

## **Committee Report**

**Item 6A**

**Reference:** DC/20/01517

**Case Officer:** Samantha Summers

**Ward:** Brett Vale.

**Ward Member/s:** Cllr John Ward.

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Planning Application. Erecterotion of extensions to provide additional facilities including reception, banquet hall, wellness centre and additional bedrooms. Change of use of agricultural land to create new car parking and formal gardens, including the removal of the existing overspill car parking and associated landscaping works.

### **Location**

Marquis of Cornwallis, Upper Street, Layham, Ipswich Suffolk IP7 5JZ

**Expiry Date:** 28/08/2020

**Application Type:** FUL - Full Planning Application

**Development Type:** Major Small Scale - All Other

**Applicant:** The Marquis Layham

**Agent:** KLH Architects

**Parish:** Layham

**Site Area:** 2.19Ha

**Density of Development:** N/A

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** Yes: DC/19/00704. Extensive pre-application advice was sought for the proposal with Planning, Heritage, Highways and Economic Development prior to the application being submitted. There were several design schemes that were discussed over the course of several months to engage with Heritage concerns.

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason:

The Chief Planning Officer considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties.

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# **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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## **Summary of Policies**

CN01 - Design Standards  
CN06 - Listed Buildings - Alteration/Ext/COU  
CR04 - Special Landscape Areas  
EM01 - General Employment  
EM20 - Expansion/Extension of Existing Employment Uses  
TP15 - Parking Standards - New Development  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS03 - Strategy for Growth and Development  
CS15 - Implementing Sustainable Development  
CS17 - The Rural Economy  
NPPF - National Planning Policy Framework

## **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

## **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

#### **Town/Parish Council**

##### **Layham Parish Council**

The Parish Council would like to emphasise that many parishioners welcomed the original refurbishment of the Marquis and are happy with the site as it is now, an asset to the village. We note that several of our concerns regarding the application submitted in April 2020 have been addressed; however, there remain several areas of concern, as listed below and explored further in this submission.

- Size - despite being classified as an extension, the size of the proposed development is 1.5 times larger than the existing site;
- Design - the proposed development is not appropriate to the village location;
- Noise;
- Landscaping maintenance;
- Speeding;
- Parking;
- Lighting.

Layham Parish Council therefore continues to object to the planning application, on the basis that the adverse impacts would significantly and demonstrably outweigh the benefits.

#### **National Consultee**

## **Anglian Water**

The foul drainage from this development is in the catchment of Hadleigh Water Recycling Centre that will have available capacity for these flows.

We note that the site falls within a Source Protection Zone, we have assessed the potential impact of the site and have concluded that there is no risk to our potable water source.

The sewerage system at present has available capacity for these flows.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS); with connection to the sewer seen as the last option.

## **County Council Responses**

### **SCC - Archaeological Service**

Upon further discussions with the team, in our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

### **SCC - Flood & Water Management**

We recommend approval subject to conditions.

### **SCC - Fire & Rescue**

Standing advice.

### **SCC - Highways**

No objection subject to conditions.

## **Internal Consultee Responses**

### **Environmental Health - Noise/Odour/Light/Smoke**

No objection subject to conditions on lighting and noise.

### **Environmental Health - Land Contamination**

No objection.

### **Economic Development & Tourism**

“The Economic Development team still supports the application. The new proposals show a significant investment into the site to provide a quality hotel and wedding venue that will attract visitors to the district. The tourism sector is a vital part of the local economy and, despite COVID 19, is forecast to grow in the future. Venues such as the Marquis of Cornwallis could provide additional accommodation for such visitors and encourage them to explore the surrounding towns, villages and countryside during their stay. As mentioned in my previous comment, the development will have a significant positive impact on the local economy as it will not only provide additional employment on site, but also support a range of businesses related to the wedding and events sector too.”

### **Environmental Health - Noise/Odour/Light/Smoke**

“In line with my comments submitted 7 May 2020, the supplied lighting report prepared by AJ Energy Consultants (rev2) demonstrates low levels of light-spill and intrusion to neighbouring premises and the highway from the proposed light fittings. I would, however, still ask that my previous request for a lighting condition is included.

Noise: I have no further comments to add to those I submitted in May 2020 and ask that these are considered, and my suggested conditions placed on any permissions granted.”

### **Heritage Team**

“The changes to the proposed extensions to the Marquis of Cornwallis are now almost acceptable from a Heritage Team perspective. The ridge of the main perpendicular range does not appear to have been lowered since the last iteration, with the result that the structure remains a little too prominent - but the set-back from the road, the functional and attractive articulation and the varying ridge levels which are as a result of the better use of ground levels, means that the large mass of the extensions now appear, if not entirely subservient to the main historic ranges of The Marquis, then at least more appropriate than previously. The detailing to all elevations is attractive and simple and ensures the visual and architectural prominence of the historic ranges is largely retained.

The large formal garden is not unsuited to a wedding venue of the style shown here and, subject to conditions concerning the materials to be used in its construction, it will be acceptable.

There is however a concern that a very unsightly substation is now proposed to be located against the roadside. This is not appropriate. It will distract from the landscape, and in views as one approaches from the south. In turn this will harm the setting and therefore the significance of the Marquis.

In terms of the NPPF, the result of the finished ridge height of the perpendicular range, and the location of the substation, is a very low level of less than substantial harm to the significance of the asset. By reducing the ridge, and by relocating the substation away from the Marquis, the harm could be reduced further. The harm should be weighed against the public benefits.

If the LPA were minded to grant LBC and planning permission, the following conditions should be imposed.” (conditions are listed below).

### **Public Realm**

“Public Realm do not wish to offer any comments on this application. There is no new public open space associated with this development.”

### **Communities (Major Development)**

No comments received.

### **Cllr John Ward - Brett Vale**

“I do not wish to comment on this application.”

