my visit that the temporary partitions have had effect to remove the northern ground floor room of the building from the area of the public house, and also that a grassed area to the rear of the building's curtilage has been fenced off. I understand that this was previously used a beer garden. As with the previous proposal, the appeal proposal would serve to make these arrangements permanent. I have no detailed information before me on the financial performance of the public house over recent years, and I appreciate that the performance of any public house will to some extent depend on the capabilities and circumstances of its operators. Like the previous Inspector, I acknowledge that local residents have expressed strong support for the return of the removed facilities to public house use, but that is no guarantee that this would prove financially viable.
19. The evidence before me is that in the years leading to the reduction in area, the public house did not achieve enduring success under various managements and ownerships, although there is dispute as to the reasons for this. However, and in any event, there is no dispute that the public house has traded successfully since the introduction of the reduced area, despite the more limited accommodation and parking facilities, and the somewhat unconventional cellar arrangements. I have noted that the Council's Economic Development and Tourism Manager has not supported the appeal proposal in the absence of further evidence as to the viability of the present and previous public house formats. However, I accord limited weight to this, as the officer expressed full support in relation to the previous proposal and there is no clear

⁴ Mid Suffolk Core Strategy Focused Review (December 2012)

⁵ Mid Suffolk Core Strategy (September 2008)

⁶ Mid Suffolk Local Plan (September 1998)

- demonstration of different circumstances or evidence to explain the change of view.
20. The Council has drawn attention to the views of its Senior Environmental Health Officer, who has noted that habitable rooms in the proposed dwelling would overlook the rear courtyard and parking area of the public house and expressed concerns as to the effect of noise on the occupiers of the dwelling. However, the effect of the appeal proposal on the living conditions of residential occupiers did not form part of the Council's reasons for refusing the planning application. Moreover, there is no indication that the issue was raised as a concern in relation to the previous proposal, despite that habitable rooms within the proposed dwelling would also have overlooked the courtyard.
 21. In any case, although it is possible that noise and disturbance arising from a public house may give rise to complaints from adjacent residents and thus restrict its functioning, I saw on my visit that there are dwellings in close proximity to the yard on both sides of the appeal building's curtilage. Their occupiers would not be substantially less affected by noise and disturbance arising from the public house than would the future occupiers of the appeal dwelling, and the evidence before me does not indicate that the current public house use has given rise to complaints from existing residents. Given also my earlier conclusions as to insulation within the appeal building, I conclude that the provision of the appeal dwelling would not be likely to restrict the functioning of the public house.
 22. The previous Inspector concluded on this main issue that the reconfiguration of the public house would not be likely to harm its long-term viability, and that a reduction in the operational floorspace could contribute to securing such viability. No substantive evidence is before me to justify my taking a different view. Indeed, the fact that the public house is continuing to trade more than a year after the appeal decisions on the previous proposal serves to reinforce and support the previous Inspector's conclusions, as does the recent execution of a new three year tenancy.
 23. Local residents have expressed views that the proposal would not comply with the Council's Supplementary Planning Guidance on the Retention of Shops, Post Offices and Public Houses in Villages⁷ (the SPG). The Council has also referred to the SPG, although non-compliance with it does not form part of its reasons for refusing the applications. In any case, the subject matter of the SPG is proposals which would result in the total loss of a public house through a change of use, and I have no reason to diverge from the previous Inspector's finding that the SPG's tests are not directly relevant to the proposed partial change of use.
 24. For the above reasons, I conclude that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. The appeal proposal would thus in these respects comply with Policies FC1 and FC1.1 of the CSFR. It would not conflict with the SPG's objective of retaining community facilities, or the objectives of paragraphs 17, 28, 69 and 70 of the Framework relating to the retention and development of services and facilities in villages and the facilitation of social interaction.

⁷ February 2004

Other matters

25. The occupiers of No 3 consider that the proposal would adversely affect their living conditions by reason of overlooking and loss of privacy arising from the proposed first floor window in the east elevation of the proposed extension. However, the previous proposal also included such a window, and the previous inspector found that the extent of additional overlooking likely to occur from it would be relatively limited. Whilst the equivalent window in the appeal proposal would be positioned closer to the boundary with No 3, that would not substantially increase the degree of overlooking. I consider therefore that there would be no unacceptable loss of privacy. Moreover, nothing in the evidence before me indicates that the proposal would in any other respect result in any material harm to the living conditions of adjacent residents.
26. Some local residents have expressed concerns as to flooding. However, the Environment Agency has not objected to the appeal proposal in this respect, and noting that the appeal site is within Flood Zone 1, I do not consider that the proposal would be at unacceptable risk of flooding or be likely to add materially to flood risk. Concerns have also been expressed that the present oil tank is shown to be removed, but no replacement provision is indicated. However, I must assess the proposal before me and any further works would be matters for the Council to assess. Concerns are raised as to the practicality of bringing materials to site, but whilst I note the limited dimensions of the arch giving access to the rear of the site, there is no evidence before me that suggests that the works of construction would be significantly impractical or likely to result in damage to the listed building.

Conclusions

27. I have concluded that the proposal would preserve both the appeal listed building and adjacent listed buildings, that it would also preserve their settings and would preserve the character and appearance of the conservation area. I have further concluded that the proposal would not have a detrimental effect on the long term future of the public house, and that there is instead some possibility that the proposal could enhance its viability. I have taken account of all other matters raised in the evidence before me, but nothing arises which convinces me that the proposal would be unacceptable. I have not identified conflict with the policies of the development plan which the evidence before me identifies as relevant to the proposal, and conclude therefore that the proposal would be in overall accordance with the development plan. Similarly, given my conclusions on the relevant policies of the Framework, and noting the statement in paragraph 6 that the policies of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice, I conclude that the proposal would represent sustainable development for the purposes of the Framework.
28. Conditions have been suggested by the Council and others in the event that I allow the appeals. I have considered these in the context of the tests set out at paragraph 206 of the Framework, taking into account the desirability of making minor changes where appropriate to the interests of clarity, certainty and economy of expression. It is necessary that both the grant of planning permission and listed building consent be subject to standard commencement conditions and, in the interests of certainty, conditions requiring adherence to approved plans. Although these plans include detailed drawings of some elements of the fenestration, for the reasons I have given above I nevertheless

consider it necessary for conditions to be imposed requiring the approval of appropriately large scaled drawings providing comprehensive details of the windows, rooflights and doors, and to require facing and roofing materials to accord with approved details.

29. The Council suggests that the grant of listed building consent should also be subject to a condition requiring the approval of sound insulation measures. For the reasons I have given, I concur that such a condition is necessary, together with a further condition requiring the implementation of an approved method statement for foundation and structural works. As to the grant of planning permission, the Council suggests a condition restricting permitted development rights, but in the circumstances of the appeal proposal I do not consider this necessary given that the permissions granted by the relevant rights would either relate to development which would also require listed building consent or would not apply where the development would be within the curtilage of a listed building. The Council suggests a condition requiring approval of details of areas for the parking and manoeuvring of vehicles, but it has not objected to the arrangements shown on the submitted plans. However, it is important that proposed off street parking provision is made and retained, and a condition is necessary to secure this. The highway authority has recommended a condition as to surfacing of the vehicular access, but I do not consider this necessary given that the access already exists and the proposal would not result in a significantly more intensive use of it.
30. For the above reasons, the appeals are allowed, and planning permission and listed building consent are granted subject to the conditions set out above.

J Flack

INSPECTOR

SCHEDULE

APPEAL A: CONDITIONS SUBJECT TO WHICH PLANNING PERMISSION IS GRANTED

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) Notwithstanding condition 2), the development hereby permitted shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawings.
- 4) No development shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples and details.
- 5) The areas shown on the approved plans for the purposes of manoeuvring and parking of vehicles shall be laid out and made available for use prior to the occupation of the new dwelling hereby permitted. The areas shall thereafter be retained, kept free of obstruction and used for no purpose other than the manoeuvring and parking of vehicles.

APPEAL B: CONDITIONS SUBJECT TO WHICH LISTED BUILDING CONSENT IS GRANTED

- 1) The works hereby authorised shall begin not later than three years from the date of this decision.
- 2) The works hereby authorised shall be carried out in accordance with the following approved plans: 1682/S/BLOCK 102C; 1682 200; 1682 201; 1682 202A; 1682 301C; 1682 302 E; 1682 305 E; 1682 1000; 1682 1001; 1682 1002 and SK1B.
- 3) The works hereby authorised shall not begin until a method statement prepared by an appropriately qualified structural engineer and detailing the means by which the foundations, frame and other structural elements of the extension are to be constructed has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved method statement.
- 4) Notwithstanding condition 2), the works hereby authorised shall not begin until drawings of an appropriately large scale showing details of materials, finishes, method of opening, glazing and colour of all new and replacement windows, roof lights and doors and their surrounds have been

submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved drawings.

- 5) The works hereby authorised shall not begin until details of those elements of the works providing noise insulation have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
- 6) No works shall begin above slab level until samples of the external facing and roofing materials to be used in construction, together with details of the manufacturers of those materials, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved samples and details.

**Mid Suffolk District Council Planning Control Department
131 High Street Needham Market IP6 8DL**

**REFUSAL OF PLANNING PERMISSION
Town and Country Planning Act 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Date of Application: 14 December 2015 REFERENCE: 4374 / 15

Date Registered: 22 December 2015

Documents to which this decision relates:

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing No. 1682-100LB received 14th December 2015 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Refused Plans and Documents:

- Application form received on the 14th December 2015;
- Homecheck contamination report received 21st December 2015
- Land Contamination Questionnaire received on the 21st December 2015;
- Heritage Asset Assessment (dated June 2014) produced by Leigh Alston and received on the 14th December 2015;
- Design and Access Statement received on the 14th December 2015;
- Schedule of works received 14th December 2015;
- Case Review (dated October 2015) produced by Michael Collins and received on the 14th December 2015;
- Letter from Birketts dated 11th December 2015 and received on the 14th December 2015
- Photograph of west elevation received 21st December 2015;
- Drawing No's 1682-102C; 200; 201; 202A; 301C; 302E; 1000; 1001 and 1002 all received on the 14th December 2015;
- Drawing No. SK1B received on the 14th December 2015;
- Drawing No. 1682-305E received on the 21st December 2015.

