

8. LISTED BUILDING CONSENT APPLICATION – WORKS TO FACILITATE THE CONVERSION OF THE EXISTING FIRST FLOOR FLAT TO 3 LETTING BEDROOMS AT THE EYRE ARMS, HASSOP (NP/DDD/1119/1227, MN)

APPLICANT: THE EYRE ARMS

Summary

1. This application proposes converting the former manager's first floor flat above the pub to three rooms to be let to guests.
2. As originally submitted the proposals were found to include works that would result in an unacceptable level of harm in some regards, and that there was a lack of heritage assessment to inform others. Amended plans and additional information has since been received.
3. Whilst still lacking in detail, these plans do better conserve the building heritage significance and subject to conditions to clarify details and minimise harm the public benefits of improving the viability of the pubic house would outweigh the heritage harm arising from it.
4. Whilst concerns have been raised by the Parish Meeting in terms of highway safety, the development would not be likely to significantly intensify the use of the property and, further, the highway authority raise no objections to the proposal subject to allocated parking being made available.
5. Accordingly, the application is recommended for conditional approval.

Site and surroundings

6. The Eyre Arms is a Grade II listed public House situated on the B6001 on the eastern edge of the settlement of Hassop.
7. The property dates from the early 19th century and is constructed from limestone with gritstone dressings under a hardrow and blue slate roof.
8. The building fronts the highways with the associated car park positioned on the opposite side of the road.
9. The nearest neighbouring property is the Piggeries, which is also listed, and is located on the opposite side of the road to the south of the pub car park.
10. The site is within the Hassop conservation area.

Proposal

11. Works to facilitate the conversion of the existing first floor flat to 3 letting bedrooms with en-suite bathrooms and associated alterations.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **The development hereby permitted shall be begun within 3 years from the date of this permission.**

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the amended plans and the following conditions and amendments.**
- 3. Prior to the boxing in or covering of the fireplace in bedroom 2 a full photographic record of the fireplace shall be made and submitted to and approved in writing by the Authority. Thereafter the boxing in or other works associated with the development shall not damage, be attached to or touch the fireplace, including the hearth.**
- 4 Notwithstanding the approved plans the door head on the first floor landing shall not be lifted.**
- 5 Prior to the installation of any piping or ventilation full details of routing and how harm impacts on historic fabric will be minimised shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 6 Prior to the removal or replacement of any ground floor doors a full photographic record of the doors to be replaced shall be made and submitted to and approved in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 7 Prior to the replacement of any ground floor doors scaled elevation and section plans showing the proposed design (including door furniture and hinges) shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 8 Tiles within the gent's toilets shall be retained, except where the new external door requires their removal.**
- 9 Prior to any works to the ground floor gents toilet or lobby area being undertaken full details of these works (including details of the proposed toilet door, doorway, fixing method for the stud walls, and of how the historic tiles will be retained and protected) shall be submitted to and approved in writing by the Authority.**
- 10 Prior to the creation of the new external doorway details of the proposed door, door furniture, and how the area is to be made good, shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 11 The stud walls associated with the provision of the ensuite bathroom in bedroom 2 shall be attached to the existing walls, ceiling and floor so they can be removed at a later date if required. Prior to the commencement of these works details of how the walls will be constructed (including details of door frames and skirting) and affixed to existing walls and ceiling shall be submitted to and approved in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 12 Prior to its installation details of the boiler flue installation, including its exact location on the external wall, the external appearance of the vent and the proposed mortar mix for sealing the vent shall be submitted to and agreed in writing by the Authority. Thereafter the works shall be carried out only as approved.**
- 13 Any investigative works affecting historic fabric that have been undertaken as part of the Heritage Statement shall be restored to their former condition prior to the occupation of the approved accommodation.**

14 Prior to the replacement of the first floor doors details of the proposed door furniture shall be submitted to and approved in writing by the Authority.

