Committee Report

Item No: 7b

Reference: DC/22/01963 & DC/22/01964 Case Officer: Daniel Cameron

Ward: Hoxne & Worlingworth. Ward Member/s: Cllr Matthew Hicks.

RECOMMENDATION – REFUSE PLANNING PERMISSION AND LISTED BUILDING CONSENT

Description of Development

Full Application with linked Listed Building Consent - Erection of extension to Public House and alterations as per schedule of works within Heritage Statement (following part demolition of existing outbuilding), including part change of use to form farm shop.

Location

Swan Inn, Swan Road, Worlingworth, Woodbridge Suffolk IP13 7HZ

Expiry Date: 20/08/2022 Application Type: FUL - Full Planning Application Development Type: Change of Use Applicant: Mr & Mrs T Royall Agent: Hollins Architects Surveyors and Planning Consultants

Parish: Worlingworth

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: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The Director of Planning & Building Control considers the application to be controversial having regard to the nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework NPPG-National Planning Policy Guidance

Core Strategy Focussed Review (2012)

FC01 - Presumption in Favour Of Sustainable Development FC01 1 - Mid Suffolk Approach to Delivering Sustainable Development

Core Strategy (2008)

CS01 – Settlement Hierarchy

CS05 – Mid Suffolk's Environment

Local Plan (1998)

GP01 - Design and layout of development

H16 - Protecting existing residential amenity

H17 - Keeping residential development away from pollution

HB01 - Protection of historic buildings

HB03 - Conversions and alterations to historic buildings

HB04 - Extensions to Listed Buildings

HB05 - Preserving historic buildings through alternative uses

S07 – Provision of local shops

CL08 - Protecting wildlife habitats

T09 - Parking Standards

T10 - Highway Considerations in Development

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

Parish Council (Appendix 3)

Worlingworth Parish Council Comments Received – 20/05/2022

The work will help the pub come back into service and meet current standards for accessibility and health and safety regulations. Worlingworth Parish Council wholehearted support the applications.

National Consultee (Appendix 4)

Historic Buildings and Places (formerly Ancient Monument Society) Comments Received – 24/05/2022

Restoration and refurbishment of the public house to bring it back into use is welcomed. Relatively few alterations to the historic portion of the building are proposed. However, concern is raised with regards to the new additions to the southern elevation which was the original main entrance for the public house. We understand that the building is to be reorientated to the north and while the new northern addition does not read as a modern addition, it cuts across and obscures most of the main building.

Initial Society for the Protection of Ancient Buildings (SPAB) Comments Received – 08/06/2022

While the C19 portions of the building are not considered to be of particular merit, they obscure a portion of the original elevations and the replacement on the northern elevation is much larger. It is our opinion the proposed extensions would be of an incongruous design and scale and would compound harm already caused by the extensions already on the building forward of the building line.

In our view, the scale, massing and overall appearance of the extension is inappropriate and would cause an unacceptable level of harm to the special interest of the listed building.

Further SPAB Comments Received – 14/07/2022

Revised drawings omitting the extension to the south but retaining the extension to the north elevation are noted. While the intent of the application, to bring the building back into use as a public house is welcomed, we remain concerned that the scale, positioning and form of the new additions will lead to harm. While the original building will be legible to the southern elevation, it will be obscured to the north. The response from the Council's Heritage Team sets out the additional information required, and revised plans should be sought.

Final SPAB Comments Received – 10/08/2022

The rationale set out for the need for a function room is welcomed, as are the alternative locations for the northern extension. While the viability needs for the building, do not, in our view, justify harm to the special interests of the listed building, movement of the extension as shown in Option B might constitute a way forward as it would allow the greater part of the northern elevation to remain visible. While the application notes that locating the function room away from the originally proposed position may be functionally problematic due to its close proximity to the kitchens, however, given the main use of that part of the building would presumably be dining, it is not understood why proximity to the bar would be an overriding concern. Were Option B to be pursued, SPAB would feel able to support it.

