

Committee Report

Item 6B

Reference: DC/20/01518

Case Officer: Samantha Summers

Ward: Brett Vale.

Ward Member/s: Cllr John Ward.

RECOMMENDATION – GRANT LISTED BUILDING CONSENT WITH CONDITIONS

Description of Development

Application for Listed Building Consent. Extensions to provide additional facilities including; reception, banquet hall, wellness centre and additional bedrooms.

Location

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

Expiry Date: 08/04/2021

Application Type: LBC - Listed Building Consent

Development Type: Listed Building Consent - alterations

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.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Head of Economy 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. Full Planning Application DC/20/01517 is also before Members.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

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 (Appendix 4)

Society for the Protection of Ancient Buildings

“Thank you for notifying the SPAB of this application for Listed building Consent, we apologise for the delay in responding. We note that we provided advice on this application in May 2020, at which time we objected to the design of the proposed extension as being inappropriate in terms of scale and massing, commenting that that the overall height of the new block was excessive, and that the extension did not respect the massing of the main part of the principal building.

While we appreciate that an attempt has been made to address these concerns, notably by stepping down a section of the roof line, the fact remains that the extension is simply disproportionately large in

relation to the main building. As we said in our previous advice, the Society takes the view that additions such as this should be subservient to the original structure, and that cannot be said of an addition which adds 1338m² to an existing building of 882m².

Given its highly visible position at the entry to the village, there will be harm caused to both the historic asset and its setting. Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The justification provided by the applicant centres on a desire to expand what is already a sizeable and viable business and we do not think that that is sufficient to meet the test set out in paragraph 194.

The proposed works by virtue of their detrimental impact on the Marquis of Cornwallis would adversely affect the character and special architectural and historic interest of the listed building. The works would, therefore, cause harm to the significance of the heritage asset contrary to paragraph 195/196 of Chapter 16 of the National Planning Policy Framework 2019.

In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals, special regard should be given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. As a result, consent should not be given until the above points are adequately addressed; we object to the current proposals and urge you not to grant consent for this scheme.”

County Council Responses (Appendix 5)

SCC - Archaeological Service

Upon further discussions with the team, it is 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.

Internal Consultee Responses (Appendix 6)

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 at the end of this report).

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. NOTE – these comments are also in relation to the Full Planning application DC/20/01517.

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 weddings 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 public 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

See DC/20/01517

PART THREE – ASSESSMENT OF APPLICATION

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 considerable monies 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 4 and 5 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, to use appropriate design, scale and materials which respect the heritage asset. This is discussed in full in part 5 below.
- 3.4 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 improves the economic, social and environmental conditions in the 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.
- 3.5 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals, special regard should be given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest.

- 3.6 Section 16 of the National Planning Policy Framework (NPPF) aims to conserve and enhance the historic environment. Paragraph 196 is of particular importance for this application as a level of “less than substantial harm” has been identified by both the Society for the Protection of Ancient Buildings and the LPA’s Heritage Team.
- 3.7 Where “less than substantial harm” has been identified, Paragraph 196 requires that the harm is weighed against the public benefits of the scheme, and where appropriate this would include securing the heritage asset’s optimum viable use.

4.0 Design and Layout

- 4.1 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, the extension 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.
- 4.2 The extension gives the appearance of the site being developed over time with the use of materials and design 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.
- 4.3 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.
- 4.4 The largest section of the extension is the Banquet Hall. This part of the building would be three storeys – two above ground and a basement. This section has a granary aesthetic and is a brick building with some brick detailing to break up the elevations.
- 4.5 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.
- 4.6 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.
- 4.7 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.

5.0 Heritage

- 5.1 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.
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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.
- 5.6 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.
- 5.7 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.

- 5.8 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.
- 5.9 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.
- 5.10 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.
- 5.11 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.

6.0 Parish Council Comments

- 6.1 Layham Parish had many comments on the proposed scheme. The comments mostly relate to planning matters rather than been specific to the heritage asset. The Planning matters are covered in the Planning Application report DC/20/01517. Heritage matters are covered in the report above.

PART FOUR – CONCLUSION

7.0 Planning Balance and Conclusion

- 7.1 Listed building consent application deal with the heritage impacts only and not the wider planning issues that are raised during the application process. Less than substantial harm has been identified by the Heritage Team and the Society for the Protection of Ancient Buildings. As required by the NPPF, the harm has been weighed against the public benefits of the scheme. The public benefits of the protection and on-going maintenance of the listed building are considered to outweigh the level of harm identified. The large extension is considered to secure the optimum viable use of the site.

RECOMMENDATION

That the application is GRANTED listed building consent and includes the following conditions: -

- Time limit
- To be in accordance with the approved plans and documents

- 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.