Key Issues

12. The Authority must, by virtue of S16 of the Listed Buildings Act 1990 pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

History

13. 2019 – Enquiry opened relating to the operation of a trailer selling pizza from the pub car park. Investigation by the Authority's monitoring and enforcement team has established that due to its location within the pub car park and the type and frequency of use (it is operated for one night a week and provides pizzas to pub patrons as well as to passing trade) this has not resulted in any breach of planning control because the trailer is being operated ancillary to the pub
14. 2019 – Planning and listed building consent applications submitted for conversion of the existing first floor flat to 3 letting bedrooms with en-suite bathrooms and associated alterations – withdrawn prior to determination
15. 1997 – Planning permission and listed building consent refused for extension to snug, alterations to toilet with bedroom over

Consultations

16. Highway Authority – Advise that whilst the principle of letting bedrooms for visitors is likely to be acceptable from a highways perspective allocated parking should be considered for the residential units that could be reserved when the units are booked / occupied.
17. Parish Meeting – Advise that they do not want current parking problems to be exacerbated by the potential increase in vehicle parking caused by the proposed Bed and Breakfast business.
18. The problems referred to relate, primarily, to the operation by the pub of a trailer on the car park to sell pizzas to pub patrons and passing trade.
19. They contest that this has resulted in a lack of car parking space and the displacement of parked vehicles on to the highway and pavement, obstructing pedestrian access and increasing the risk of vehicular accidents due to restricted visibility on this section of road. They consider that highway safety is further reduced by staff needing to cross the road to collect pizzas to serve patrons dining in the pub.
20. Authority's Conservation Officer – Raised concerns in relation to the original proposals due to the alterations to the first floor floorplan and fabric, and to the alterations to ground floor layout and replacement of historic doors.
21. Subject to securing a number of design and construction details they are satisfied that the amended proposals overcome the concerns regarding the alterations at first floor.
22. In relation to the ground floor door replacements, they consider that these will result in some harm to the heritage significance of the building, but acknowledge – having liaised with building control – that this is necessary to facilitate the proposed development.
23. The response is addressed in further detail in the body of the following report, and can be viewed in full on the Authority's website.

24. One letter of representation has been received in relation to the proposal as it was originally submitted. This is from a pub heritage officer with CAMRA, who states that loss of parts of the interior through the replacement of the internal doors and alterations within the gent's toilets would have a negative effect, contrary to the submitted Heritage Statement dismissing concluding the 1950s interior as having no significance. They state that this is contrary to the opinion of both the CAMRA Pub Heritage Group and Historic England, who both feel such interiors are of high importance. They strongly suggest that whatever changes are made to the interior of the Eyre Arms do not impact on its' national recognition as one of only 285 pubs appearing on the National CAMRA Inventory of Pub Interiors.

Main policies

25. Relevant Core Strategy policies: GSP1, GSP2, GSP3, L3
26. Relevant Development Management Plan policies: DMC3, DMC5, DMC7, DMC8, DMC10

National Planning Policy Framework and National Planning Practice Guidance

27. In the National Park the development plan comprises the Authority's Core Strategy 2011 and the Adopted Development Management Policies. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and government guidance in the NPPF with regard to the issues that are raised.
28. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
29. Paragraph 189 advises that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
30. Paragraph 193 states 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.

31. Paragraph 15 of the Conserving and Enhancing the Historic Environment section of the NPPG states that it is important that any new use of a heritage asset is viable, not only for the owners benefit, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.
32. It notes that if there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset. The optimum viable use may not necessarily be the most economically viable one.
33. It further states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised.