County Council Responses (Appendix 5)

Archaeological Service Comments Received – 03/05/2022

No grounds to consider refusal of planning permission provided conditions are applied to ensure that below ground heritage assets are preserved in situ. Conditions to achieve this end are suggested.

Fire & Rescue Team Comments Received – 09/05/2022

No additional water supplies for fire-fighting purposes is required in respect of this planning application. Other comments are noted, however, these pertain to Building Regulations.

Initial Highways Comments Received – 18/05/2022

Holding objection requiring visibility splays to be shown from the proposed access.

Final Highways Comments Received – 24/06/2022

Holding objection is lifted given the provision of suitable visibility splays. Conditions to ensure delivery of the access, visibility splays, parking, electric vehicle charging point and refuse and recycling collection from the site are noted.

Internal Consultee Responses (Appendix 6)

Initial Place Services Ecology Comments Received – 10/08/2022

Holding objection due to insufficient information on European Protected Species (bats and Great Crested Newts) and Priority species (hedgehogs).

Final Place Services Ecology Comments Received – 31/10/2022

No objection subject to securing biodiversity mitigation and enhancement measures.

Initial Heritage Team Comments Received – 09/06/2022

While the principle of the development is welcomed and considered to be beneficial in principle, a medium to high level of less than substantial harm to the designated heritage asset is identified. as the proposed extensions would detract from the significance of the building due to their scale, location, articulation with the historic core of the building and complexity.

Further Heritage Team Comments Received – 18/07/2022

Following amendments to the proposed development, a low to medium level of less than substantial harm is identified. The function room extension appears overly prominent due to its design and position as well as its connection to the existing lean-to extension.

Final Heritage Team Comments Received – 12/08/2022

A low to medium level of less than substantial harm is noted. While the scheme would achieve some heritage benefits, including returning the building to its historic use, it is considered that insufficient justification for harm to the building has been provided.

B: Representations

At the time of writing this report no letters/emails/online comments have been received. It is the officer opinion that no third-party representations have been received in response to either application. A verbal update shall be provided as necessary.

PLANNING HISTORY

REF: DC/18/00787	Full Planning Application - Erection of 2No detached residential dwellings.	DECISION: REF 19.06.2018
REF: DC/18/04542	Planning Application - Erection of 2no detached residential dwellings.	DECISION: GTD 20.09.2019
REF: DC/20/05752	Application under S73 for removal or variation of a condition following grant of planning permission DC/18/04542. Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas) Act 1990 - To remove Condition 2 (approved plans and documents) to enable amended design scheme as per drawing PW1132-PL01revA.	DECISION: GTD 09.02.2021
REF: DC/21/00123	Application for works to Trees subject to a Tree Preservation Order MS332/T1 - Fell 1No Ash (due to Ash die back disease)	DECISION: GTD 12.02.2021
REF: DC/21/02427	Application under S73 for removal or variation of a condition following grant of planning permission DC/20/05752. Town and Country Planning Act 1990. Planning - Remove Condition Number 2 (approved	DECISION: GTD 09.06.2021

	plans and documents) to enable amendments to the design of the dwellings and the site layout as shown on drawings PW1132-PL01revB and PW1132-PL02.	
REF: DC/21/03997	Discharge of Conditions Application for DC/21/02427- Condition 3 (Materials), Condition 6 (Replacement Tree Planting), Condition 8 (Ecological Enhancement), Condition 10 (Surface Water Drainage) and Condition 11 (Bin Storage and Presentation)	DECISION: GTD 12.10.2021
REF: 2810/16	Reconstruction of single storey side extension to West elevation.	DECISION: GTD 25.08.2016
REF: 2808/16	Reconstruction of single storey extension to West elevation.	DECISION: GTD 25.08.2016
REF: 0269/16	Change of use of listed public house to residential use.	DECISION: REC
REF: 0283/16	Unauthorised works - demolition of outbuildings to west of main pub.	DECISION: REC
REF: 0630/13	Temporary caravan to house landlady with disability	DECISION: REC
REF: 1350/08	Extension to provide improved toilet and storage facilities. Removal of lean-to verandah on south elevation.	DECISION: GTD 29.09.2008
REF: 1349/08	Reconstruction and replacement of outbuildings to create two units of holiday letting accommodation and lock up retail unit.	DECISION: REF 03.10.2008
REF: 1206/08	Extension to provide improved toilet and storage facilities.	DECISION: GTD 29.09.2008
REF: 1205/08	Reconstruction and replacement of outbuildings to create two units of holiday letting accommodation and lock up retail unit.	DECISION: REF 03.10.2008

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The Swan Inn is located on the western side of Swan Road, immediately adjacent to its junction with Church Road and Shop Street within the village of Worlingworth. The Swan Inn had been in

use as a public house for some considerable time given that CAMRA records for the site note landlords on the site dating back until 1769. It had previously fallen out of use as a public house having closed to trade in 2015. It has since re-opened as a public house in September 2022.

1.2 The building itself is listed at Grade II. Historic England give the following list description for the building:

Mid C16 parlour end and stack, the remainder probably earlier. C19 additions. Timber framed, mainly roughcast-rendered; at the front (facing south) the ground floor is cased or rebuilt in C19 red brick. Scalloped bargeboards. Thatched roof. 2 storeys and attic. 3-cell form. C19 casement windows, 3 to ground floor, 2 to first floor; all have a single horizontal glazing bar to each light. 2 mid C20 doors. Internal stack, the shaft rebuilt in white brick. External stack to right gable end. Single storey red brick and pantiled additions on each gable end; rear lean-to in colourwashed brick. Modernised interior, especially the ground floor. The earlier section, in 2 bays, has irregular, widely-spaced studding exposed on the upper floor; the roof appears to be of common-rafter form, once hipped over the service end. The parlour addition is slightly higher; there is a good intact roof with one row of clasped purlins and 2-way wind braces.

1.3 At present the building sits within a good-sized site, rectangular and laid to grass. Hedges are noted to the northern boundary with Church Road/Shop Street. Access to the site is taken from Swan Road.

2. The Proposal

- 2.1 This application seeks to refurbish and extend the existing public house with a view to reopening it as such. Part of the building is to be utilised as a farm shop and change of use is sought for that section of the building. Extension to the building to provide an eating space as well as toilets are proposed to the northern and western elevations, with the northern elevation proposed as glazing with oak timber framing and the western elevation proposed in render to match the public house.
- 2.2 During the course of the application, the proposed extensions were altered such that the originally proposed extension to the southern elevation of the building has now been omitted. As can be seen from the consultee responses to the application, the applicant has attempted to show that alternative designs to those submitted with this application have been fully considered but discounted. Members are advised that comments referring to alternative designs (such as Option B noted by SPAB) do not form part of this application and that the decision at hand with regards to these applications, must be based on the submitted drawings put forward by the applicant.

3. The Principle of Development

- 3.1 The application site lies within the established settlement boundary of Worlingworth, a secondary village as designated by the adopted Core Strategy, unsuitable for growth but capable of taking appropriate residential infill development and development to meet local needs.
- 3.2 Until relatively recently The Swan Inn had been utilised as a public house, and in the intervening time no alternative use has been established within the building, therefore, there is no need to consider whether the reopening of The Swan as a public house requires planning permission, indeed, were no alterations or changes of use involved, planning permission would not be required.
- 3.3 With regards to the change of use of part of The Swan to provide a farm shop, Local Plan policy S7 states that within settlement boundaries proposals for new purpose-built shops, conversions and extensions of existing shops will be permitted where the proposal reflects the scale and appearance

of its surroundings, there is no significant loss of amenity for nearby residents and there is no environmental amenity impacts and local distinctiveness is maintained. New purpose-built shops are required to satisfy adopted parking standards. The NPPF is similarly supportive of the rural economy. Paragraph 84 requires planning decisions to enable the sustainable growth and expansion of all types of businesses in rural areas through conversion of existing buildings and creation of well-designed new buildings.

