

AGENDA ITEM NO: 8/3(b)

Parish:	Downham Market	
Proposal:	Conversion of hotel to 7 flats and HMO, amenity and parking area.	
Location:	Castle Hotel High Street Downham Market Norfolk PE38 9HF	
Applicant:	C/O Agent	
Case No:	21/01150/LB (Listed Building Application)	
Case Officer:	Mr Steven King	Date for Determination: 24 August 2021 Extension of Time Expiry Date: 8 April 2022

Reason for Referral to Planning Committee – referred by the Assistant Director

Neighbourhood Plan: No

Case Summary

The application site is that of The Castle Hotel, which is a Grade II listed building on the northern corner of the mini-roundabout junction of High Street, Paradise Road and Lynn Road at the centre of Downham Market.

In 2020 consent was granted to convert the existing 12 bedroomed hotel into 6 No. flats; convert the single storey outbuilding in the rear yard into a 1 bedroomed dwelling and extend it to create a further similar unit. This consent created a total of 8 dwellings. Later in 2020 a revised proposal was approved which brought the cellars into use, which required minor changes to the originally approved application. This current application seeks consent to convert the existing building into seven self contained flats and one five bedroomed House in Multiple Occupation. No further changes are proposed to the outbuilding and there are no proposals to alter the cellars.

As with the earlier application only minor external alterations are proposed to the main three storey building comprising of re-opening two doorways and a window. Further changes are proposed to the interior of the building. A utilitarian double garage in the south-western corner of the courtyard is to be demolished.

This application proposes the removal of a secondary staircase linking the first and second floors. The removal of this staircase, dating from the late Victorian period has already been approved under the consents granted in 2020.

The application is accompanied by a Heritage Statement and planning statement. The application is also accompanied by an additional application for planning permission 21/01148/F which is also on the agenda.

Key Issues

Impact upon the fabric and appearance of the listed building.

Recommendation

APPROVE

THE APPLICATION

This property was listed Grade II under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest in February 1949 with the statutory entry as follows:

Mainly C18, but core probably earlier, carrstone and brick. Front, stuccoed, centre with vermiculate rustications. 2 storey and attics, with windows at ends. Good main entrance with Venetian window above, and half-moon window at 2nd floor in pediment. 5 flush frame sash windows at 1st floor with glazing bars. Battlemented parapet, with ends swept up. Pantiled and tiled mansard. Castle Hotel and Nos 52 to 56 (even) form a group.

The proposed five bedroomed House in Multiple Occupation is formed within the front section of the building. Accommodation provided at ground floor for the HMO includes a kitchen/living room and ground floor bedroom with en-suite. This has ensured that the existing layout remains unchanged leaving the existing reception hall, staircase bar and managers sitting room in their current layout and appearance. The existing small office is converted into an en-suite bathroom to serve the ground floor bedroom. The application has been amended to remove the proposed en-suite bathroom from the existing managers sitting room, thereby retaining the original proportions of this important room. A condition has been added to ensure that any kitchen fittings are sympathetically installed.

The first floor of the HMO contains 4 bedrooms each with an en-suite bathroom, the current layout of the hotel. Only the landing area is changed with the removal of modern stud/glass walls and the installation of new stud walls to separate the HMO from the self-contained flats proposed to the rear of the building. Once again, the application has been amended to remove a proposed en-suite bathroom from the principle first floor bedroom, thereby retaining the original proportions of this important room. Further to these amendments, negligible harm is caused to the building's significance.

The conversion of the hotel has provided units, which in some cases span more than one floor. Unit 1 forms an apartment on two floors and retains the high quality rooms to the ground and first floors along with the sweeping and impressive staircase. Furthermore, the modern 20th century bar will be removed from the west ground floor room re-instating the rooms original proportions.

The seven flats are proposed for the rear of the existing hotel. At ground floor level two flats are proposed. Flat 2 is formed by the restaurant space facing onto the High Street providing a living room with the bedroom formed by space behind the existing bar. The hotel's existing kitchen forming the kitchen to Flat 2 and existing linen/storage room forming the bathroom. The creation of this apartment will reopen the blocked window to the historic lean-to section along with the re-instatement of the entrance to the High Street, forming part of the historic shop front, which will also be repaired.