Development plan

34. Core Strategy policies GSP1, GSP2 and GSP3 together say that all development in the National Park must be consistent with the National Park's legal purposes and duty and that the Sandford Principle will be applied where there is conflict. Opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon and development which would enhance the valued characteristics of the National Park will be permitted. Particular attention will be paid to impact on the character and setting of buildings, siting, landscaping and building materials, design in accordance with the Design Guide and the impact upon living conditions of local communities. Core Strategy policy GSP4 highlights that the National Park Authority will consider using planning conditions or obligations to secure the achievement of its spatial outcomes.
35. Core Strategy policy L3 requires that development must conserve and where appropriate enhance or reveal significance of archaeological, artistic or historic asset and their setting, including statutory designation and other heritage assets of international, national, regional or local importance or special interest.
36. Development Management Policy DMC3 requires development to be of a high standard that respects, protects, and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place. It also provides further detailed criteria to assess design and landscaping, as well as requiring development to conserve the amenity of other properties.
37. Policy DMC7 addresses development affecting listed building, advising that applications for such development should be determined in accordance with policy DMC5 and address how their significance will be preserved. It goes on to detail specific aspects of development that will not be supported when dealing with applications affecting listed buildings. It advises that the only exceptions to this are where any resulting harm is less than substantial in terms of impact on the character and significance of the Listed Building and its setting; and where it is also off-set by the public benefit from making the changes, including enabling optimum viable use, and net enhancement to the Listed Building and its setting.
38. It also states that where change to a Listed Building is acceptable, an appropriate record of the building will be required to a methodology approved in writing by the Authority prior to any works commencing.
39. Policy DMC5 provides detailed advice relating to proposals affecting heritage assets and their settings, requiring new development to demonstrate how valued features will be conserved, as well as detailing the types and levels of information required to support

such proposals. It also requires development to avoid harm to the significance, character, and appearance of heritage assets and details the exceptional circumstances in which development resulting in such harm may be supported.

40. Policy DMC8 states that applications for development in a Conservation Area, or for development that affects its setting or important views into, out of, across or through the area, should assess and clearly demonstrate how the character or appearance and significance of the Conservation Area will be preserved or enhanced.
41. Policy DMC10 addresses conversion of heritage assets, permitting this where the new use would conserve its character and significance, and where the new use and associated infrastructure conserve the asset, its setting, and valued landscape character. It also notes that new uses or curtilages should not be visually intrusive in the landscape or have an adverse impact on tranquility, dark skies, or other valued characteristics.

Assessment

Impacts of the proposed works on the significance, character and appearance of the building

Internal – first floor

42. The first floor is proposed to be altered to accommodate three rooms of letting accommodation in association with the pub.
43. As originally proposed it was intended to knock new doorways through 2 historic walls to provide the three bedrooms and ensuites.
44. Whilst we empathise with the need for the pub to provide letting accommodation to remain viable, the Authority's conservation officer raised concerns regarding the impact of this on the legibility of the buildings historic floorplan and layout, and historic fabric. Further, the submitted assessment of the buildings historic floor plan and the impacts of the proposed development upon it was not sufficient to overcome or respond to these concerns. We have therefore discussed alternative means of providing the accommodation.
45. The proposal has subsequently been altered to omit this intervention. Instead, the accommodation would be provided within the confines of the existing rooms - the exception being that the ensuite for bedroom 2 would be provided within a newly partitioned area within that bedroom. Whilst it would be preferable for this room to remain undivided, subject to conditions to ensure that the addition of the new partition walls would be reversible, the conservation office raises no objections to this intervention, which better preserves the integrity of the building.
46. This intervention also requires the boxing in of a first floor fireplace. This is a historic feature and the loss of its visibility within the room would cause some harm to the significance of the building. The conservation officer has recommended conditions to secure the conservation of this fireplace if the development was to be approved however.
47. New plumbing and ventilation works would be necessary to serve the new ensuite bathrooms, and a new boiler is proposed. A section plans showing the pipework position from one of these has been submitted, and details of the proposed roof vent tile has also been provided. Further details are required however, as the submitted details don't indicate all plumbing, pipe and ventilation routing and the impacts of this on historic fabric; if permission was granted a condition could be imposed to agree these details to ensure they work as sympathetically as possible with the listed building.

48. It is also proposed to raise the head height of the opening between the hallway and access to bedrooms 1 and 2. The submission advises that this is not essential to facilitate the development however. The conservation office has raised concern in relation to altering what appears to be an historic opening and recommends that this is retained at its current size. This could be secured by condition if permission was to be granted.
49. New fire doors are proposed at first floor. The doors to be replaced are not of historic interest and the proposed vertically boarded timber doors are considered appropriate.

Internal – ground floor

50. The submitted heritage statement places little heritage value on the interior of the ground floor of the building due to its 1950s date.
51. However, the interior of the public bar has been assessed by CAMRA and is listed on their National Inventory because of the unspoilt early 1950s makeover. Only 285 pubs nationally are included on the Inventory. Historic England advise that “CAMRA, ... do not grant national inventory status lightly, especially where pubs have been altered post-1945. This is a real indicator of the pub’s interest”. Further, Historic England are undertaking a research project on post-war pubs and have provided advice that surviving 1950s pub interiors are now extremely rare.
52. On this evidence, the interior of the building does have significant heritage value.
53. Due to the introduction of letting rooms at the first floor building regulations require a protected means of escape to be provided from these rooms. This requires the replacement of a number of doors at ground floor level. The affected doors are reflective of the 1950s interior of the building, and appear to date from a similar period. The conservation officer is reluctant for these doors to be lost and has investigated alternatives with a building control officer involved. An alternative has not been found however.
54. The conservation office concludes that the replacement of the three selected doors would cause harm to the significance of the building, through the loss of historic fabric, but there is no other way to provide fire protection for upstairs accommodation. They have advised that the design of the doors needs to replicate the existing doors, with appropriate door furniture; this could be secured by condition if permission was to be granted. They have also requested that in the case that the doors are replaced that the door frames are re-used in situ. We are advised however that building control require these to be replaced too, otherwise the integrity of the new fire doors would be compromised.
55. Changes are proposed to the rear of the building in order to create new fire protected access route. These include a new rear door through the wall of the flat roofed rear extension in to the rear garden. This part of the building is relatively modern and the new opening would have a limited impact on the significance of the building externally. Internally, the works would affect the gent’s toilets, which are a 1950s intervention and as such have value as part of the period interior of the pub. The conservation officer has raised no objection to these works subject to details of the new doorways and doors being provided and how the wall and floor tiles would be retained and fixings to them minimised. These details could be secured by condition if permission was granted.
56. It was originally proposed to make alterations to the enclosure of the stairwell at ground floor level, removing some existing walls. No assessment has been made of the significance of these however, or the impact that their removal would have on that of the building. Amended plans have therefore been secured that omit this part of the proposals.

Summary of heritage impacts

57. Overall, and as discussed above, some parts of the proposals would result in minor harm to the heritage significance of the building. There would be no enhancements from a heritage point of view that would outweigh this to result in an overall heritage gain. As a result the proposal is not wholly in accordance with policies L3, DMC3, DMC5, DMC7, or DMC10.
58. However, and as noted earlier in the report, planning policy does seek to retain and improve community facilities.
59. The pub is a community facility, and a type that is in general decline in the local area. We recognise that there is a significant public benefit to supporting development that helps to ensure the viability of such facilities.
60. In this case it is considered that the public benefits outweigh the relatively minor heritage harm identified, and the proposals therefore accord with paragraph 196 of the NPPF.
61. The proposal is lacking in detail in regards to a number of the proposed interventions however, and so a number of detailed conditions would be necessary to ensure that the works minimised impacts on historic fabric and were themselves sympathetically detailed to conserve the buildings overall significance.

Conclusion

62. Subject to conditions to minimise the identified harm to the heritage significance of the building the public benefits of improving the viability of the pubic house would outweigh the heritage harm arising from it.
63. There are no other policy or material considerations that would indicate that listed building consent should be refused.
64. We therefore recommend the application for conditional approval.

Human Rights

65. Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

66. Nil

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