3.4 To this end, it is considered that both the extensions to the building and the change of use of part of the building to serve as a farm shop would accord with the requirements of both the adopted Local Plan and the NPPF. The principle of development with regards to the proposed development is accepted subject to the material considerations raised within the noted policies, but also with regards to the other material considerations that may be relevant to the application. In this case, notably the fact that The Swan Inn is a listed building and as such consideration regarding the impacts of the proposed works on the fabric and setting of the listed building are also key and are explored later within this report.

4. Site Access, Parking and Highway Safety Considerations

- 4.1 As noted above, access to the site remains from Swan Road. Consultation with the Highway Authority notes that the access point is suitable with sufficient visibility splays to ensure that vehicles can enter and leave the site in a safe and controlled manner. Assessment of the parking provision proposed within the site, is similarly acceptable, doubling the provision on site from 12 to 24. Of these, 18 parking spaces, including disabled spaces, are provided for the public house, while 6 are provided for the use of the proposed farm shop, the two are separate so there is no issue with users of the shop having to park on the road during times when parking at the public house is in high demand. This accords with the requirements of the Suffolk Parking Guidance for each proposed use and also with the requirements of policy T9.
- 4.2 Conditions suggested within the consultation responses are considered to be reasonable. They would secure the new access, its surfacing, visibility splays, parking provision, electric vehicle charging points, bicycle storage and refuse and recycling bin storage and presentation areas.

5. Design and Layout

- 5.1 The core of the historic public house would remain in place, with a primary extension positioned on the northern elevation to create a function room that would provide an additional dining area. It is single-storey and composed of a brick plinth supporting timber framing with glazing between and a tiled roof. The secondary extension, positioned to the west of the building provides space for the kitchen and toilets. This is again, a single-storey extension and is traditionally appointed with brick plinth, white render and a tiled roof. A short, link extension along the northern elevation is noted, flat roofed but with the same brick plinth and white render and would provide a corridor linking the building together. An existing room (28m²) within the historic portion of the building is proposed as the farm shop.
- 5.2 With regards to the need for the extensions, Members will be aware of the pressure of running a public house in the current economic climate and in the wake of the COVID pandemic. Public houses and their operators have come under pressure to ensure they can generate enough revenue to carry on running their business. Economic viability assessments of the sector are clear that public houses which only offer wet (drink) sales, or are heavily reliant upon it for their turnover, are struggling in the current market. Businesses which have a food offer and thus can rely on both wet and dry (food) sales are proving to be more resilient and are not coming under the same pressure to change use away from serving their community as a public house. Provision of the extension to

The Swan Inn would allow a dry sales offer to be delivered on site and make the business more viable as a result.

- 5.3. Similar conclusions are reached with regards to the provision of a farm shop within the building. This would increase the utility of the building, creating another revenue stream to ensure the viability of the business while also benefitting the local community through the creation of a service that at present is not available within the village itself.
- 5.4 With regards to these considerations no viability information has been submitted with the application, although the need to add a dining space is noted within the additional Heritage Statement provided by the applicant. Alternative locations for the northern extension are considered and rejected by the applicant owing to issues around how flexible the additional space needs to be for them and perceived issues around overseeing the area if moved further from the proposed bar area relating to the additional staffing costs that might be accrued.
- 5.5 Further consideration as to the design of the proposed extension is given below within the section dealing with heritage. Given The Swan Inn is a listed building, it is considered that this aspect of the design of the proposed extension is of central importance to this aspect of the application and is addressed and discussed there.

6. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 6.1 The site is prominent within the streetscene of Worlingworth and is located within a grassed area with some hedging to the boundaries. This is not proposed to be altered as a result of this application such that the Worlingworth streetscene would be unaltered, save for the additional extensions to the building.
- 6.2 The application is supported by an ecological survey and assessment. There is no evidence of bats or bat roosts within the building and while there is no standing water at the site it does fall within a risk zone for Great Crested Newts. A method statement for construction to ensure Great Crested Newt impacts are minimised would be required were the application to be approved. Similarly, conditions to ensure that the mitigation details set out within the survey and assessment were followed and that biodiversity enhancement were suggested and would be reasonable were the application to be approved.