Flat 1 to the ground floor is formed by the large 20th century flat roofed section to the rear, which will be sub-divided to form one bedroom, living room, kitchen and bathroom. Existing storage rooms and outbuildings to the rear will form a new estate office and toilet.

A further two flats will be accommodated to the first floor. Flat 3 is created on the first floor of the rear, nineteenth century extension with access from the rear service stairs. Modern

studwork will be removed to create an en-suite, and a former door will be reinstated. The ground floor of this wing floor currently contains the kitchen and storage area of the hotel with two doors leading outside, one of which is blocked. It is proposed to unblock this to provide access to estate office, whilst the second door allows access to the stairwell and stairs serving the flats above.

Flat 4 comprises of the remainder of the first floor to the north wing, with a bed sitting room housed in the existing hotel bedroom. The separate kitchen and en-suite bathroom are formed by the conversion of the existing linen store and storage rooms with only stud walls altered. Unit 3 sees the biggest alteration proposed, the removal of the small service staircase to the second floor. This is a late Victorian staircase and was inserted when the north wing was heightened at some point around 1897. Whilst this is regrettable and causes some harm, this staircase is of less significance than either the main front staircase or the elegant 19th century staircase to the rear wing. Consent was granted for the removal of this staircase in 2020.

Flat 5 mainly repeats the design of Flat 3 below. Flat 6 is formed from the remaining part of the north wing to the second floor and utilises three existing hotel bedrooms and en-suite bathrooms. This will involve the rationalisation of some doors and walls, but with one exception these are of modern stud construction and only negligible harm will be caused to any historic fabric. Flat 7 is formed from the second floor of the frontage building currently forming part of the flats for the previous hotel owner. Little alteration is proposed here other than a new stud wall and doorway to the existing landing. The second bedroom to Flat 7 utilises the existing staircase and attic bedroom.

Additional information has been submitted containing schedules of windows to the property, including details of window replacements with double glazed units. This additional information is not shown on proposed elevations or floor plans nor mentioned in either the Planning or Heritage Statements, both of which highlight the limited changes to the exterior, much of which was granted consent in 2020. Replacement of existing windows with double glazed would be contrary to the advice provided by Historic England in their guidance 'Traditional windows, their care, repair and upgrading' February 2017. On this basis conditions have been attached to the recommendation ensuring that all works to windows will comply with Historic England Guidance.

No work is proposed for either of the two cellars.

The former brewery building and dwelling extension are to be implemented in accordance with consents 20/01579/LB and 20/01580/F

SUPPORTING CASE

A Heritage Impact Assessment has been submitted which concludes the following:
"The level of harm is in terms of the NPPF, 'less than substantial'. Indeed, it is minimal and in such a case the public benefits which accrue should outweigh the level of harm caused (paragraph 202).

In this case the revised proposal provides an HMO, helping to address urgent housing needs in the Borough. This is an important public benefit. The revised proposal also results in the provision of seven flats adding the Borough's housing stock and the economic benefits the occupation of the flats will bring which is of further public benefit.

The proposal puts the heritage asset to a viable use consistent with its conservation. It ensures its long-term viability whilst providing a range of residential units. The proposed

residential conversion of the hotel has been accepted and this revised proposal is within the spirit of the earlier approvals. A further public benefit results from its enhanced setting.

Consequently, in this case the balance is in favour of the proposed development. It satisfies both national planning guidance and local planning policies"

The assessment highlights "the main change involves the creation of the HMO which requires two additional en suites in the ground floor room east of the hall and the room above it. These rooms are significant, and the subdivision harms their proportions

In terms of the NPPF, the level of harm is 'less than substantial' but nevertheless is still harmful. The cubicles to be inserted will not cause harm to the fabric and would be capable removal without causing harm, but the insertion does interfere with the decoration of the rooms particularly the ground floor east room. The level of less than substantial harm is moderate"

Since the Heritage Impact Assessment has been submitted, the application has been amended to omit the two en-suite bathrooms.

