OFFICER REPORT

Case No: 25/00783/FUL Full Planning Application

Proposal: Proposed partial replacement roof covering

Location: Swan Inn Main Street Old Weston

Applicant: Mr Tony Vaughan

Grid Ref: 510023 277489

DESCRIPTION OF SITE AND APPLICATION

The application site at Swan Inn, Main Street is occupied by a one-and-a-half storey detached property located along a ribbon development in Old Weston. The dwelling is a Grade II Listed Building, with Historic England's Listing describing the property as a public house, alongside the submitted Design and Access Statement highlighting an associated dwelling as part of the use. A number of Listed Buildings are located along Main Street, and the application site falls within Flood Zone 1 of the Environment Agency's Flood Map for Planning.

This application seeks permission for the partial replacement of the roof covering.

An application for Listed Building Consent is also submitted alongside the current application for the same proposal under reference 25/00784/LBC.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (December 2024) (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;
* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 (Adopted 15th May 2019)

LP2: Strategy for Development
LP9: Small Settlements
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP22: Local Services and Community Facilities
LP30: Biodiversity
LP34: Heritage Assets and their Settings

Neighbourhood Plan and relevant policies where applicable

Huntingdonshire Design Guide Supplementary Planning Document (2017):

* Place Making Principles parts 3.7 Building Form and 3.8 Building Detailing

Huntingdonshire Townscape and Landscape Assessment Supplementary Planning Document (2022)

The National Design Guide (2021)

Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

Given the historic nature of the property there is an extensive planning history associated with it. The history from 1974 onwards is available to view on HDC's Public Access Site. The most recent, relevant planning history is detailed below:

7400037FUL - MODERNISTAION OF EXISTING PUBLIC HOUSE THE BLACK SWAN OLD WESTON (Permission)

95/00868/FUL - Erection of an extension to provide additional living accommodation. (Permission)

95/00869/LBC - Erection of an extension to provide additional living accommodation. The Swan Public House, Main Street, Old Weston. (Consent)

20/01250/LBC - Replacement tiles on main building to concrete double pan tiles (Withdrawn)

23/02299/LBC - Erection of like for like replacement of part of roof covering (Withdrawn)

24/00278/LBC - Remove part of the existing roof tiles, install a new breather membrane tiling battens and replacement tiles to exactly match existing (Refused)

25/00784/LBC - Proposed partial replacement roof covering (Pending Consideration)

CONSULTATIONS

Old Weston Parish Council - No comments received at the time of determination.

HDC Conservation Team - Recommend refusal, further comments in subsequent sections of this report.

REPRESENTATIONS

None received at the time of determination.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of a number of adopted neighbourhood plans, however, there is not an adopted neighbourhood plan in place for Old Weston. Therefore, in this case no neighbourhood plans are given weight in the determination of this application.

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider in the determination of this application are:

- The Principle of Development
- Design and Visual Amenity
- Impact on Heritage Assets
- Residential Amenity
- Biodiversity

*The Principle of Development

Policy LP22 of Huntingdonshire's Local Plan to 2036 states that 'a proposal for a new local service or community facility within a built-up area, or the extension of an existing local service or community facility on land immediately adjoining the built-up area, will be supported where it provides for a new service or facility or it retains or enhances an existing service or facility, including through the provision of premises suitable for mixed use or multiple community functions.' Whilst the proposals do not involve the creation of a new local service or community facility, as the Swan Inn is an existing public house, and the proposals involve the replacement of the roof coverings such to retain the current use of the building as a local service, the proposals are considered to accord with Policy LP22 of the Local Plan to 2036.

However, Policy LP34 of the Local Plan presents how a proposal is required to demonstrate the potential for adverse impacts on the historic environment, and 'provides clear justification for the proposal, especially if it would harm the significance of an asset or its setting, so that the harm can be weighed against public benefits'. In this instance, the proposal fails to demonstrate sufficient justification for the works, and as such are not acceptable in principle and fails to accord with Policy LP34 of Huntingdonshire's Local Plan, which is presented in further detail in subsequent sections of this report.

*Design and Visual Amenity

The application site at Swan Inn is occupied by a detached, one-and-a-half storey Grade II Listed Building in Old Weston. The surrounding area depicts the character of a typical rural village, and there are a number of additional Listed Buildings along Main Street on which the application site is located. The works which require Planning Permission concern the replacement of the existing roof coverings.

The Grade II Listed Building is of mid-17th century design and timber framed, with later additions to the rear and gable ends. The original building is described as one storey with an attic with a 20th century ridge pantiled roof, where these pantiled roof coverings are proposed to be replaced, and consists of a three-unit plan and a two-storey 19th century extension to the south west elevation. The proposal is a revised resubmission of application 24/00278/LBC, which was refused. The proposed works involve the replacement of the existing pantiled roof with reclaimed and reused tiles to match existing, described as double Roman roof tiles. Given the proposed materials consist of those that match the existing pantiles, and the overall design of the roof is to remain the same (and this could be secured by condition in the event of a successful appeal), it is not considered that there will be any detrimental harm to the character or appearance of the area. As such, the development therefore accords with Policies LP11 and LP12 of the Local Plan to 2036 in this regard.

