

<b>APPLICATION NO.</b>	<a href="#">P19/S0358/FUL &amp; P19/S0359/LB</a>
<b>APPLICATION TYPE</b>	FULL APPLICATION & LISTED BUILDING
<b>REGISTERED</b>	7.2.2019
<b>PARISH</b>	BERRICK SALOME
<b>WARD MEMBER(S)</b>	David Turner
<b>APPLICANT</b>	WH Brakspear and Sons Ltd
<b>SITE</b>	The Chequers Inn Berrick Salome, OX10 6JN
<b>PROPOSAL</b>	Internal and external alterations to listed public house including extension to existing car park. As amended by plan 1702/04/D received 23 April, 2019 altering the design of the front porch.
<b>OFFICER</b>	Kim Gould

1.0 **INTRODUCTION**

- 1.1 These applications were deferred from the meeting on 12 June in order that Members could visit the site.
- 1.2 These applications have been referred to Planning Committee as they were called in to Planning committee by the local Member, David Turner, if the applications were recommended for the refusal.
- 1.3 The Chequers is a grade II listed public house which lies within the Berrick Salome Conservation area. It was built in the early mid-18<sup>th</sup> century as a pub and has remained a key focus of social life in the area ever since, as well as a visually prominent addition to the historic village of Berrick Prior.
- 1.4 The inn is located at the junction of Hollantide Bottom with Chalgrove/Ewelme Road in Berrick Salome and is identified on the Ordnance Survey extract **attached** as Appendix 1.
- 1.5 The building has been extended to the rear and reconfigured during the 20<sup>th</sup> century. Elements of its early plan, however still remain, making its historic form as an inn and gradual evolution into the existing facility readable.

2.0 **PROPOSAL**

- 2.1 This proposal seeks full planning permission and listed building consent for the following:
- To swap the dining and bar areas over.
  - To relocate the bar, back to an earlier location.
  - To swap the existing cellar and customer toilets over so that the cellar backs onto the relocated bar (this was also a former position for the cellar).
  - To provide separate access to the residential accommodation at first floor via a set of steps to the rear so that the existing domestic staircase can be removed from the bar customer area.
  - To extend the existing modern kitchen extension by 3 metres so that cold room storage can be provided within the kitchen area.
  - To rebuild the entrance porch from the road facing elevation.
  - Extend the existing car park to provide 24 spaces plus 2 disabled spaces.

2.2 Reduced copies of the plans accompanying the applications are **attached** as Appendix 2. Full copies of the plans and consultation responses are available for inspection on the council's website at [www.southoxon.gov.uk](http://www.southoxon.gov.uk).

### 3.0 SUMMARY OF CONSULTATIONS & REPRESENTATIONS

3.1 **Berrick Salome Parish Council** – Approve. Fully Supports this application for the following reasons.

- a) The Parish Council and our parishioners see the Chequers as a hugely important part of our community and understand the need to ensure the business is viable going forward and also recognise the importance of having appropriate accommodation for the family of the tenants. We see that in its current layout these requirements are not met and that this application looks to address this.
- b) Additionally, the current operation of the Chequers generates significant parking issues for local residents at times as the existing car park is not large enough to meet the parking requirement during busy periods for the business. The additional parking provided within the application is welcomed in helping address this issue and we would also ask that SODC be sure and satisfied that the new parking capacity is at an appropriate level for the reconfigured layout.
- c) Fully Supports For these reasons we trust the district council will approve these proposed changes and ensure that the pub can continue to operate as a valued business and as an important part of our village life.

3.2 **OCC (Archaeology)** - No objection

3.3 **Conservation Officer** –

- Proposed relocation of the customer WCs – **No objection**
- Proposed extension to the existing C20 rear extension – **No objection**
- Replacement of front porch – **Objection** regarding design- **Amended plan. No objection** to porch subject to conditions relating to joinery and paint finish
- Removal of internal staircase – **Objection** – this represents a fairly high level of less than substantial harm to the significance of the listed building which fails to preserve or enhance the special historic and architectural interest of the building contrary to Sec 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- New external staircase at the rear of the building – **Objection** The insertion of a door at this level would interrupt the pattern of fenestration on this part of the building. It would also require the removal of the original stone walling below the window sill. The enclosed panelled section leading to this now proposed is a flat roofed section projecting over the dual pitched roof of a C20th extension. This addition would appear particularly incongruous within the context of what have been modest and traditionally detailed additions to the rear of the building.

3.4 **Historic England** – **objection** to the removal of the internal staircase. Concern regarding erection of new external staircase.