Refused Plans and Documents Not Accepted to Form the Application:

The following documents were considered / viewed by the Local Planning Authority, but not accepted to form part of the application and this decision. These documents may not have been the subject of formal consultation on that basis.

- Email from Environment Agency dated 6th August 2015 and Consultation response from Environmental Health (Land Contamination) received 21st December 2015.

CORRESPONDENCE ADDRESS:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

NAME AND ADDRESS OF APPLICANT:

Mrs S Paine
31 Fawcett Road
Aldeburgh
Suffolk
IP15 5HQ

PROPOSED DEVELOPMENT AND LOCATION OF THE LAND:

Partial change of use, erection of first floor extension to reinstate former 2 storey rear wing, internal alterations to public house to reinstate former separate dwelling at The Angel whilst retaining the public house as a community facility (Revised scheme to that submitted under ref. 2494/14 & 2475/14) - The Angel Inn, 5 High Street, Debenham IP14 6QL

The Council, as local planning authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans submitted for the following reasons:

1. The proposal would lead to the diminution of an established village facility, which may prejudice its longer term future as a community and tourism asset and contributor to the rural economy. As such it conflicts with the aims and requirements of paragraphs 17, 28, 69 and 70 of the National Planning Policy Framework, and Policies FC1 and FC1.1 of the adopted Mid Suffolk Core Strategy Focused Review (2012).
2. The proposed subdivision of the applicant listed building at ground and first floor level would cause harm to its character and status as a building of architectural and historic interest. The harm to the designated Heritage Asset, is not regarded as substantial, however, the application as submitted fails to demonstrate that this harm is outweighed by the public benefit of securing the longer term financial viability of the public house through a reduction in its operational floorspace. The proposal would therefore conflict with the aims and requirements of paragraphs 17, 131, 132 and 134 of the National Planning Policy Framework, Policy CS5 of the adopted Mid Suffolk Core Strategy (2008), Policy FC1 of the adopted Mid Suffolk Core Strategy Focused Review (2012) and saved Policies SB2 and HB3 of the adopted Mid Suffolk Local Plan (1998), which are consistent with those aims.

SUMMARY OF POLICIES AND PROPOSALS WHICH ARE RELEVANT TO THE DECISION:

1. This permission has been refused having regard to policy(ies)

COR5 - CS5 MID SUFFOLKS ENVIRONMENT
COR4 - CS4 ADAPTING TO CLIMATE CHANGE
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE

DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE
DEVELOPMENT
COR1 - CS1 SETTLEMENT HIERARCHY
COR2 - CS2 DEVELOPMENT IN THE COUNTRYSIDE & COUNTRYSIDE
VILLAGES
COR6 - CS6 SERVICES AND INFRASTRUCTURE

of the Mid Suffolk Core Strategy Document, and to all other material considerations.

2. This permission has been refused having regard to policy(ies)

SC4 - PROTECTION OF GROUNDWATER SUPPLIES
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
HB1 - PROTECTION OF HISTORIC BUILDINGS
HB9 - CONTROLLING DEMOLITION IN CONSERVATION AREAS
HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS
SB2 - DEVELOPMENT APPROPRIATE TO ITS SETTING
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
T9 - PARKING STANDARDS
HB3 - CONVERSIONS AND ALTERATIONS TO HISTORIC BUILDINGS
HB4 - EXTENSIONS TO LISTED BUILDINGS

of the Mid Suffolk Local Plan, and to all other material considerations.

3. This permission has been refused having regard to policy(ies)

NPPF - NATIONAL PLANNING POLICY FRAMEWORK

of the Planning Policy Statement, and to all other material considerations.

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF) and Section 106 and development plan statement:**

The Councils adopted "development plan" policies for new development include policies are set out in the Core Strategy (adopted 2008), the Core Strategy Focused Review (adopted 2012) and the saved Local Plan. This up to date policy document is a very important planning consideration and the applicant is encouraged to fully refer to it (available to view on the Council's website - www.midsuffolk.gov.uk). Planning decisions are normally expected to be taken in accord with the development plan unless material considerations indicate otherwise.

While the applicant did not take advantage of the service, the Council provides a duty planning officer and pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

This relates to document reference: 4374 / 15

Signed: Philip Isbell

Dated: 03 March 2016

**Corporate Manager
Development Management**

**MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET,
IPSWICH IP6 8DL**