

# Consultee Comments for Planning Application DC/17/03074

## Application Summary

Application Number: DC/17/03074

Address: The Cross Keys Inn Main Road Henley Ipswich Suffolk IP6 0QP

Proposal: Planning Application - Change of use of existing public house to residential dwelling including removal of part of existing car park (revised application following refusal of Application 3349/15).

Case Officer: Lynda Bacon

## Consultee Details

Name: Mr Rod Caird

Address: 26 Church Lane, Henley, Ipswich, Suffolk IP6 0RQ

Email: rodcaird@yahoo.co.uk

On Behalf Of: Henley Parish Clerk

## Comments

Cross Keys

Change of Use Application

Henley Parish Council

Consultee Comments, August 1, 2017

Henley Parish Council considered this application at a meeting on August 1, 2017.

1. The Parish Council has consistently opposed applications for change of use to residential by the current owner of the pub, and sees no reason to change that view in spite of the paperwork provided in support of the new application by the owners planning consultant.
2. The Council also believes the application should be considered by the District Councils Planning Committee rather than by planning officers.
3. It is incorrect to infer that the Parish Council does not support the pub as an asset.
4. The formal listing of the pub as an Asset of Community Value was initiated by CAMRA, not by the Parish Council. The Parish Council felt that it was unlikely a community bid to buy the pub could successfully be mounted; but that did not mean that the Parish Council places no value on the pub itself. The Council takes the view that in the right hands and with proper planning and marketing, the pub could be a successful venue bringing visitors to the village and providing employment.
5. The consultants planning statement states clearly that three full-price bids were received by the owner while he was marketing the property through Fleurets, and all were declined because they were not of interest, as the buyers did not propose to continue with the current use. No explanation is offered as to what the proposed uses were, but the Parish Council knows that at

least one of them was planning a future for the property as a licensed hospitality venue including a café/tea-room and vintage shop. An email from those proposed buyers has been seen by Parish Councillors. In the view of the Parish Council, the argument that the property could not be sold fails on the basis of that bid alone.

6. The planning statement makes much of the distance of the pub from the village, its lack of attractiveness as a site, and its inaccessibility. However the Parish Council takes the view that many examples of successful venues in the region demonstrate that with the right offering, distance is not a deterrent, and nor is setting.

7. Also it has to be said that the lengthy argument in the planning statement about the Cross Keys disadvantages raises an acute question about the current owners decision to buy it in the first place, given his experience and acumen in the licensed trade.

8. The Parish Council is not in a position to comment on the argument that the Planning Inspector who dismissed the owners appeal against the last refusal of change of use made errors of law. But it notes that no effort was made after that appeal to seek judicial review of the decision.

9. In the Parish Councils view it is incorrect to suggest that Henley Community Centre in some way meets all the needs of everyone in the village for hospitality. The Community Centre is a valued feature but it does not provide any kind of restaurant or café service except on special occasions, and the bar is only open on a very limited basis. It is clear that villagers travel on a regular basis to pubs, restaurants and cafes in Barham, Claydon, Westerfield, Witnesham, Swiland and further afield, and there is no reason whatever to suppose they will not be willing to travel to the Cross Keys if the offering is right.

10. The Parish Council notes that the owner only opened the Cross Keys for business from November 2014 until the summer of 2015, since when it has stood empty (apart from the owners residence) and unused for any commercial purpose. Having reviewed the latest set of trading accounts submitted with the application, the Council finds it cannot take them any more seriously than the previous two sets of accounts for the same period.

11. It is impossible for the Parish Council to speculate or guess as to the owners long-term intentions. But the fact that the pub was only open for about six months, the fact that the owner has been offered the full asking price for it on three separate occasions, and the fact that he has not been prepared to enter into any kind of dialogue with the Parish Council or the wider village, all raise serious questions. While Henley may well need new housing in the future, the Cross Keys is not a suitable site for housing development. The Parish Council is currently engaged in a Housing Needs Survey and will play a full part in consultations leading to the new Local Plan being developed by MSDC.

12. The Parish Council believes the Cross Keys site has potential as a hospitality venue of benefit to the village and the wider area, and that the current application should be refused on the grounds outlined above.

Rod Caird, Clerk, Henley Parish Council

Your Ref: DC/17/03074  
Our Ref: 570\CON\2587\17  
Date: 31/07/2017  
Highways Enquiries to: kyle.porter@suffolk.gov.uk

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

Email: [planningadmin@babberghmidsuffolk.gov.uk](mailto:planningadmin@babberghmidsuffolk.gov.uk)

The Planning Officer  
Mid Suffolk District Council  
Council Offices  
131 High Street  
Ipswich  
Suffolk  
IP6 8DL

**For the Attention of:** Lynda Bacon

Dear Lynda

**TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN DC/17/03074**

**PROPOSAL:** Planning Application - Change of use of existing public house to residential dwelling including removal of part of existing car park (revised application following refusal of Application 3349/15).

**LOCATION:** The Cross Keys Inn, Main Road, Henley

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

1 V 7

Condition: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any means of frontage enclosure (hedge) shall be set back 2.4 metres from the edge of the carriageway of the adjacent highway.

Reason: In the interests of highway safety, to avoid obstruction of the highway and provide a refuge for pedestrians.

Yours sincerely,

**Mr Kyle Porter**  
**Development Management Technician**  
Strategic Development – Resource Management

## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/17/03074 Cross Keys, Henley	
<b>2</b>	<b>Date of Response</b>	24.7.17	
<b>3</b>	<b>Responding Officer</b>	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
<b>4</b>	<b>Summary and Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	<ol style="list-style-type: none"> <li>1. The Heritage Team considers that the proposal would cause <ul style="list-style-type: none"> <li>• no harm to any heritage asset because the building's modest contribution to the character of the area is not affected by the alterations proposed.</li> </ul> </li> <li>2. The Heritage Team recommends approval.</li> </ol>	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>I see no reason to vary from my comment on previous applications:</p> <p>From old OS maps it appears that the existing building was erected between 1904 and 1926, possibly as a purpose-built roadside inn. Its architectural character relates it to roadside inns which were built in the inter-war period in rural areas to cater for newly mobile urban populations. As such the building, although not meeting the strict criteria for listing, makes a modest contribution to the character of its rural surroundings.</p> <p>The change of use will have negligible impact on the building's historic interest. Alterations proposed have no material impact on the building's external character.</p>	
<b>6</b>	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate		

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

7	<b>Recommended conditions</b>	
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Historic England

EAST OF ENGLAND OFFICE

Ms Lynda Bacon  
Babergh District Council  
Corks Lane  
Hadleigh  
IPSWICH  
IP7 6SJ

Direct Dial: 01223 582740

Our ref: P00621810

25 July 2017

Dear Ms Bacon

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

**THE CROSS KEYS INN, MAIN ROAD, HENLEY, IPSWICH, IP6 0QP  
Application No. DC/17/03074**

Thank you for your letter of 17 July 2017 regarding the above application for planning permission. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are enclosed.

If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.

Yours sincerely

**Sophie Cattier**

Assistant Inspector of Buildings and Areas  
E-mail: [sophie.cattier@HistoricEngland.org.uk](mailto:sophie.cattier@HistoricEngland.org.uk)

Enclosure: List of applications requiring consultation with and notification to Historic England



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)





## **Planning and Listed Building Consent applications requiring consultation with and notification to Historic England (the Historic Buildings and Monuments Commission for England) April 2015**

### **Applications for planning permission**

Historic England must be consulted or notified (see note 1) of the following planning applications by virtue of the following provisions:

#### **Consultation:**

Development which in the opinion of the local planning authority falls within these categories:

- P1 Development of land involving the demolition, in whole or in part, or the material alteration of a listed building which is classified as Grade I or II\*
- P2 Development likely to affect the site of a scheduled monument
- P3 Development likely to affect any battlefield or a Grade I or II\* park or garden of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953

#### **Basis for this - Town and Country Planning (Development Management Procedure) (England) Order 2015 - article 18 and Schedule 4.**

- P4 Development likely to affect certain strategically important views in London

#### **Basis for this - Secretary of State for Communities and Local Government Directions relating to Protected Vistas 2012**

#### **Notification:**

Development which the local authority (or Secretary of State) think would affect:

- P5 The setting of a Grade I or II\* listed building; or
- P6 The character or appearance of a conservation area where
  - i) the development involves the erection of a new building or the extension of an existing building; and
  - ii) the area of land in respect of which the application is made is more than 1,000 square metres

#### **Basis for this - Planning (Listed Buildings and Conservation Areas) Regulations 1990 - regulation 5A (as amended by The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015**

- P7 Local authority/ies own applications for planning permission for relevant demolition in conservation areas. (see note 2)

#### **Basis for this - Town and Country Planning General Regulations 1992 (as amended by the Town and Country Planning General (Amendment) (England) Regulations 2015**

Note 1: There is a difference between Consultation and Notification. When LPAs consult on applications, there is a duty to provide a substantive response to the LPA within 21 days. A notification from the LPA is to enable representations to be made if we so wish, and to respond within 21 days. Historic England does not make a distinction in its handling of advice work.

### **Applications for listed building consent**



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EAST OF ENGLAND OFFICE

Historic England must be notified of the following applications for listed building consent by virtue of the following provisions:

**Notification:**

- L1 For works in respect of any Grade I or II\* listed building; and
- L2 For relevant works in respect of any grade II (unstarred) listed building

(relevant works means:

- i) works for the demolition of any principal building (see note 3);
- ii) works for the alteration of any principal building which comprise or include the demolition of a principal external wall of the principal building; or
- iii) works for the alteration of any principal building which comprises or includes the demolition of all or a substantial part of the interior of the principal building.

For the purposes of sub paragraphs ii) and iii) above:

- a) a proposal to retain less than 50% of the surface area of that part of a principal building represented on any elevation (ascertained by external measurement on a vertical plan, including the vertical plane of any roof) is treated as a proposal for the demolition of a principal external wall;
- b) a proposal to demolish any principal internal element of the structure including any staircase, load bearing wall, floor structure or roof structure is treated as a proposal for the demolition of a substantial part of the interior.)

- L3 Decisions taken by the local planning authorities on these applications

**Basis for this - Arrangements for handling heritage applications - Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 - made under section 12, 15 (1) and (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990**

***Historic England***  
***15 April 2015***

Note 2: Relevant demolition is defined in section 196D of the Town and Country Planning Act 1990 as “demolition of a building that is situated in a conservation area in England and is not a building to which section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply by virtue of s75 of that Act (listed buildings, certain ecclesiastical buildings, scheduled monuments and buildings described in a direction of the Secretary of State under that section.)

Note 3: “principal building” means a building shown on the list compiled under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and includes (unless the list entry indicates otherwise) any object or structure fixed to that building, but does not include any curtilage building.



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