We have concerns about the proposal to remove the only staircase in the building and instead provide access to the upper floor externally. Whilst some of the staircase fabric may not be original, its significance lies in its position within the plan of the historic building which is likely to be its original location. Removing this central element of the historic plan would irrevocably alter the feel and flow of the building and would harm its significance. Furthermore, introducing an external staircase instead is likely to look a

little odd. We recognise the applicant's interest in reinstating the bar to a slightly earlier position and better integrating the granary room, but we would rather see a design which looks for creative solutions to opening up the interior of the pub with less impact on irreplaceable historic forms, retaining the staircase as a key, readable part of the building's history.

3.5 **OCC (Highways)** - No objection

3.6 **Countryside Officer** - No objection subject to the addition of the detailed bat informative

3.7 **Neighbour Approve** (1) But ask for additional parking

3.8 **Neighbour No Strong Views** (3) Overall support the goal of this planning application to provide a framework for a commercially viable pub in the centre of our village. We do see the pub as an asset to the local community. Concern regarding insufficient parking spaces leading to parking on verges, parking close to Green Lane causing reduced visibility to drivers and cars having to swerve on the verges.

#### 4.0 **RELEVANT PLANNING HISTORY**

4.1 [P18/S3756/LB](#) - Withdrawn (18/01/2019)  
Internal and external alterations.

[P18/S3755/FUL](#) - Withdrawn (18/01/2019)  
Internal and external alterations.

[P17/S1677/DIS](#) - Approved (20/06/2017)  
Discharge of Conditions 4.(Landscaping) 5.(Arboricultural Method Statement) on planning application P17/S0218/FUL

[P17/S0218/FUL](#) - Approved (20/03/2017)  
Re-organisation of parking area  
New freestanding store / office to back garden  
New pergola and paving to north-east elevation

#### 5.0 **POLICY & GUIDANCE**

##### 5.1 **South Oxfordshire Core Strategy (SOCS) Policies**

CS1 - Presumption in favour of sustainable development  
CSEN3 - Historic environment  
CSQ3 - Design  
CSS1 - The Overall Strategy

##### 5.2 **South Oxfordshire Local Plan 2011 (SOLP 2011) policies:**

C8 - Adverse affect on protected species  
CF1 - safeguarding community facilities and services including recreation facilities  
CON2 - Extensions to listed buildings  
CON3 - Alteration to listed building  
CON5 - Setting of listed building  
CON7 - Proposals in a conservation area  
D1 - Principles of good design  
D10 - Waste Management  
T2 - Unloading, turning and parking for all highway users

5.3 **Neighbourhood Plan policies;**

Berrick Salome Parish Council is working on creating a neighbourhood plan and the draft plan has been submitted to the District Council. Comments from the local community and statutory consultees runs from 15 April to 5 June.

Paragraph 48 of the NPPF allows weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise and only subject to the stage of preparation of the plan, the extend to unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF

The Plan has not yet reached a sufficiently advanced stage where it can be given significant weight.

BER2 Design  
BER7 Community facilities

5.4 **Supplementary Planning Guidance/Documents**

South Oxfordshire Design Guide 2016 (SODG 2016)

National Planning Policy Framework (NPPF)

National Planning Policy Framework Planning Practice Guidance (NPPG)

Planning (Listed Buildings and Conservation Areas) Act 1990

6.0 **PLANNING CONSIDERATIONS for P19/S0358/FUL**

6.1 The key considerations for the planning application are:

- Impact on the character and appearance of the conservation area;
- Impact on the setting of the listed building;
- Impact on parking;
- Impact on neighbours; and
- CIL.

Internal alterations do not require planning permission

6.2 **Impact on the character and appearance of the conservation area.**

6.3 The conservation area is a designated heritage asset. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Paragraph 193 of the NPPF (2018) reflects this requirement, stating 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.

6.4 Paragraph 195 of the NPPF (2018) requires that planning permission should be refused if there is substantial harm or the total loss of a designated heritage asset. Paragraph 196 of the NPPF establishes that where the harm is less than substantial that any harm should be weighed against the public benefits of the proposal

6.5 CSEN3 of the SOCS seeks to ensure that conservation areas will be conserved and enhanced and that proposals that affect non-designated historic assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.

- 6.6 CON7 of the SOLP seeks to ensure that development in a conservation area does not harm the character and appearance of the area; that the design and scale of the new work is in sympathy with the established character of the area and that traditional materials are used whenever appropriate.
- 6.7 The alterations which have the potential to impact on the character and appearance of the conservation area are the front porch, the rear extension and the external staircase with the flat roofed section.
- 6.8 **Front porch.** When originally submitted, the design of the replacement porch was not considered appropriate as some of the detailing was considered a little heavy and a more elegant flat roofed porch was suggested by your officers. An amended plan was submitted and there is no longer an objection to this part of the proposal as it is not considered to adversely affect the character or appearance of the conservation area.
- 6.9 **Rear extension.** The proposed rear extension to the existing kitchen would be to an existing C20 rear extension. It would be single storey only and built using traditional materials. The council's conservation officer has not raised an objection to this part of the proposal and it is not considered to adversely affect the character or appearance of the conservation area.
- 6.10 **Rear staircase.** The new external stair to the rear of the building would access the building at first floor level. The insertion of a door at this level would interrupt the pattern of fenestration on this part of the building and would also require the removal of the original stone walling below the window sill. The enclosed panelled section leading to this flat roofed section would project over the dual pitched roof of a C20 extension. This addition would appear particularly incongruous within the context of what have been modest and traditionally detailed additions to the rear of the building. This part of the proposal is considered to adversely affect the character and appearance of the conservation area contrary to policy CSEN3 of the SOCS and policy CON7 of the SOLP and to advice within the NPPF.
- 6.11 **Impact on the setting of the listed building.**  
Listed buildings are designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.
- 6.12 Paragraph 193 of the NPPF (2018) reflects this requirement, stating 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.
- 6.13 The NPPF advises that proposals which preserve the setting of heritage assets should be treated favourably. Policy CSEN3 of the SOCS reflects this aim and seeks to ensure that the setting of the district's designated historic assets be conserved and enhanced. Policy CON5 of the SOLP advises that development which would adversely affect the setting of a listed building will be refused.
- 6.14 In this case, the proposed extensions to the building are attached to the listed building and would not adversely affect the setting of the listed building. They are however,

considered to harm the character of the listed building and this is referred to later in the report in considering the listed building application.

**6.15 Impact on parking**

Policy T2 requires all developments to provide adequate parking provision. The existing car park has a gravel surface and can accommodate approximately 14 cars. Individual parking spaces are not marked out. The proposal includes an extension to the car park to provide 24 car parking spaces and 2 disabled spaces. (This car park extension was approved under planning ref P17/S0218/FUL but has not been implemented.) The County Highway Authority has raised no objection to the proposal on highway grounds. They have commented that the proposal is unlikely to result in any significant intensification of transport activity on the site or have any adverse impact on the highway network.

6.16 Some local residents have commented that the existing car park is not big enough and results in cars parking on the highway which results in highway safety issues. The agent has confirmed that the proposed internal reconfiguration of the pub would not result in any additional covers. As such the additional parking spaces would improve the existing parking situation and address the concerns of local residents.

**6.17 Impact on neighbours**

Any extension to a building should not adversely affect the residential amenity of neighbours. The proposed rear extension would extend the existing modern kitchen extension by 3 metres so that cold room storage can be provided within the kitchen area. The single storey extension would not have any adverse impact on the amenity of neighbours by way of overlooking or by being oppressive or overbearing. The proposed rear staircase and access to first floor is unlikely to result in any material loss of amenity. No objections from neighbours in relation to this part of the proposal has been received.

**6.18 Community Infrastructure Levy**

This proposal is not CIL liable.

**7.0 PLANNING CONSIDERATIONS for P19/S0359/LB**

7.1 The key considerations for the listed building consent application which relates to internal and alterations are:

- Impact on the historic fabric of the listed building;
- Impact on the special character of the listed building; and
- Impact on the setting of the listed building.

**7.2 Impact on the historic fabric of the grade II listed building and its character**

All the listed buildings are designated heritage assets. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

7.3 Paragraph 193 of the NPPF (2018) reflects this requirement, stating 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.