PLANNING HISTORY

21/01148/F: Pending, also for consideration on this agenda – Conversion of hotel to 7 flats and HMO, amenity and parking area.

21/00070/TREECA; Pending decision: T1 Yew – to remove within a Conservation Area

20/01580/F: APPLICATION PERMITTED 15/12/2020 – Variation of Condition 2 of Planning Permission 19/02110/F

20/01579/LB: APPLICATION PERMITTED 14/12/2020 – Additional works to previous approval 19/02111/LB

19/02111/LB: APPLICATION PERMITTED 02/03/2020 - Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

19/02110/F: APPLICATION PERMITTED 02/03/2020 - Conversion of hotel to 6 apartments (comprising 3 no. 1 bedroom, 1 no. 2 bedroom and 2 no. 3 bedroom); conversion of brewhouse to 1 bedroom dwelling; and proposed new 1 bedroom dwelling, with associated amenity and parking area

15/01487/LB: Application Permitted: 18/11/15 - Listed building application for proposed alteration (Delegated)

RESPONSE TO CONSULTATION

Parish Council:

Downham Market Town Council:

Downham Market Town Council recommends refusal of this planning application referring to SADMPP C 5 DM4; NPPF 16 185/192/193-202. The Council comments

The previous proposals for flats seemed at least to offer a sustainable future for this landmark heritage building, even though the closure of its best preserved historic internal features to the public was regrettable as was the loss of a town centre employer and valued facility.

The new proposals envisage switching what would have been a delightful, spacious period flat, in the historic core of the building, with fantastic internal features, into a house of multiple occupation. This as the developer's own expert admits will involve damage to the historic fabric due to the need to add en suite bathrooms on the existing ground floor. With the HMO at its core, the remaining flats are unlikely to attract owner occupiers. We will have an iconic landmark building wholly owned by buy to let landlords, aimed at the budget end of the market, with potentially little interest in spending money to maintain the historic fabric of the building.

This is a very prominent town centre building and the consequences for the town's character and street scene could be significant. We have an example above Peacocks of neglect by absentee landlords of one historic town centre building, we do not want to add the Castle Hotel to the list. This is a key building in the conservation area in its design appearance and layout internally and externally, and the changes imperil the Grade 2 status. Removing non-visible listed assets is reason enough to refuse the application

Conservation Areas Advisory Panel:

The Conservation officer provided an overview of the changes in plans from the previous approval, the majority of which were inside the building to further subdivide the building. The Panel expressed concern about the loss of any period features which were currently in place such as fireplaces, ceiling roses and architrave.

Conclusion

The Panel expressed concern about the impact of the intensity of the proposals on the historic features of the property.

REPRESENTATIONS

ONE item of correspondence received **OBJECTING** on the following grounds:

- Downham Market is a town in the process of upgrading its amenities and standing in
- West Norfolk. It is totally inappropriate to allow this historic building to be stripped of its assets in order to place potentially troubled citizens in a central town position on a very busy exit
- No objection to private flats but multiple occupancy dwellings suggests a transient population with associated issues

ONE item of correspondence (from The Lodge, Castle Yard) neither objecting nor supporting the application but seeking clarification about the address of the Old Brewery which has been labelled as 'The Lodge',

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations in the determination of this application is whether the development harms the significance of the designated heritage asset and if this harm is necessary to achieve public benefits that outweigh that harm.

This new application continues to make limited alterations to the appearance and character of this listed building. The changes would be mainly internal with the erection of new openings created in existing, stud walling. A former doorway and window at ground floor would be re-opened facing into the yard area plus a doorway re-opened in the shopfront element facing onto Cannon Square. The application has been amended to ensure that the two principle rooms to the east at ground and first floor level are retained in their current layout.

Paragraph 199 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 assets conservation and the more important the asset, the greater the weight should be. This is irrespective of whether any potential harms amount to substantial harm, total loss or less than substantial harm to its significance"

Further to the amendments to retain the principle ground and first floor rooms to the east in their current layout , this proposal has been sympathetically developed, with a clear recognition of what elements of the listed building are significant, and clear weight given to the historic building's conservation. The removal of the 19th century small service staircase to the north wing was granted consent in 2020 , and this application proposes no additional harm, especially now the application has been amended, ensuring more of the building's remaining historic fabric will be conserved in line with paragraph 199 of the NPPF.