*Impact on Heritage Assets

In assessing development works to a Listed Building, it should be regarded that:

Section 16(2) of the Planning (LBCA) Act 1990 (as amended) requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (LBCA) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority 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.

Para. 212 of the NPPF sets out 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'.

Para. 213 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification'

Local Plan policy LP34 aligns with the statutory provisions and NPPF advice.

As this is the case, HDC's Conservation team have been consulted and having reviewed the documents object to the proposals and have made comments which are summarised below:

HDC's Conservation Officer states that the current proposal was previously submitted under application 24/00278/LBC, which was refused based on insufficient information. Whilst the current, revised proposal includes the addition of a detailed Heritage Statement, it is apparent that the application is missing the same information.

For example, the HIA (para 4.1.4) states *'Internal inspection reveals multiple instances of leaks; it is obvious from the disposition of these leaks that it is not confined to faulty rainwater goods or failed flashings (i.e. these are evident but are not the only points of ingress).'* However, no

evidence of this has been provided e.g. a report of the internal inspection, photographs of the areas of concern with an annotated plan showing the location of the concern to support this etc.

Paragraph 4.1.4 of the HIA goes on to state that '*problems have been left and attended to for a significant period of time'.* A list of the problems has not been provided, and no other evidence has been submitted in support of this statement.

The application lacks finer details of the current condition of the roof and roof structure, with no defects clearly identified in order to provide justification for the removal of the roof. From this, HDC's Conservation Officer has been in direct contact with the planning agent and heritage consultant of the application to give opportunity to provide justification for the works to be undertaken, however no additional information has been provided. As this is the case, with the proposals causing harm to the Listed Building through the removal of the existing 20th century pantiles presented in Historic England's Listing for the building and as mentioned in the preceding sections of this report, it is considered that the submitted justifications and details of the proposed works are insufficient to assess the degree of harm and it is therefore not possible to determine whether there are sufficient benefits to outweigh the identified harm.

Therefore, having regard to Conservation Officer's comments alongside the above assessment, the removal of the roof covering without sufficient justification would result in harm to the character and significance of the Listed Building. Further, the submitted information and details of the proposed works are insufficient to assess the degree of harm and whether there are sufficient benefits to outweigh the harm. Given this, it is considered that the proposed development is not acceptable with regards to its impact on the designated heritage assets. It therefore fails to accord with Policy LP34 of the Local Plan to 2036, the provisions of the NPPF (2024) and the Planning (LBCA) Act 1990.

*Residential Amenity

Given the type of development proposed as the replacement of roof coverings, it is not considered that there would be any unacceptable material impacts in terms of overbearing or loss of light, nor would there be any issues regarding loss of privacy or overlooking.

Overall, taking these factors into account, the development is considered acceptable in terms of overshadowing, overbearing impact, overlooking, loss of privacy, loss of light and would not have a significant impact upon residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036 in this regard.

*Biodiversity

Given age of the building and works required as the replacement of the roof structure, a Preliminary Roost Assessment has been provided, which has identified no constraints to the proposals. Alongside this, the assessment has also presented some recommendations for mitigation measures to prevent harm to any protected species, which in this instance could be secured by condition in the event of a successful appeal.

Further to the above, (and separate from the requirements of LP30) qualifying new development is subject to Biodiversity Net Gain legislation pursuant to the Environment Act 2021. This means that a 10% statutory Biodiversity Net Gain (BNG) is required with the hierarchy of onsite provision; mixture of on-site and off-site provision; and the last resort of statutory biodiversity credits unless it can be demonstrated that the development would be exempt. In this case, officers are satisfied that the development would fall within the de minimis category as it impacts less than 25 square metres of priority habitat and 5 metres of linear hedgerow.

Overall, whilst no measures for biodiversity enhancement have been provided, given the nature of the development, this would be challenging. Policy LP30 of the Local Plan to 2036 seeks to ensure

no net loss and achieve a net gain, but only where possible. In this case, subject to the mitigation measures, officers are satisfied there will be no net loss, and the development is broadly complaint with Policy LP30 in this regard.

*Conclusion

The proposed development is not considered to be compliant with the relevant national and local policy as:

*There has been insufficient information provided with the application to justify why the removal of the roof covering is required and how residual impacts on the structure as a result of these works would be managed. Furthermore, no evidence has been provided as to how the public benefits of the proposal would outweigh the harm identified. It is therefore contrary with Policy LP34 of the Local Plan to 2036, the provisions of the NPPF (2024) and the Planning (LBCA) Act 1990.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be refused.

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CONTACT OFFICER:
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