### **Landscape - Place Services**

“The revised Landscape Appraisal follows the third edition of the "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3) and now includes reference to the site’s sensitive location within the Special Landscape Area. A detailed methodology that provides the definitions and appraisal matrix that has informed the consultant's findings has also been included and assures us that appropriate professional judgement has been used. In addition, the photography and visualisations within the appraisal have been revised to conform with the guidance contained within The Visual Representation of Development Proposals Technical Guidance Note 06/19 (Landscape Institute, September 2019).

Moving forward, if minded for approval, we would recommend the following amendments are considered as part of this application or associated conditions:

There should not be equal numbers of each species within the proposed native hedge mix. Instead, it is recommended that it is specified in percentages, as shown below:

- 60% Hawthorn (*Crataegus monogyna*)
- 20% Field maple (*Acer campestre*)
- 10% Hazel (*Corylus Avellana*)
- 3% Guelder Rose (*Viburnum opulus*)
- 3% Blackthorn (*Prunus spinosa*)
- 2% Holly (*Ilex aquifolium*)
- 2% Dog rose (*Rosa canina*)

A formal garden planting plan, specification and schedule should be provided to ensure appropriate planting is proposed.”

## **B: Representations**

At the time of writing this report at least 204 letters/emails/online comments have been received. It is the officer opinion that this represents 149 (from 84 different households) objections and 55 support. A verbal update shall be provided, as necessary.

Views are summarised below: -

Concerns raised from objectors include:

- Wrong location for the venue
- Air pollution from extra traffic
- Disproportionate urbanisation
- Design of the extensions is unattractive
- Extra traffic would be dangerous to horse-riders
- Does not suit the character of the village
- Odour from kitchen
- Parking is elevated and would be visible across the valley
- The scale of build is overbearing
- Light pollution from the car park and terrace would be harmful to the landscape an ecology
- Noise pollution would be detrimental to neighbours from music and people using the outdoor space
- Sewage and waste systems will not be able to cope with the development
- More traffic on country roads
- Drainage and possible pollution of the River Brett
- Landscape impact
- Impact on the Listed Building
- Concerns that the business would not be viable and what future the building would have
- Too many wedding venues in the area, another one is not needed
- The development is outside of the built-up area boundary of the village
- Impact on ecology
- Highway safety from extra traffic
- Letters of support have come from great distance
- Not in-keeping with the character of the area
- Increased crime and anti-social behaviour
- Loss of farmland
- Is there space for delivery vehicles to be able to turn on site?
- Extra pressure on Benton Street in Hadleigh from traffic movements

Letters of support made points which included:

- Substantial investment has been given to the transformation of the pub by the owners
- Will provide much needed employment to the area
- Guests of the hotel will spend money in the local area
- Plans are well thought out and sympathetic to the environment and are of a high standard
- The development will support local businesses and tourism
- There is a need for another wedding venue in the area
- Wellness centre would be good for visitors and local residents
- Will make the village more desirable
- One of the best dining experiences and settings in the area
- Great example of a local businessman putting something back into the community
- Providing support of food parcels for local people during lockdown
- Premises stood empty and the building fell into disrepair before being purchased by the current owner
- Aspirations to be one of the top destination venues in Suffolk should be applauded
- “Staycations” being more likely in the current climate
- Will benefit Hadleigh as a “Destination”
- It is crucial as a society that we support and encourage independent business owners

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

### **PLANNING HISTORY**

<b>REF:</b> B/0998/84/FUL	Provision of new toilets and rear entrance.	<b>DECISION:</b> GRA 03.10.1985
<b>REF:</b> B/0135/84/LBC	Provision of new toilets and rear entrance.	<b>DECISION:</b> GRA 03.01.1985
<b>REF:</b> B/17/00965	Application for Listed Building Consent- Erection of external lighting, consisting of 14 No. car park bollards, associated terracing and pathway lighting, and replacement sign lighting.	<b>DECISION:</b> GTD 19.09.2018
<b>REF:</b> B/17/00964	Full Planning Application - Erection of external lighting, consisting of 14 No. car park bollards, associated terracing and pathway lighting, and replacement sign lighting.	<b>DECISION:</b> GTD 19.09.2018
<b>REF:</b> B/15/01364 <b>REF:</b> B/15/01365 (LB)	Improvements, extensions and alterations to existing Public House and curtilage structures, including: 1. Basement layout amendment, including the addition of a low level lean to structure on the North elevation. 2. Alterations to the first-floor accommodation to remove the managers flat and replace this	<b>DECISION:</b> GRA 17.11.2015

with 2 additional en-suite bedrooms. 3. Internal alterations to the new kitchen. 4. Omit the garden store out building located in the grounds to the West of the terraces and omit the entrance gazebo located to the East of the main building adjacent to the car park. 5. Replace the garden out building and entrance gazebo with a one and a half storey detached bedroom building containing an additional two bedrooms (amendments to previous permission B/14/01630/FUL).

<b>REF:</b> B/15/00558	Construction of modified access to car park; Erection of garden building; Erection of pergola structure and erection of railings and entrance piers to site frontage.	<b>DECISION:</b> GRA 25.06.2015
<b>REF:</b> B/14/01630 <b>REF:</b> B/14/01631 (LB)	Erection of single-storey extensions & two-storey rear extension & associated works, window & door insertions; remodelling of existing extensions; construction of new single-storey rear glazed lobby extension; conversion of adjoining barn to provide Manager's flat & staff facilities; erection of detached gardener's store building; landscaping and terracing works to rear gardens; construction of new vehicular access; extension of existing car park (previously approved under PP. B/05/01898) & associated landscaping (Resubmission of application B/14/00951/FUL with varied design).	<b>DECISION:</b> GRA 18.02.2015
<b>REF:</b> B/14/00951 <b>REF:</b> B/14/00952 (LB)	Erection of single storey extensions & two storey rear extension & associated works, window & door insertions, remodelling of existing extensions, construction of new lobby, conversion of adjoining barn to provide Manager's flat & staff facilities & associated internal works, erection of gardener's store building, landscaping works, & construction of new vehicular access & extension of car park & associated landscaping.	<b>DECISION:</b> GRA 24.10.2014
<b>REF:</b> B/12/00713 <b>REF:</b> B/12/00714 (LB)	Change of use of ancillary accommodation to the public house (Use Class A4) to 1 No. self-contained dwelling (Use Class C3) and erection of fencing.	<b>DECISION:</b> WDN 26.11.2012
<b>REF:</b> B/08/01169	Erection of 2 (no) single-storey rear	<b>DECISION:</b> GRA

<b>REF:</b> B/08/01170 (LB)	extensions (following part demolition of existing single-storey rear extension). Reconstruction of chimney stack, construction of rear terrace and associated ramps, and erection of bin enclosure. As amplified by information received on the 09/09/08.	10.09.2008
<b>REF:</b> B/08/00173	Application for Listed Building Consent - Construction of terrace and ramps; erection of single-storey rear extension; insertion of replacement door; blocking-up of 4 no. windows (as amended by details dated 13/03/08).	<b>DECISION:</b> REF
<b>REF:</b> B/08/00172	Construction of terrace and ramps; erection of single-storey rear extension (as amended by details dated 13/03/08).	<b>DECISION:</b> REF
<b>REF:</b> B/07/00308	Application for Listed Building Consent - Demolition of existing single-storey rear extension; erection of single-storey rear extension; insertion of 1 no. window and 1 no. pair of French doors; insertion of 1 no. replacement window and 1 no. replacement pair of French doors; blocking up of 1 no. door and 5 no. window openings; demolition and reconstruction of stack to rear addition; internal alterations; construction of terrace and ramps; erection of walls/fencing; insertion of 2 no. flues to rear roofslope (as amended by details dated 05/06/2007).	<b>DECISION:</b> GRA
<b>REF:</b> B/07/00309	Retention of new carpark to serve public house (amended scheme to planning permission B/05/01898/FUL).	<b>DECISION:</b> GRA
<b>REF:</b> B/07/00307	Erection of single-storey rear extension (following demolition of existing single-storey rear extension); alterations to rear fenestration; reconstruction of stack to rear addition; construction of terrace and ramps; erection of walls/fencing; insertion of 2 no. flues to rear roofslope (as amended by details dated 05/06/2007).	<b>DECISION:</b> GRA
<b>REF:</b> B/05/01898	Construction of new car park to serve public house (re-submission of B/05/01570/FUL) as amended by drawing nos. 05/099 01 Rev B and 05/099 02 Rev B received on 5th December 2005.	<b>DECISION:</b> GRA

<b>REF:</b> B/05/02142	Alteration and extension of Public House.	<b>DECISION:</b> REC
<b>REF:</b> B/05/01570	Construction of new car park to serve public house.	<b>DECISION:</b> WDN 03.11.2005
<b>REF:</b> B//02/00475	Application for Listed Building consent - Erection of single storey rear extension. Internal alterations.	<b>DECISION:</b> GRA 20.05.2002
<b>REF:</b> B//02/00474	Erection of single storey rear extension	<b>DECISION:</b> GRA 20.05.2002
<b>REF:</b> B//98/01000	Application for listed building consent - provision of 4 lamps to front elevation, 2 lamps to side elevation and 1 lamp to front elevation of cottage	<b>DECISION:</b> GRA 08.10.1998
<b>REF:</b> B//84/00998 <b>REF:</b> B/LB/84/80135(LB)	PROVISION OF NEW TOILETS AND REAR ENTRANCE	<b>DECISION:</b> GRA
<b>REF:</b> B/LB/91/00475 <b>REF:</b> B//91/00476 (Full)	APPLICATION FOR LISTED BUILDING CONSENT - INSERTION OF NEW DOOR AND WINDOW TO FRONT ELEVATION (EXISTING DOOR TO BE BLOCKED UP) AND INTERNAL ALTERATIONS TOGETHER WITH RE-POSITIONING OF NAME BOARD AS AMENDED BY LETTER DATED 21.05.91	<b>DECISION:</b> GRA
<b>REF:</b> B//97/00981	CHANGE OF USE FROM PUBLIC HOUSE TO A DWELLING	<b>DECISION:</b> REF

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1 The Marquis is a Grade II Listed hotel and restaurant on the edge of the village of Upper Layham. The building had sat empty for a considerable time and fell into disrepair until the current owner purchased the property and invested into extending and improving the building in 2015. The building currently operates as a small boutique hotel and restaurant.
- 1.2 The site is elevated in the landscape, which is designated as a Special Landscape Area, with the River Brett flowing at the bottom of the valley to the west of the site. There are far-reaching views across the valley towards Lower Layham.
- 1.3 The site is located on the B1070 which is the main route for Hadleigh and the surrounding area to access the A12 at Holton St Mary.

- 1.4 The site comprises the main hotel building, which is Grade II Listed, a terraced garden, a detached new building that is used as a bridal suite and a large car parking area with direct access onto the B1070. The land extends down to the River Brett. The field adjacent to the car park to the south of the site has been purchased by the applicant as has Windy Ridge, which is a detached dwelling and garden to the south.