Any harm to a listed building requires clear and convincing justification as required by Paragraph 200. The degree of harm must be assessed in conjunction with Paragraphs 201 and 202. In the officer's view, the proposed alterations to the building's plans will lead to 'less than substantial harm to the significance of the heritage asset as opposed to substantial harm'. Therefore, Paragraph 202 of the NPPF rather than Paragraph 201 applies which states: "Where a 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 securing its optimum viable use."

In this case, the potential long-term use of the building as 7 apartments and a five-bedroom house in multiple occupation provides a sustainable use ensuring the future maintenance and longevity of the building. The important interiors would remain intact. This less than substantial harm to the Grade II listed building is considered to be justified and acceptable in the context of the guidance set out in the NPPF.

Officer Response to Representations

Both Downham Market Town Council and CAAP, along with one further representation objected to the further subdivision and the impact this may have upon existing features. This concern was also shared by officers and the application was amended to retain the ground and first floor rooms to the east in their current layout, therefore removing the harm these works will have caused.

CONCLUSION

In accordance with paragraph 199 of the NPPF, great weight should be given to a heritage asset's conservation. In this case, the proposed alterations will lead to less than substantial harm to the significance of this heritage asset. However, the long-term public benefits of securing a sustainable use for this building, without impacting upon its impressive interior, outweigh this less than substantial harm. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective (paragraph 8); this application complies with this aim.

The application is therefore duly recommended for approval subject to certain conditions stated below.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition This Listed Building Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of three years from the date of this consent.
- 1 Reason To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The proposed works shall be carried out strictly in accordance with the approved plans and specifications: 21033 12 01 Elevations as proposed (received 11/06/2021); 21033 11 04 First and second floor and attic plans as proposed (received 24/08/2021) & 21033 10 06 Ground and cellar plans as proposed (dated March 2022 and received 18/03/2022) except where modified by the conditions of this consent. Where, in these conditions, details of any materials, methods of work, colours, types of application, schemes of investigation or protection or any other matter are to be agreed or approved, no works shall be carried out other than in accordance with such agreed or approved details.
- 2 Reason To ensure that the works are properly controlled in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.

- 3 Condition The brick/stone to be used for the external surfaces of the proposed extension and repairs to the outbuilding hereby approved for the new build shall be constructed in accordance with a sample panel, prepared on site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond, and pointing technique to be used in the approved scheme.
- 3 Reason To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 4 Condition All mortar, plaster and render to be used in the works hereby approved shall be lime rich and cement free to a specification to be agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 4 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding details submitted no consent is hereby given to proposed window replacements. A detailed schedule of those windows to be repaired/replaced shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall detail the proposed method of repair and no windows shall be repaired/replaces unless in accordance with the approved schedule.
- 5 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 6 Condition Notwithstanding details submitted, no consent is hereby given to proposed window replacements. 1:20 drawings of all new and/or replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross sections and the opening arrangements. The development shall be implemented in accordance with the approved details.
- 6 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 7 Condition All existing doors and windows shall be retained within the existing openings unless otherwise agreed in writing by the Local Planning Authority.
- 7 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 8 Condition Details of all new and replacement gutters and down pipes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
- 8 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 9 Condition Soil and vent pipes shall be internal and painted black where they project above the roof unless otherwise approved in writing by the Local Planning Authority.
- 9 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.

- 10 Condition Full details of all extractor vents, heater flues and meter boxes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 10 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.
- 11 Condition All existing historic internal decorative plasterwork and internal joinery (including skirtings, doors, architraves, dado and picture rails) shall be retained and carefully repaired in accordance with a schedule of works to be submitted to and approved in writing by the Local Planning Authority prior to work commencing.
- 11 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 12 Condition All original fireplaces and grates shall be retained in-situ unless otherwise approved in writing by the Local Planning Authority.
- 12 Reason To ensure that such details are retained in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 13 Condition All new internal partitions shall be scribed around existing ornamental plaster and timber mouldings.
- 13 Reason To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF.