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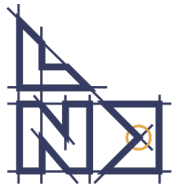
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Planning & Heritage Statement

Proposed Conversion Works at
Spice Lounge
45 High Street,
Wargrave,
Berkshire
RG10 8BU





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Introduction

The following document is produced in support of the proposed conversion of the existing listed building referred to above to provide 6 No. habitable dwellings.

The conversion of the listed building was originally approved by Wokingham Borough Council under planning application reference 201645.

The new application will seek to make amendments to the previously approved layout due to construction constraints resultant from initial exploratory works of the existing structure.

The property, 45 High Street, is a Grade II listed building and located within the Wargrave Conservation Area. The large white building is currently vacant but was last used as an Italian restaurant with residential accommodation on the upper floors. 1.3 This statement provides support for the planning application and listed building consent providing a Planning and Heritage Statement which sets out justification for the scheme in the current planning context. In addition, this statement provides details in relation to affordable housing and CIL as required under the Council Local List to accompany this type of application.

Location & Site Description

The application site is located within the settlement of Wargrave and is part of the Local Centre. The building which is located to the east of the High Street is a large two storey building with rooms in the roof. The property is currently vacant but was last used a restaurant – Da Toni, with residential accommodation at first and second floors. Previously it was The White Hart Public House.

To the south, including the adjoining the property, 49 High Street, are residential properties which form part of a group of properties which includes a modern development of a terrace of dwellings (53, 53a and 53b High Street) to the rear and which adjoins the application site.

To the other side is an access drive which serves the car park to the rear and provides access to several residential properties including Wargrave Chapel which is now in residential use. This is a Grade II listed building.



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Wargrave High Street is characterised by a mix of commercial and residential premises and it includes several listed buildings (although none other than the Chapel are in the immediate vicinity of the application property). Over the years a number of properties of undergone changes of use from retail/commercial to residential. The retail uses are now concentrated around the crossroads of the High Street/Church Street/School Lane.

45 High Street is a relatively prominent building along the High Street. It is a white painted building with black window surrounds, the detailing is echoed on neighbouring properties including the long terrace of residential properties opposite.

Proposal

The proposal is for the conversion of the property to residential use as 6 self-contained flats.

No increase in floor area is proposed to the main building and there are no works proposed to the roof with the proposal use of the the existing building.

A number of small internal alterations are proposed to subdivide the building.

The removal of the current overhanging development to the rear yard and the removal of the paraphernalia associated with the restaurant use are benefits of the proposal which have already been undertaken under the previous approval.

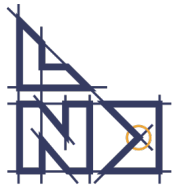
The existing coach house/ stable building is proposed to be demolished and replaced due to it's poor structural state (refer to structural engineers report) however the newly proposed structure will be detached from the main building.

Minimal changes are proposed to the historic fabric of the building which include the provision of doors and windows as per the proposed plans.

The building as it stands has been largely stripped out in accordance with the previously granted approval. This consisted of the removal of a number of non original internal partitions and fittings/ equipment associated to the use as a bar/ restaurant.

None of the changes proposed materially alter the historic fabric of the building, indeed every care is to be taken to not only respect but also enhance the important features.

The existing site access will remain as existing.



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Planning Policy Context.

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Section 70 of the Town and Country Planning Act 1990 and 38(6) of the Planning and Compulsory Purchase Act 2004 require that planning applications are determined in accordance with the development plan unless other material considerations indicate otherwise.

In the case of this application, the relevant adopted development plan consists of:

- Core Strategy Development Plan Document adopted January 2010 (CS)
- Managing Development Delivery 2014 (MDD)

In addition to the adopted policies the Council have produced a number of supplementary planning documents to support their policies and approaches to development. Of relevance to this scheme are:-

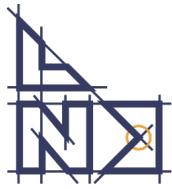
- o Sustainable design and construction SPD
- o Affordable housing supplementary planning document
- o Infrastructure delivery and contributions SPD 4.4

A further and important material consideration is the National Planning Policy Framework (NPPF) (2019) which sets out the Government's up to date strategy and guidance for plan making and decision taking.

Heritage Statement

A listed building and a Conservation Area are both considered as a designated Heritage Asset as defined by the National Planning Policy Framework (NPPF). The NPPF defines a Heritage Asset as "a building....identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated Heritage Assets (definition provided elsewhere in NPPF) and assets identified by the Local Planning Authority (including local listing)".

The statutory obligation for determining a planning application is that it must be determined in accordance with the development plan unless material considerations dictate otherwise (S70 of the Town and Country Planning Act 1990 and S38 of the Planning and Compulsory Purchase Act 2004). Policy TB24 of the Local Plan sets out the tests for development which impact on Heritage Assets but the policy only provides general policy requirements. The test for considering the impact on a listed building, the setting of a listed building and the impact on a Conservation Area is set the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) and, therefore, though the generic policy of the Local Plan and the National Planning Policy Framework must be taken into account, the statutory tests of the Act are of most relevance.



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Legal Position

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Listed buildings benefit from the highest level of protection under the provisions of The Act. Within the definition of listed buildings, the majority are grade II (approximately 92%) with only the top rated buildings grade I or II*. Paragraph 1(3) of the Act explains that “In considering whether to include a building in a list compiled or approved under this section, the Secretary of State may take into account not only the building itself but also— (a) any respect in which its exterior contributes to the architectural or historic interest of any group of buildings of which it forms part; and (b) the desirability of preserving, on the ground of its architectural or historic interest, any feature of the building consisting of a man-made object or structure fixed to the building or forming part of the land and comprised within the curtilage of the building.”

Section 16(2) of the Act then sets out the basic legal test for the decision maker requiring that “in considering whether to grant listed building consent for any works the local planning authority or 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.” The highlighted section is important as it places the emphasis on the architecture (which can be taken as the external appearance) or the historic interest.

In terms of the setting of a listed building, the tests for this are set out in paragraphs 16(2) and 66(1) of The Act which requires that “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.”

Conservation Areas are designated under the provisions of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. A conservation Area is defined as “an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance”. Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of these conservation areas. Section 72 also specifies that, in making a decision on an application for development within a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area.

The advice for the decision maker continues in paragraphs 193-195 of the NPPF where the relevant advice 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. (Para. 193)



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45 High Street is a Grade II listed building which is described as:-

‘Inn. C16 altered C19 and C20. Part painted brick and rendering, part timber framed. Old tile gabled roof with gabled dormers, flanking chimney on right and one offset on ridge. L-plan 2 storeys, attic and cellar.

Road front: projecting one bay gable on left with upper sash window over 3-light sash both with glazing bars. Right hand has 2, C19 dormers, 3 upper bays, centre a painted inn sign panel flanked by sashes. C19 entrance porch with winged half glazed doors and angular bay with hipped old tile roof to right of this.’

The main consideration for this application is the impact of the development on the listed building.

As explained above, the proposed conversion and subdivision can be delivered with relatively little change to the historic fabric of the building.

The changes to this fabric are, in our opinion, relatively minor alterations to the fenestration. Otherwise the fabric of the building remains unaltered.

The external changes to the main building are so low key that they do not material alter the appearance of the significance of the historic building.

The sub-division of the property is proposed in as sympathetic way as possible with changes to the historic fabric kept to a minimum.

The open nature of the ground floor, the historic public area of the site, will be divided and this will result in some harm to the historic character of the building (albeit, given the lack of work to the historic fabric, not changes that are irreversible).

This harm would, using the terminology of the NPPF, be less than substantial harm and, if a sliding scale is applied, it would be at the lower end of the scale in terms of the amount of harm.

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.

That is a question of whether the benefits of a viable residential use outweigh any harm in heritage terms in doing this. Only in this context do we consider it to be necessary to evidence why the site is incapable of continuing in its current use. In other words, we need to demonstrate that the proposal is the Optimum Viable Use (OVU) of the heritage asset.

The ‘optimum’ use will be that which causes least harm to the heritage asset and the use must be viable in order to secure the asset’s future. There should, therefore, be positive intent towards finding a viable use.



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The NPPF also attaches great weight to the conservation of heritage assets and attaches weight to public benefits including securing the optimum viable use. National Planning Policy Guidance (NPPG) (paragraph 015) expands upon what a viable use is and how it should be taken into account in planning decisions. It states that sustaining heritage assets in the long term often requires an incentive to secure their active conservation and that putting them to viable use is likely to lead to the investment in maintenance necessary for their long-term conservation.

We submit that a residential use is the most viable use for the following reasons: i) Various historic uses of the building have been tried but ultimately its most recent use, as a restaurant, was a use that didn't fully use the property (the upstairs was generally unoccupied because overnight accommodation is not normally needed for a restaurant).

The restaurant proved unsuccessful as a business, not least because Wargrave is a relatively small settlement and, despite its affluence, cannot sustain the number of restaurants that it had. Furthermore, the large floor area of the property compared to the floor space needed for the operation meant that overheads were high and disproportionate to the income. ii) Prior to the restaurant use, the property was a public house with accommodation upstairs.

In 2013, when planning permission was granted to change the use to a restaurant, the Council considered evidence as to why the property couldn't continue as a pub. The conclusion was that the change of use and the loss of community facility was accepted. In the intervening 7 years, pubs have continued to be lost and there is no indication of any reverse in the cycle of fewer pubs being needed.

The reversion to a pub remains unviable as it was back in 2013.

A single residential use, as a family house, would involve less subdivision of the property but it wouldn't be possible without some significant changes given the 2 flanked nature of the rear part of the property and the need for corridors etc. The ground floor is disproportionate in size to the accommodation upstairs and there is no obvious location for a modern family kitchen. The value of the property in such a location would make the works to convert the building unviable.

The building, with its small rooms and historic layout is not consistent with modern office needs. Even if an occupier could be found, the threat to a listed building to provide modern telecommunications and infrastructure is considerable. An office use (or any other use in the B use class) would have a greater impact on the historic building even if it was an unviable use (which is unlikely). Offices are more functional than dwelling houses and generally are less cared for on the basis that there is greater occupation.

The character of the surrounding area is residential and therefore this will be the most compatible use with this area. For example, the nearby chapel (once another community facility) has been converted to residential use with the Council accepting that there is no prevailing need for the community use (which rules out the reversion to a community use of the application site)



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On the above basis, there are no other uses which would both be viable and result in less harm to the listed building. Furthermore, the NPPF emphasises that LPAs should prioritise the redevelopment of Previously Developed Land (PDL) in stating “Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”.

There was no suggestion from the LPA in granting the previous consent that there is any other use as an option other than the proposed use (which was accepted by the Council in principle). This is logical on the basis that there is no evidence of being needed for a community use; research and development, industrial or warehousing (B1 to B8) will be more harmful to the listed building; there is no shop front for an A1 or A2 use and the current A3- A5 use is not viable. Therefore, we submit that a residential use is the only viable use. As explained in the Planning Policy Guidance “If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.” (our emphasis). It continues 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 provided the harm is minimised.”

Therefore, applying this advice, we conclude that the harm proposed is minimal and that the optimum viable use proposed outweighs this harm and justifies granting planning permission and listed building consent.

In terms of the setting of listed buildings (as opposed to the above test of the impact on a listed building, the only consideration for this application is the impact of the development on the converted chapel to the rear. The absence of any significant external changes or change in the footprint of the application property means that the impact of the application property on the setting of the listed chapel will remain unaltered.

The property is also located within the Wargrave Conservation Area which was designated in 1971. The Conservation Area is made up of a number of elements but the character of the High Street is noted as the narrow road and its wide variety of building styles tightly packed to create an intimate space (reference Wargrave Conservation Area leaflet).

Amenity

As an existing building it already has an existing relationship with the neighbouring properties. The only additional windows are facing the internal courtyard and to the rear overlooking the car park and therefore the development will not increase opportunities to overlook neighbouring properties.

Whilst the development will change the occupiers of the building this again will not have any material impact on the surrounding properties in terms of the privacy and amenity for occupiers.



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The property was already in residential use on the upper floors and a residential use on the ground floor will generate less noise and disturbance than a restaurant or pub use.

Services

Provision is made within the development for both cycle and bin storage to the rear of the building. The building is already fully served by electricity, water and drainage and therefore new provisions are not required.

Archaeology

The Proposals Map indicates that the site lies within an area noted to have archaeological significance. MDD policy TB25 requires the retention of archaeological sites in situ. All development relating to this proposal relates to the actual building, there is no development proposed to the land around the building and therefore there will be no physical changes to the site which could impact any potential archaeology.

Building Sustainability

MDD policy CC04 supported by the Sustainable Design and Construction SPD require sustainable design requires that new development contribute to environmental sustainability and the mitigation of climate change.

The proposal reuses the existing building and therefore in itself is a highly sustainable form of development. Additionally, and due to its listed building status, the orientation, windows and some features are prefixed. However, the development will include modern sustainability features (dual flush toilets, restricted water use etc) wherever possible

Transport and Parking

Parking for the site will be in the existing car park to the rear of the property which can accommodate 20 cars. This is more than sufficient to serve the 6 units



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Conclusion

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Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed development has been carefully considered in the context of all the relevant policy requirements and satisfies all the planning tests for the conversion to 6 flats

The application comprises the redevelopment of an existing building which is not only a sustainable form of development, but it supports a listed building and the proposal will contribute to the Borough's housing stock.

We have demonstrated through this statement that the proposed use results in the least amount of harm and results in the optimum viable use which outweighs the small amount of harm identified. We have found that the impact on the character and appearance of the Wargrave conservation area is a small benefit in favour of the proposed development. The impact on the setting of nearby listed buildings is neutral.