



## Committee Report

Planning Committee – 13 October 2020

**Application no** DC/19/3915/LBC

**Location**

Miles Ward Court  
Market Place  
Halesworth  
Suffolk  
IP19 8AY

**Expiry date** 5 December 2019

**Application type** Listed Building Consent

**Applicant** Foundation East Ltd.

**Parish** Halesworth

**Proposal** Listed Building Consent - Alterations to and change of use of business units to create 5 no. residential dwellings for over 55s

**Case Officer** Phil Perkin  
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### 1. Summary

1.1 This application seeks listed building consent to convert a building comprising nine small business units into five residential units. A separate application seeks planning permission (DC/19/3914/FUL).

1.2 Although the building itself is not listed the adjacent buildings fronting the Market Place are. The building is therefore considered to be curtilage listed. The site falls within the conservation area.

1.3 Only minimal external alterations to the building are proposed which are not considered to impact adversely on the character of the building, the conservation area, or the setting of the adjacent listed buildings. The proposal is considered to comply with Policy WLP8.37.

- 1.4 The application has been referred to the Planning Committee (North) by the Referral Panel in view of the public interest generated by the planning application.

## **2. Site description**

- 2.1 Miles Ward Court is located just off the market place within the historic core of the Halesworth Conservation Area in the centre of Halesworth. It is situated behind properties that front onto the market place either side of the arched access into the site that lies beneath the first-floor elements of these frontage properties. The frontage properties either side of the access are listed buildings.
- 2.2 The narrow access opens up into the wider space of Miles Ward Court. The building is a two storey red brick and pantiled range on the western and northern sides of the courtyard. The Planning Statement explains that the building is a former hemp store that was refurbished by Foundation East (the current owner and applicant) to offer small business units. The range of buildings within the site are not listed but are identified in the Conservation Area Character Appraisal as making a positive contribution to the character of the area.

## **3. Proposal**

- 3.1 The application seeks listed building consent for the alteration and change of use of the existing buildings to form five residential apartments; four containing one bedroom, and one providing two bedrooms. The proposed units are intended for occupation by the over 55's.
- 3.2 The proposed scheme of conversion involves very limited alterations to the external appearance of the buildings, particularly in terms of existing window and door openings which are retained. The main alteration is the addition of a small lean-to extension to the building on the east side of the courtyard to provide cycle storage facilities along with an adjacent screened, bin storage area. Internally, a degree of subdivision is proposed to create the residential units.

## **4. Consultations/comments**

- 4.1 Three neighbour objections have been received that raise the following key concerns (inter alia):
  - Access
  - Harm to Listed building
  - Inappropriate in Conservation Area
  - Parking
  - Setting of precedent
  - Traffic or Highways
  - Loss of business units

## 5. Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Town Council	11 October 2019	29 October 2019
<p>Summary of comments: The Town Council held an extraordinary meeting last night to consider the application DC/19/3914/FUL &amp; DC/19/3915/LBC - Miles Ward Court. A summary of the decision and the reason for recommending refusal and deferral to ESC's Planning Committee are shown below. The relevant extract from the minutes which includes further comments is also attached:-.</p> <p>DC/19/3915/LBC Listed Building Consent - Alterations to and change of use of business units to create 5 no. residential dwellings for over 55s - Miles Ward Court Market Place Halesworth Suffolk IP19 8AY - It was RESOLVED that the Council recommended that this application is refused and that the application is called in for determination by East Suffolk Council's Planning Committee.</p>		

### Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	N/A	4 November 2019
<p>Summary of comments: See comments on DC/19/3914/FUL</p>		

### Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	N/A	11 November 2019
<p>Summary of comments: No objection subject to conditions.</p>		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	11 October 2019	5 November 2019
<p>Summary of comments: No objection subject to conditions.</p>		

Consultee	Date consulted	Date reply received
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Economic Development (Internal)	N/A	25 October 2019
Summary of comments: Do not support		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	N/A	28 October 2019
Summary of comments: Advisory comments		

## 6. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	18 October 2019	8 November 2019	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	18 October 2019	8 November 2019	Lowestoft Journal

## Site notices

General Site Notice	Reason for site notice: Conservation Area; Listed Building Date posted: 14 October 2019 Expiry date: 4 November 2019
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## 7. Planning policy

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan (March 2019))

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan (March 2019))

## 8. Planning considerations

### Heritage Considerations

8.1 The building is not listed in its own right although Listed Building Consent was applied for and granted prior to the building being converted to light industrial units in 2006. However, the adjoining properties to the south of the site which front onto Market Place, either side of the pedestrian entrance into the site are listed buildings. These include nos. 25 & 26 Market Place, a Grade II listed late 19th century brick building of 3 storeys with a hipped slate roof; and no. 154 Chediston Street, an early 18th century, 2 storey painted brick

building with a black pantiled roof which is also Grade II listed. Given the sites close proximity to these listed buildings, and likely former association, the building subject of this application is considered to be curtilage listed.

8.2 The Conservation Area Character Appraisal published in 2006 describes the confined entrance through the passageway, which opens up into the wider space of the yard behind as contributing to the spatial characteristics of the area.

8.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("The Act") sets out, in section 66, the statutory duty of decision-takers in respect of listed buildings:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

8.4 The NPPF and the Local Plan (Policies WLP8.37 and WLP8.39) give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *"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"*. Paragraphs 195 and 196 of the NPPF state that where harm would rise, it must be properly weighed against the public benefits of the development.

8.5 Paragraph 192 of the NPPF states that that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

8.6 The application is supported by a Planning Statement and Heritage Statement which complies with the requirements of Paragraph 189 of the NPPF.

8.7 The Heritage Statement explains that the original conversion of the buildings, dating back to 2006, resulted in significant works to the buildings due, at that time, to their poor condition. Significant investment was made into bringing the buildings into a useable form and condition, which has secured them for the foreseeable future.

8.8 Key considerations are the impact on the existing buildings, the setting of the adjoining buildings and whether the character and appearance of the Conservation Area will be preserved or enhanced.

8.9 The proposed scheme of conversion involves very limited alterations to the external appearance of the buildings, particularly in terms of existing window and door openings which are retained, although some of the doors are to be renewed with a slightly different design. The main alteration is the addition of a small lean-to extension to the building on

the east side of the courtyard to provide cycle storage facilities along with an adjacent screened, bin storage area. This is to be simple and traditional in form, with a natural slate roof, timber weatherboarding and timber doors. Internally, a degree of subdivision is proposed to create the residential units. Overall, the proposed changes are minimal, and the character of the buildings as former industrial structures will be retained. The proposals have been considered by the Design and Conservation Officer who is of the view that the very minor changes to the external appearance of the building will not have a harmful impact on either the building itself or the setting of the adjoining listed buildings and the character and appearance of the Conservation Area will be preserved. As no harm to designated heritage assets arises it is considered that it is not necessary to undertake the balancing exercise advocated in Paragraphs 195 and 196 of the NPPF (see above).

8.10 It is proposed to re-glaze seven existing windows and replace three. The Design and Conservation Officer has no objection to this subject to details which can be secured by condition.

8.11 The proposal therefore accords with requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Plan policies relating to the Historic Environment, and the NPPF.

## **9. Conclusion**

9.1 The proposed changes to the external appearance of the building will not have a harmful impact on either the building itself or the setting of the adjoining listed buildings and the character and appearance of the Conservation Area will be preserved.

## **10. Recommendation**

10.1 Approve subject to conditions.

### **Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with dwg. no. 2919-01 and 2919-04 received 4 October 2019 and dwg. no. 2919-03 A received 19 February 2020, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Prior to the removal of the windows to be replaced as shown on dwg. 2919-03-A, large scale joinery details including profiles of sills, frames, opening lights and glazing bars; method of

opening; position of window within the opening; colour and finish and ironmongery details shall be submitted and approved in writing by the local planning authority. The replacement windows shall be installed in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Prior to the reglazing of windows to be reglazed as shown on dwg. 2919-03-A details shall be submitted to and approved in writing by the local planning authority to show that the existing glazing bars can accommodate the additional thickness of the double glazing. The windows shall be reglazed in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the building, the glazing bars should remain structural rather than being applied to the inner and outer faces of the double glazed units.

5. No development shall commence on site until detailed plans and a specification of ventilation heat recovery to each of the hereby approved residential units (such details to include the provider and model of the proposed units, location and form of ducting, material finishes (inclusive of any coverings/new walls/cupboards/ceilings) and the performance of such units) have been submitted to the Local Planning Authority for their approval in writing. After the system(s) have been approved in writing by the Authority, it shall be installed in accordance with the approved plans and specification before the development hereby approved first commences, and shall thereafter be permanently maintained in accordance with the approved specification.

Reason: To ensure satisfactory ventilation in the interests of residential amenity.

6. No development shall commence on site until detailed plans and a specification of the acoustic design of windows, insulation and any necessary sealing of any gaps, as indicated in the acoustic supplementary report, have been submitted to the Local Planning Authority for their approval in writing. After the specification has been approved in writing by the Authority, it shall be implemented in accordance with the approved plans and specification before the development hereby approved first commences, once completed the work should be validated against the specification and the validation report submitted in writing to the local planning authority for approval. The insulation works shall thereafter be permanently maintained in accordance with the approved specification.

Reason: In the interests of residential amenity.

7. Prior to the installation of the Mechanical Heat Recovery Ventilation (MVHR) system, full details of the tile vents including numbers and locations shall be submitted to and approved in writing by the local planning authority. The tile vents shall be installed in accordance with the approved details.

Reason: In order to safeguard the special architectural or historic interest of the building.

**Informatives:**

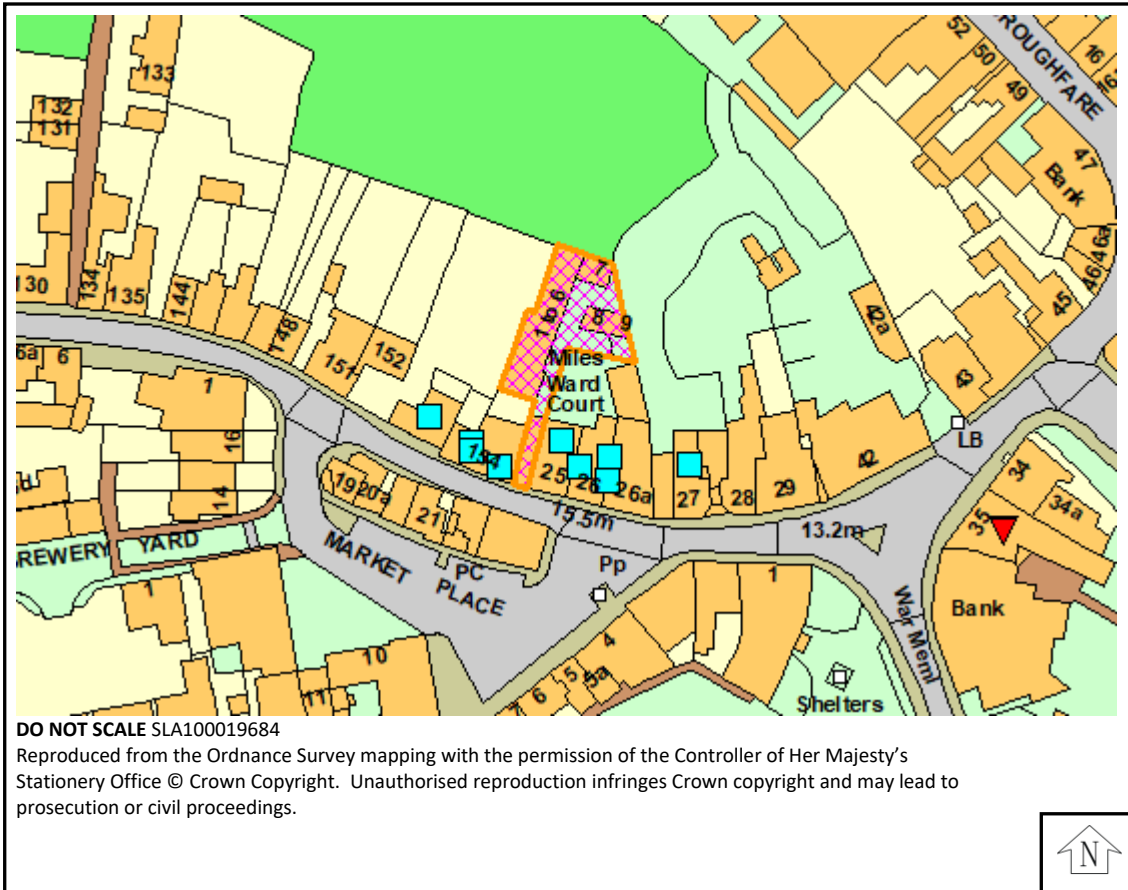
1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

**Background Papers**





See application reference DC/19/3915/LBC on [Public Access](#)



# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support