## **2.0 The Proposal**

- 2.1 The proposal includes a side extension that would form a “U” shape with the detached wedding suite which would contain an Events Terrace area. The extension would be one and a half storeys to the section fronting the highway and two storeys, with basement, which extends to the rear towards the west and provides the hotel with the following:

### Basement Level

- Spa pool
- Plunge pool
- Steam room
- Sauna
- Plant room
- Gym
- Changing Area
- Stairwell (and emergency stairwell)
- Lift
- WCs
- Laundry
- Staff room
- Cellar
- Cold store
- Pot wash
- Regen kitchen
- serve

### Ground Floor Level

- Banquet hall
- Storage
- Stairwell (and additional emergency stairwell)
- Lift
- Service area
- Lounge/bar
- Reception
- Office
- Bedroom and en-suite

### First Floor Level

- Stairs into the listed building
- Four bedrooms with en-suites
- Stairwell (and emergency stairwell)

- Lift
- Void above the banquet hall

In addition to the extension, a new access point would be formed, a formal garden, a new car parking area within the adjoining field and general landscaping of the land.

- 2.2 The existing hotel has a floorspace of 882 square metres. The extension, over the three floors, would provide an additional 1338 square metres of floorspace amounting to a total of 2220 square metres of floorspace on the site.
- 2.3 Parking arrangements have been proposed in accordance with Suffolk Guidance for parking 2019 and would comprise:
- 36 spaces for the existing building (180 square metres A4 Use Class)
  - 16 spaces for 16 bedrooms (C1 Use Class)
  - 20 spaces for staff (C1 Use Class)
  - 13 spaces for the Banquet Hall and bar (250 square metres D2 Use Class)
  - 16 spaces for the Pool and Gym (155 square metres D2 Use Class)
  - 5 Motorbike spaces
  - 19 Bicycle spaces
- 2.4 The side extension would be set back from the building line with the ridge height of the extension falling below that of the listed building. The extension would use the fall of the land to give a “stepped” appearance to the extension.
- 2.5 The proposed external materials for the extension would comprise:
- Bulmer red brick, English bond with lime mortar
  - Clay plain tile
  - Lead flashing
  - English oak framework
  - Thermally treated timber louvres
  - Monodraught natural ventilation cowels, classic model with bespoke modified capping- slate grey
  - Sandstone (Blonde) terrace and external step paving
  - Close Shou Ban weather boarding
  - Bespoke ironmongery black
  - Lime rendered sections to match existing
- 2.6 The site area is 2.19Ha

### **3.0 The Principle of Development**

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2 Babergh Local Plan policy CN01 - Design Standards is given full weight in assessing this proposal. CN01 requires that developments are of an appropriate scale, form, design and materials for the location. Developments should respect adjacent development and the

surrounding environment. This includes any soft and hard landscaping proposed. This is discussed in full in parts 6 and 7 below.

- 3.3 Babergh Local Plan policy CN06 - Listed Buildings is given full weight in assessing this proposal. CN06 concerns itself with the protection and enhancement of listed buildings and their settings. This includes alterations and extensions. The policy seeks to protect historic fabric of listed buildings, to retain features which form part of the building's special interest and to use appropriate design, scale and materials which respect the heritage asset. This is discussed in full in part 9 below.
- 3.4 Babergh Local Plan policy CR04 - Special Landscape Areas is given full weight in assessing this proposal. CR04 seeks to maintain or enhance special landscape qualities and to provide developments which harmonise with the landscape. This is discussed in full in part 7 below.
- 3.5 Babergh Local Plan policy EM01 - General Employment - is given full weight in assessing this proposal. EM01 considers job creation, residential amenity, environmental quality, traffic generation and road safety. This is discussed in full in parts 5, 7, 8 and 10 below.
- 3.6 Babergh Local Plan policy EM20 - Expansion/Extension of Existing Employment Uses - is given full weight in assessing this proposal. EM20 encourages expansion/extension of an existing employment use where there is no conflict with residential amenity, environmental issues or highway safety. This is discussed in full in parts 5, 7, 8 and 10 below.
- 3.7 Babergh Local Plan policy TP15 - Parking Standards - New Development - is given full weight in assessing this proposal. TP15 requires that all development should comply with current parking standards. This is discussed in full in part 5 below.
- 3.8 Babergh Core Strategy policy CS01 - Applying the presumption in Favour of Sustainable Development in Babergh - is given full weight when assessing this proposal. CS01 requires that a positive approach is used when considering applications that improve the economic, social and environmental conditions in Babergh District. Evidence should be provided to support the application and should be approved unless there are adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme.
- 3.9 Babergh Core Strategy policy CS03 - Strategy for Growth and Development - is given full weight when assessing this proposal. CS03 encourages the economic growth of Core Villages, Hinterland Villages and rural areas by enhancing tourism and the attractiveness of the district as a destination for visitors. Layham is classed as a Hinterland Village and, therefore, this particular policy is an important one in terms of growth. The proposal is consistent with the aims of this policy by providing growth in terms of both employment opportunity and also enhancing tourist accommodation and being a destination for visitors to the area. Objections have been raised that the proposal is outside of the Built-Up Area Boundary (BUAB) of Layham. However, the hotel itself is within the BUAB and this proposal is for an extension to that building and the associated works which include the car parking and formal garden. CS03 allows for development outside of the BUAB.
- 3.10 Babergh Core Strategy policy CS15 - Implementing Sustainable Development - is given full weight in assessing this proposal. CS15 has a long list of criteria. The criteria that are relevant to this proposal include:
  - i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;

- landscape and heritage impacts are discussed below in parts 7 and 9.
  - ii) make a positive contribution to the local character, shape and scale of the area;
- character is discussed below in part 6 below.
  - iii) protect or create jobs and sites to strengthen or diversify the local economy, particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes;
- creation of jobs is an important factor in considering this proposal. The hotel currently employs 35 full-time staff and 25 part-time staff. The proposed extension would provide a further 20 full-time jobs and 20 part-time jobs, bringing the total number of staff to 55 full-time and 45 part-time positions. In a rural area, this is a significant increase in the number of jobs on offer.
  - v) retain, protect or enhance local services and facilities and rural communities;
- The applicant has made a case that because the hotel is relatively small, the number of guests staying and eating there is limited. In order to make the hotel viable, and to enable it to operate effectively, more investment is required to encourage people to come and stay at a “destination hotel”. The more that the hotel can offer guests, the wider the appeal to people looking to stay in the area. This will enable the hotel to remain open, and for local people to have a successful hotel and restaurant that provides a hub for local people to meet.
  - vii) protect and enhance biodiversity, prioritise the use of brownfield land for development, ensuring any risk of contamination is identified and adequately managed, and make efficient use of greenfield land and scarce resources;
- Water Voles and Otters are known to frequent the River Brett. Approval of this application would secure protection and enhancement of biodiversity by conditions required by the Local Planning Authority’s Ecologist and is discussed in part 7 below.
  - xii) minimise surface water run-off and incorporate sustainable drainage systems (SUDs) where appropriate;
- Surface water issues are discussed in part 8 below.
  - xvi) promote healthy living and be accessible to people of all abilities including those with mobility impairments;
- The scheme includes a bedroom at ground floor level and all floors of the proposed extension would have access to the lift, making the hotel and its facilities accessible for all guests. The listed building is on different levels, making it difficult for physically impaired people to move around the building in a safe and easy manner.

3.11 Babergh Core Strategy policy CS17 - The Rural Economy - is given full weight when assessing this proposal. CS17 supports developments in rural areas in the form of sustainable tourism and leisure-based businesses (including those offering a diverse range of visitor accommodation, activities or experiences). Babergh relies heavily on its tourist trade because of the district’s rural nature. Babergh has two Areas of Outstanding Natural Beauty, a history associated with world renowned artists, beautiful towns and villages and open countryside. The development is

proposing a wedding venue, additional bedrooms to an existing hotel and leisure facilities and is considered to comply with this policy.

- 3.12 The National Planning Policy Framework (NPPF) sets out aims for achieving sustainable development on an economic, social and environmental level. Paragraph 80 of the NPPF encourages businesses to invest, expand and adapt. Its aim is that significant weight would be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In addition, paragraph 84 recognises that sites for new development may fall outside of existing settlements.
- 3.13 The proposal is considered to comply with the development plan policies listed above and these policies are consistent with the aims of the NPPF.

#### **4.0 Nearby Services and Connections Assessment of Proposal**

- 4.1 Layham is classed as a Hinterland Village in the Core Strategy. It is a small village which is divided into two parts – Upper Layham and Lower Layham. The two parts are divided by the River Brett. Only Upper Layham has a Built-Up Area Boundary. There are limited facilities in the village, which include The Marquis in Upper Layham and the Village Hall and Queens Head public house in Lower Layham. There is a footpath which links the two areas together. Although there are limited facilities in Layham itself, Hadleigh is within an easy walk along a pedestrian footpath which runs alongside the B1070. Hadleigh is classed as a Town in the Core Strategy and has many facilities and amenities for local residents and a regular bus service which links the town to Sudbury and Ipswich.
- 4.2 The Marquis is located on the B1070, which is the main linking road for Hadleigh and the surrounding area in gaining access to the A12 at Holton St Mary. It is also the linking road with Manningtree Railway Station.
- 4.3 There is easy access for guests staying or eating at the Marquis from a wide-ranging area. Although it is anticipated that most guests would either walk or drive to the hotel, there is also the opportunity to arrive by railway or bus with a short taxi ride to the hotel.
- 4.4 The B1070 is a relatively busy road and the hotel is ideally placed to pick up passing trade from visitors that are in Hadleigh and the surrounding area. In addition, it is anticipated that other businesses in the locality would benefit from additional guests staying at the hotel and wish to explore the area.

#### **5.0 Site Access, Parking and Highway Safety Considerations**

- 5.1 It is proposed to build the extension on the existing car park of the hotel. The existing vehicular access is proposed to be stopped up and a new access point for vehicles would be created in the field adjacent to the south of the existing car park. This access would serve a new enlarged car park comprising 102 parking spaces, this includes six disabled spaces. 63 parking spaces would be on a properly surfaced area and the other 39 spaces with a refuse bin collection point would be an overflow car park for when events take place. This overflow would be on a grassed area, with post and rail fencing and gates, which would be shut when events are not taking place.
- 5.2 The proposed new access is considered to be an improvement to the existing, which is very steep and can be tricky to pull out of. Suffolk County Council has raised no objection to the scheme on highway safety or parking grounds. However, it does require conditions to secure:

- The access
- Visibility splays
- Footway to be constructed to link to the existing footway on Upper Street
- Parking areas to be retained and used for no other purpose
- The refuse bin area to be retained for no other purpose
- A Construction Management Plan to be agreed

5.3 The Parish Council and some objectors have raised concerns over speeding through the village. Although this issue is a serious one, it is not connected with this application. The SCC Highway Authority has raised no objection to the scheme on highway safety grounds.

5.4 Some objectors have raised issues of parking because of the significant increase in development of the site. The SCC Highway Authority has not raised any issues of parking for the proposal and the number of spaces provided are compliant with the Suffolk Parking Standards 2019.

5.5. Parking and access are considered to be policy compliant and have led to no objection from the statutory consultee.

## **6.0 Design and Layout**

6.1 The proposed extension to the hotel is large. The floorspace created would more than double the size of the hotel. To break up the massing of the extension, it has been set back from the side elevation of the existing listed building and the roof ridge set below so that the original listed building can be “read” as a stand-alone building with the extension being “read” as a clear extension to the original. The extension uses the changes in levels on the site to sink into the landscape, which enables the two-storey height of the extension to sit below that of the listed building.

6.2 The extension gives the appearance of the site being developed over time with a design and a use of materials that are locally distinctive to Suffolk. Such development is not uncommon within historic settings of listed buildings. The extension would make new openings into the listed building at both ground floor and first floor levels to enable guests to move freely around the hotel and its extension. A lift is proposed to all floors of the hotel, including the basement, which houses the spa facilities. This is considered to be an improvement to the hotel as the listed building is on different levels and cannot be accessed properly in all areas by wheelchair users.

6.3 The extension fronting the highway has a reception. The existing hotel has the reception at the rear of the building and can be confusing for pedestrians on how to access the building. The reception area is level access, which makes it easy for wheelchair users to enter the building. This part of the building uses horizontal boarding and brick to distinguish it from the listed building and is one-and-a-half storeys in height.

6.4 The largest section of the extension is the Banquet Hall. This part of the building would be three storeys – two above ground, plus a basement. This section has a granary aesthetic and is a brick building with some brick detailing to break up the elevations.

6.5 The front and side elevations of the extension have a very traditional design. However, the rear of the building is more contemporary and matches the existing extensions to the listed building and bridal suite which have large areas of glazing overlooking the valley.

6.6 In addition to the car parking and extension, it is also proposed to provide landscaping on the site. Currently there are outside terraced areas directly outside of the rear of the hotel. The land then

falls away to the river and is laid to grass with some trees. It is proposed to make a formal garden with paths and a water feature to the west of the car park. A terrace is proposed between the proposed extension and the existing bridal suite. Significant tree planting is also proposed.

- 6.7 The layout of the site and the design and materials of the extension are considered to be acceptable. There have been no objections from the statutory consultees on these issues.

## **7.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 7.1 The site lies wholly within a Special Landscape Area and is within an elevated position above the River Brett, with far reaching views. A full Landscape Management Plan and Specification and Landscape Appraisal have been received as part of the application submission. These documents and plans have been subject to consultation with our Landscape Officer.

- 7.2 The application site sits in a prominent position south of the Upper Layham settlement boundary on the B1070. The northern part of the site relates to the existing grounds of the Marquis of Cornwallis Public House, while the southern part of the site extends across the adjoining arable field. If approved, the proposed development would extend the settlement boundary southwards into the countryside. The site slopes to the west to the River Brett that abuts the western boundary. On the opposite side of the river, the arable landscape rises up the valley slope with PRoW 2 intersecting the arable field. The site also sits within the Brett Vale Special Landscape Area (SLA) and lies approximately 1.0 miles north of the Dedham Vale Area of Outstanding Natural Beauty (AONB). Policy CR4 Special Landscape Areas (Babergh Local Plan (2006) Saved Policies) states that development proposals in SLAs will only be permitted where they maintain or enhance the special landscape qualities of the area and ensure that the proposal is designed and sited so as to harmonise with the landscape setting.

- 7.3 During the course of the application, the Landscape Officer required further information to help inform, justify and mitigate any impacts of the proposed development, because a greater importance should be given to this landscape and its character by ensuring the proposed layout and landscape design are sympathetic to their surroundings.

- 7.4 In response to the comments of the Landscape Officer, a revised Landscape and Visual Appraisal, Strategic Landscape Plan (Drawing ref: 20.5033.01), Design Appraisal and Management and Maintenance Plan have been submitted. The revised Landscape Appraisal follows the third edition of the "Guidelines for Landscape and Visual Impact Assessment"(GLVIA3) and now includes reference to the site's sensitive location within the SLA. A detailed methodology that provides the definitions and appraisal matrix, which has informed the consultant's findings, has also been included and assures us that appropriate professional judgement has been used. In addition, the photography and visualisations within the appraisal have been revised to conform with the guidance contained within The Visual Representation of Development Proposals Technical Guidance Note 06/19 (Landscape Institute, September 2019).

- 7.5 The Landscape Officer has not objected to the proposed scheme and considers that the proposed planting is acceptable in terms of softening the impact of the extension and car park. A condition is required for full details of soft and hard landscaping to secure the final details.

- 7.6 During the course of the application, issues of ecology were raised. Otters and Water Voles are found in the River Brett close to the site. Surveys of the river and the riverbank were submitted as part of the application submission and reviewed by the LPA's Ecologist.

- 7.7 The Ecologist is satisfied that sufficient ecological information is currently available for determination. This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 7.8 The Ecologist is satisfied that the revised Strategic Landscape Proposals – Rev B (Andrew Hastings Landscape Consultants Ltd, August 2020) has been designed to avoid impacts to Water Voles. In addition, the further Otter Assessment (Eco-Planning UK Ltd, February 2021) also allows impacts to be ruled out for this European Protected Species. However, no works that would impact Water Voles or the River Brett Local Wildlife Site should be undertaken within the proposed 20 metre Habitats Zone, in line with the Management Plan and Specifications (Andrew Hastings Landscape Consultants Ltd, October 2020).
- 7.9 In addition, it is highlighted that the Ecologist approves of the proposed landscape recommendations for this scheme. Therefore, the planting specification and schedule, details of implementation and associated management recommendations contained within the Strategic Landscape Proposals – Rev B (Andrew Hastings Landscape Consultants Ltd, August 2020) and Management Plan and Specifications (Andrew Hastings Landscape Consultants Ltd, October 2020), are supported. However, it is noted that the Management Plan and Specifications references the provision of bird and bat boxes and management of these feature, but does not include the locations of these bespoke enhancement measures within the Strategic Landscape Proposals – Rev B. As a result, we recommend that a Biodiversity Enhancement Layout should be secured as a condition of any consent. This will ensure that measurable net gains for biodiversity will be secured for this scheme, as outlined under Paragraph 170[d] & 175[d] of the National Planning Policy Framework 2019.
- 7.10 This will enable the LPA to demonstrate its compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable subject to a condition to secure a Biodiversity Enhancement Layout.
- 7.11 The landscaping and ecology mitigation is considered to be acceptable.

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 The proposal is a major development and therefore triggers the requirement for a Sustainable Urban Drainage Strategy (SUDS). Suffolk County Council Water and Floods Team has been consulted on the application and raises no objection to the scheme based on the information provided in the Flood Risk Assessment and Drainage Strategy. However, standard conditions are required to secure the implementation of the SUDS and to secure details of a Construction Surface Water Management Plan.
- 8.2 Objectors have raised issues of whether the foul drainage system can cope with the additional development. Anglian Water have confirmed that the foul drainage from this development is in the catchment of Hadleigh Water Recycling Centre that will have available capacity for these flows.
- 8.3 Objectors have also raised the issue of blocked drains. The applicant has confirmed that The Marquis has a professional system to control effluent and recycles fats and oils. The Marquis has three processes to prevent oils and fats entering the drainage system:
- All used cooking oil is poured into cans which are collected and removed from the premises by Olleco.

- Pots, pans, plates and so on which still have traces of oil and/or fat are washed in a commercial pot washing machine. Any oil or fat that is cleaned from these items then runs through the BioCeptor device described below which breaks them down. (The Bioceptor is BBA approved).
- The kitchen is fully cleaned down every evening with the water running into drains with traps that collect any solid items – these are then emptied into waste bins and removed from site.

With these three measures in place, there is VERY little opportunity for any fat or oil to find its way into the drainage system. It is important to emphasise that these processes do not merely comply with minimum requirements, they are in fact industry leading.

- The kitchen has a Mechline BioCeptor FOG Intercept and treatment unit with GreaePak bio-fluid dosing module which breaks down fats, oils and greases (FOGs) to prevent them entering the drainage system.
- The Bio packs last between 1 and 2 months and are fitted with an alarm to let you know when its running low and needs to be replaced. This is carried out by the kitchen staff.
- All of the new proposals will strictly apply the correct technical approach to control and treatment of discharge to foul drains.

## **9.0 Heritage**

- 9.1 The Marquis is a Grade II Listed Building. During the course of pre-application and application stages, there have been negotiations between the applicant and the Heritage Officer on the design, layout and materials of the proposed extension.
- 9.2 This application relates to the proposed extension of the Grade II listed building designated as the Marquis Cornwallis Inn, a C17th timber-framed structure with C18th alterations, and the Grade II listed C17th and C18th timber-framed cottage attached at its northern end. The issues of Heritage Team concern focus on the impacts of the proposed development on the significance of the property.
- 9.3 A pre-application enquiry, reference no. DC/19/00704 concerned a similar proposal, albeit the current scheme appears to be a larger and slightly different floor area.
- 9.4 The principle of extending so dramatically is acceptable only because the changing land levels can helpfully accommodate a perpendicular range, so long as they are utilised to ensure the overall height and location of the structure is subservient to the main part of the property. There must be sufficient respect paid to the scale and visual prominence of the Marquis - which, after all, has already been extended quite notably in the recent past - to ensure the C17th and C18th parts of the buildings remain the most important in the collection of elements. In order to achieve this and develop such a large extension, the hierarchy must be obvious.
- 9.5 The scheme that was submitted with the application saw a large perpendicular range which headed downhill towards the river, with a linking element on two storeys aligned parallel with the historic inn and the cottage. There was difference in the footprint, articulation and roof forms between that shown on either of the iterations in the pre-application enquiry. The elevations to the road and south flank are attractively plain, which helps articulate subservience to the Marquis. The changing ground levels have been utilised to some extent in the creation of the range, but there is a concern that the overall height of the new block was excessive and did not respect the

massing of the main part of the Marquis. The proposed south elevation showed a very broad and very tall structure, which consisted mostly of roof. The Heritage Officer's view was that in order to achieve the fundamental requirement to sustain the significance of the Marquis, this range must be notably lower. It was discussed at the pre-application meeting in 2019, staggering the floor levels and ridge as the building recedes into the plot would explain the land level changes and help amplify the subservience that must be shown.

- 9.6 The proposal was considered overbearing and, despite the simplicity of articulation on at least two elevations, the levels change and a reasonable degree of set-back from the historic gable, it would be very prominent on approaching Layham from the south. Therefore, the scheme did not accord with the requirements of the Local Plan policies CN01 and CN06, which require that proposals for the extension of a listed building should 'be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting'. In terms of the NPPF this scheme would have resulted in a low level of less than substantial harm. Reducing its overall bulk and staggering its ridge notably as it heads west towards the river, could help ensure the scheme would overcome Heritage concerns.
- 9.7 Following these comments from the Heritage Officer a revised scheme was received. The changes to the proposed extensions to the Marquis of Cornwallis are now almost acceptable from a Heritage Team perspective. The ridge of the main perpendicular range does not appear to have been lowered since the last iteration, with the result that the structure remains a little too prominent - but the set-back from the road, the functional and attractive articulation and the varying ridge levels which are as a result of the better use of ground levels, mean that the large mass of the extensions now appears, if not entirely subservient to the main historic ranges of The Marquis, then at least more appropriate than previously. The detailing to all elevations is attractive and simple and ensures the visual and architectural prominence of the historic ranges is largely retained.
- 9.8 The large formal garden is not unsuited to a wedding venue of the style shown here and, subject to conditions concerning the materials to be used in its construction, it will be acceptable.
- 9.9 The Heritage Officer did raise concern that a very unsightly substation is now proposed to be located against the roadside. The Heritage Officer considered that this is not appropriate as it would detract from the landscape, and in views as one approaches from the south. In turn this would harm the setting and therefore the significance of the Marquis.
- 9.10 In terms of the NPPF, the result of the finished ridge height of the perpendicular range, and the location of the substation is a very low level of less than substantial harm to the significance of the asset. By reducing the ridge, and by relocating the substation away from the Marquis, the harm could be reduced further. The harm should be weighed against the public benefits.
- 9.11 This low level of less than substantial harm is considered to be outweighed by the considerable ongoing public benefits of the provision of significant employment opportunities, retention of an existing business and also retention of a public house for the local residents and a focal point for Upper Layham.

## **10.0 Impact on Residential Amenity**

- 10.1 Local residents have raised concerns over noise impacts from the proposed development. The starting point must be that this is an existing business with outside terraced areas. The hotel has the full use of the land down to the river. This has been the case since before the current owner purchased the site. This is a hotel and therefore it is reasonable that there would be some noise

generated from people eating and drinking outside on summer evenings. However, there are hotel rooms above the public areas and therefore it is reasonable to assume that noise levels would be restricted by staff to ensure that hotel guests are not disturbed during their stay.

- 10.2 The Environmental Protection Team were consulted on the application and having studied the submitted documents and in particular the acoustic report and recommendations within, they have no objections in principle to this development. However, they recommend that entertainment noise conditions are included on any permissions granted.
- 10.3 A condition to secure specific lighting will be required to ensure that neighbours are not disturbed by light pollution. Noise and emissions during construction can be mitigated through measures that are conditioned.
- 10.4 It is noted that the nearest residential property to the car parking area, Windy Ridge, has been purchased by the applicant. This is the property that would be most affected by traffic movements within the site.
- 10.5 It is noted that the proposed Events Terrace would be contained on three sides by buildings which will contain noise that may disturb the neighbouring properties. The formal garden is centrally located on the plot, partially where the existing bottom car park is located. The centre of the formal garden would be 92 metres away from the boundary of Windy Ridge (east) and 94 metres to the boundary of No. 6 Old Orchard (west). This change is considered to be an improvement to the neighbours in terms of visual amenity and noise disruption as it is likely that people will congregate towards the centre of the site during weddings or events.

#### **11.0 Parish Council Comments**

11.1 Layham Parish Council have raised a number of concerns which include:

- much of this proposed development is outside the 'built-up boundary' of Upper Layham
- is within the Brett Vale Special Landscape Area
- loss of a significant parcel of agricultural land and the doubling in size of the restaurant/hotel in a rural situation may represent 'adverse impact' in environmental terms and certainly does in the eyes of many Layham residents
- drainage arrangements are not fully resolved
- used water disposal has not yet been settled with Anglia Water. Note should be taken of observations from nearby residents who believe that the sewerage piping running through their properties is not robust enough to cope with the extra load.
- In the unlikely event of Babergh Council overriding its own guidance and the project given the green light, it is important that we have lodged our concerns that everything possible is done to integrate the development, particularly the car parking areas, into the existing landscape
- the current hotel premises are not currently running at anywhere near maximum capacity
- The proposal seeks to increase the size of the Marquis to 2200sqm [an increase of 139%] which is of a size and scale not in proportion to either the adjacent development on Upper Street or the environment within which it sits.
- noise levels will increase as a result of the planning application
- We object to this planning application on the basis of the lack of parking both in number of spaces and availability of suitable parking for a wedding / event venue
- The traffic survey presented in support of this application does not reflect the reality of traffic usage and speeds on the B1070. This is clearly evidenced by the more comprehensive speed survey conducted by Suffolk Highways and commissioned by the Parish Council in response to

known and longstanding concerns regarding speeding into and out of the village at The Marquis site.

- This proposed development is situated within a village setting where the only significant light pollution comes from the existing Marquis site. This is essentially a dark village with no street lighting, the only lighting coming from village residences, and backs onto the Brett Vale Special Landscape Area
- It is an important consideration that the local amenities are not adversely impacted by the development proposals. In 2019 residents of Upper Street were affected by raw sewage in their gardens and properties, where it had come up out of their toilet, and an emergency call was made to Anglian Water. On investigation the blockage, which took 9 hours to remove, was caused by a massive fat burg.

The matters raised by Layham Parish Council have been addressed in the above report.

## **PART FOUR – CONCLUSION**

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### **12.0 Planning Balance and Conclusion**

- 12.1 The issues raised by the Parish Council and local residents have been fully explored with appropriate reports and consultations. Heritage harm is considered to be outweighed by the public benefits of the scheme. Ecology, landscape impact and residential amenity can be mitigated by securing appropriate conditions which will be fully explored by the LPA's expert consultees at a later stage. It is acknowledged that the proposal is for significant development of the site. However, the Marquis has been renovated to a high standard and it is anticipated that this standard will be reflected in the further development of the site. The proposal accords with the development plan policies which are consistent with the aims of the NPPF.

### **RECOMMENDATION**

That the application is GRANTED planning permission and includes the following conditions: -

- Time limit
- To be in accordance with the approved plans and documents
- Hard and soft landscaping scheme
- Landscaping time limit
- Biodiversity Enhancement Layout
- External lighting
- Detailed joinery sections for all glazed panels, windows and external doors at 1:2 or 1:10 as appropriate
- Detailed joinery sections for all eaves and verges at 1:10
- Sample panels of brickwork not less than 1msq to be constructed and retained on site for the duration of construction. Photographs submitted and opportunity given for the Heritage Officer to attend site.
- Manufacturer's literature for timber cladding
- Manufacturer's literature and detailed drawings of balcony handrail at 1:10
- Manufacturer's literature for rainwater goods
- Manufacturer's literature for roof cladding
- Detailed drawings of ridgeline vent stacks at 1:20

- Manufacturer's literature and details of all external hard surfaces and boundary treatments
- Highways Access
- Highways Visibility
- Footway link
- Parking
- Refuse Bin storage
- Construction Management Plan
- SUDS
- Construction Surface Water Management Plan (CSWMP)
- Level of internal amplified sound to be restricted
- Noise Management Plan
- No amplified music outside
- Barriers to mitigate impact of noisy operations
- Restriction on construction working hours
- Machinery to operate on site to be BS:5228 compliant
- Mobile plant to be fitted with non-audible reversing alarm
- Method statement for piling works
- Waste to be recycled or removed from site
- No burning on site
- Bulk carrying vehicles to be sheeted