7. Heritage Issues

- 7.1 The Planning (Listed Buildings and Conservation Area) Act 1990 sets out that Local Planning Authorities, when considering planning applications and applications for listed building consent must give special regard to the desirability of preserving a listed building, its setting or any special features (architectural or historic) that it may possess. The duty imposed by s.66(1) of the aforementioned Act imposes a presumption against the grant of planning permission which causes harm to a heritage asset. Members should note that a finding of harm, even of "less than substantial harm", to the significance of a listed building is a significant consideration in its own right and one to which the decision-maker must give "considerable importance and weight". It is a consideration that should not be lightly set aside having regard to the statutory and policy duties to preserve the heritage asset.
- 7.2 Local Plan policy HB1, which forms part of the "development plan" in this instance, seeks to protect the character and appearance of all buildings of historic and architectural interest with particular attention to be paid to the setting of listed buildings. The NPPF reflects both of these requirements at paragraph 199 stating that when considering the impact of a proposed development on the

significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 7.3 Local Plan policies HB3, HB4 and HB5 are also of relevance to this application. HB3 deals with conversions and alterations of historic buildings stating that proposals will be supported where they would not detract from the architectural or historic character of the existing building or its setting. HB5 considered reserving historic buildings through alternative uses. Support is given to proposals where the change preserves the building and its setting without undue alteration.
- 7.4 The Council's Heritage Team along with the Society for the Protection of Ancient Buildings (SPAB) and Historic Buildings and Places were consulted on the application leading to its alteration, removing the extension originally proposed to its southern elevation. Re-consultation has occurred, but responses were only received from the Council's own Heritage Team and from SPAB.
- 7.5 Both respondents conclude that the proposed extension to the northern elevation of the building would lead to harm to the special interest of the building. Both consider that an alternative design, removing the proposed extension from the historic portion of the building and siting it off the extensions to the west of the building would be the most advantageous option, leaving a portion of the existing building unaltered and more visible from the streetscene. Comments also note that the form of the northern extension is problematic. The width of the extension does not mirror the traditional form expected and the exposed timber framing gives an overly prominent design to something that should be subservient to the main body of the listed public house. In particular, the arched braces are considered to be incongruous given they are seen as a medieval form of construction and The Swan Inn is a post-medieval building. As well as the harm identified as a result of the extension the Heritage Team identify further harmful elements which are proposed, which all add to the level of harm resulting from this proposal. These include the replacement of window W01 with a notice board, loss of window W02, loss of doors D14 and D16, loss of the existing west side extension and lack of information on door D12, with no information to conclude on the historic significance of this element. There is no clear or convincing justification of these works, contrary to the requirements of the NPPF.
- 7.6 In considering the level of harm created by the currently submitted plans, the Council's Heritage Team quantify a low to medium level of less than substantial harm would be caused to the special interest of the listed building. Paragraph 202 of the NPPF states that where development would lead to a less than substantial level of harm to a designated asset, that harm must be weighed against the public benefits of the proposal, including securing the optimum viable use of the heritage asset. None of the heritage consultees noted any issues with the principle of the development proposed, especially as the building would revert in the main to its historic use, however, it is considered that insufficient justification is provided regarding the location of the glazed extension in particular and for this reason, the Heritage Team, SPAB and other heritage consultees do not feel able to support the application in its current form. In their view additional justification is necessary to show that the form, size, scale, location, and design of the proposed extension and other works noted above is essential to the overall success of the project in order to justify the level of harm which would be caused to the listed building. Where it cannot be shown to be essential, it is their view that an alternative design which results in a lesser degree of harm should be considered. Given that the position of the extension could be amended to be located in a less harmful position and its form could be altered to create a less prominent addition, it is considered this is a reasonable requirement, especially given the great material weight that should be applied to the preservation of listed buildings and the special regard that should be applied to its preservation.

7.7 As to "public benefit" the applicant has provided heritage information including in an addenda regarding the proposal describing the floorspace and 75 covers which could be provided. The applicant submits that 50 covers and the condition of kitchen etc facilities would make it uneconomic to open in its current form pointing to the 2016 closure. There is no objectively assessed financial information accompanying the application to demonstrate that this proposal, as distinct from a less harmful design, would ensure the long-term viability of the building as is claimed. The public benefit contention is therefore considered speculative on the information to hand.

8. Impact on Residential Amenity

8.1 Given the historic use of the site as a public house and the fact it could be reimplemented without the need for planning permission it is not necessarily considered that the reintroduction of that use would lead to adverse impacts on residential amenity for the neighbouring properties. No amplified music is proposed within the building and external illumination could be controlled via the use of planning conditions.

PART FOUR – CONCLUSION

9. Planning Balance and Conclusion

- 9.1 The re-use of The Swan Inn as a public house is of huge significance to both the village of Worlingworth and the surrounding area, provision of a farm shop within the site is also of note and would be locally significant. The fact that the re-opening of the public house requires the provision to be made to allow the sale of food from the site is not objectionable and in principle, no objection is noted with regards to the overall principle of the application as it currently stands.
- 9.2 Issue is noted with the specific form of the extensions and in particular their impact upon the historic interest of the building. The size, scale, location and form of the proposed extension to the northern elevation of the building is noted by both the Council's Heritage Team and by external national heritage consultees. They note harm to the special interest of the building which is categorised as a low to medium level of less than substantial harm. The NPPF is clear at paragraph 202 where it states that less than substantial levels of harm to a designated heritage asset must be balanced by the positive public benefits that the application brings. When considering this application, it is not held by any of the heritage consultees that sufficient justification for the harm posed by the extension has been provided. Your officers consider this a reasonable conclusion.
- 9.3 In explicit terms, there may be public benefit associated with the application. The public house would be brought back into use, although it is noted that this has already happened as a result of reopening the building for wet sales. The addition of a farm shop and option to incorporate dry sales into the mix would help to steer the building into an optimal viable use and provide a useful facility for the village, although no evidence has been submitted to demonstrate the overall viability of the business as a result of these works. Finally, the application could deliver benefits in terms of creating local employment, although again it is not held that sufficient evidence has been provided to quantify this in terms of the benefit provided.
- 9.4 Paragraph 200 of the NPPF requires that harm to a listed building be clearly and convincingly justified and paragraph 199 requires that great weigh be given to the conservation of a designated heritage asset. It is the contention of the Council's Heritage Team as well as SPAB and the Historic Buildings and Places consultees that the harm to The Swan Inn has not been clearly and

convincingly justified and that a different design approach would be able to better deliver the benefits offered by this application, without the need for harm to be done to the listed building.

9.5 Whilst the re-opening of the public and its potential use to provide a food and drink offer are acknowledged in principle it is considered that the application does not substantiate that in robust terms and such public benefit as has been described is aspirational and unquantified. Having considered the issues it is considered that the duty to preserve the heritage assets attracts weight in this decision on a proposal where the design will cause harm to the significance of this listed building, contrary to the NPPF.

RECOMMENDATION

That the Chief Planning Officer be authorised to refuse both the Planning Permission and Listed Building Consent for the following reason and such other reasons as he may think fit:

The proposed northern extension to The Swan Inn, a Grade II listed building, would result in a low to medium level of less than substantial harm to the designated heritage asset, because the proposed function room and other elements of the proposal would detract from the significance of the Swan Inn. The proposed extension would by virtue of its size, scale, location and appearance detract from the special interest of the appearance of the building and would obscure a large portion of the original northern elevation.

Whilst public benefits include returning the building to its historic use and offering this additional facility within Worlingworth it is noted that the pub has re-opened in September 2022, such that both the necessity for the proposed works and subsequent benefit to the building are limited, although it is accepted that they support the overall business. However, on balance these benefits are considered to be limited, and not considered to have any demonstrable public benefits beyond the re-opening of the public house, which has already been secured, that could be considered to outweigh the harm caused by the inappropriate nature and position of the proposed extension. As such the proposal is contrary to the aims of Policies HB1, HB3, HB4 and HB5 Mid Suffolk Local Plan (1998) and Paragraphs 199, 200 and 202 of the NPPF.