- 7.4 Policy CSEN3 of the SOCS seeks to ensure that conservation areas and listed buildings will be conserved and enhanced for their historic significance and their important contribution to local distinctiveness, character and sense of place
- 7.5 Policy CON2 of the SOLP seeks to ensure that any extension to a listed building must be appropriate to its character, must be sympathetic to the original structure in design, scale and materials and must not dominate or overwhelm it. Policy CON3 of the SOLP seeks to ensure that any alteration to a listed building must respect its established character and not diminish the special historical or architectural qualities which make it worthy of inclusion on the statutory list.
- 7.6 The proposed works to the listed building include:
- a) **Replacement porch** In its revised form, the proposed porch extension is modest and is an appropriate solution architecturally which preserves the architectural interest of the building. It would not result in unacceptable harm to the listed building or its character. The council's conservation has no objection to the proposed porch in its amended form.
  - b) **Rear extension** The proposed rear extension to the existing kitchen is modest in scale and would affect a C20 structure and would not harm historic fabric of the listed building or its special character. No objection is being raised to this part of the proposal by either the council's conservation officer or Historic England.
  - c) **Rear staircase** The proposed new external stair to the rear of the building would involve inserting a door at first floor. This would interrupt the pattern of fenestration on this part of the building and would require the removal of the original stone walling below the window sill resulting in the loss of historic fabric of the building. The enclosed panelled section leading to this is a flat roofed section projecting over the dual pitched roof of a C20 extension. This would appear incongruous within the context of what have been modest and traditionally detailed additions to the rear of the building. This part of the proposal would harm the historic fabric and character of the listed building contrary to policy CSEN3 of the SOCS and policy CON3 of the SOLP and to advice within the NPPF. The council's conservation officer has objected to this part of the proposal and Historic England have referred to it as potentially looking "odd",
  - d) **Removal of internal staircase** This part of the proposal is the most contentious. The applicant wishes to remove the internal stair case for the following reasons:
    - i. The staircase is hampering the current efficient use of the building making the former lounge bar and granary customer areas feel remote and cut off
    - ii. To enable reconfiguration of the existing layout of the pub. This would involve swapping the dining and bar areas over so that the existing underused granary room can become a vibrant well integrated part of the pub. It is currently underused.
    - iii. To enable direct access from the front of the building into the bar rather than negotiate a 90 degree turn in a tight lobby area at the base of the staircase.

- iv. To enable the landlord and his family to have an independent access to the first-floor accommodation by removing the existing staircase and providing a new external staircase to the rear. This new access would also provide direct access for the family to a secure rear garden.
- 7.7 These works would, in your officers' view result in unacceptable loss of historic fabric and historic form which would adversely affect the character of the listed building.
- 7.8 The conservation officer and English Heritage have objected to this proposal. The concern is that the plan or layout of a building can tell us about how a building was used historically, and it also gives a building its character. Staircases form an integral part of a building's plan form and their positioning and design has evolved over time.
- 7.9 The overall character of the building is firmly that of the C18. The formal arrangement of openings on the frontage, the interior fireplaces and the direct relationship of the staircase to what was a central front door with flanking rooms is the design of a building of this date. The heritage statement suggests that the building had historically operated as an inn providing overnight accommodation which would account for why access to the stairs could have been obtained from the front entrance and public rooms on the ground floor.
- 7.10 Some modern coverings have been removed from the staircase which has established that much of the structure comprises later softwood with some reused elements possibly from the earlier stair. Whilst the stair does appear to be a later replacement, it is in its original position. The staircase is supported between two solid walls which although not investigated in detail appear to be historic and are presumably original structural walls given that the ceiling beams bear directly into these walls. The ceiling beams are at their original lengths as indicated by the presence of chamfered stops and the conservation officer is therefore confident that the current arrangement of rooms in this immediate area is the original configuration.
- 7.11 Although the staircase itself comprises limited historic material, its presence adds to the significance of the listed building in terms of character and plan form. The walls do appear to be historic and would be demolished. The loss of historic fabric, loss of original plan form and the alteration to an open plan space would be harmful to the significance of the listed building. It is also of concern that the proposed works would leave the historic part of the building without any staircase and without sufficient evidence to suggest where the staircase had been historically. Details of the structural works required to support the ceiling beams once the walls have been removed has not been provided but is likely to consist of a heavy intervention comprising the insertion of steel beams and new posts.
- 7.12 The harm posed to the significance of the listed building by the removal of the internal staircase and walls is less than substantial in the terms set out within the NPPF. Paragraph 196 states that less than substantial harm should be set against the public benefits of a proposal.
- 7.13 In this case, the applicant is saying that the removal of the staircase is required to enable improved circulation within the existing building as the existing stairs result in the back rooms of the building beyond the stairs being disconnected to the main area of the building and as a result are underutilised which is affecting the viability of the business. An additional benefit is to improve access from the front of the building directly into the bar area and to provide the landlord and his family with a separate access to their first-floor accommodation.

7.14 It is understood by your officers why it would be desirable commercially to remove the staircase. They are however, unconvinced that the viability of the pub is so undermined by the current arrangement that it would justify the harm that would be posed by the removal of the staircase and the construction of a new external staircase.

7.15 It is your officers' opinion that the proposal fails to preserve and or enhance the special historic and architectural interest of the building and is contrary to Sec 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as the harm is not outweighed by the public benefit and viability argument put forward by the applicant. It would also be contrary to policy CSEN3 of the SOCS and to policy CON3 of the SOLP.

**7.16 Impact on the setting of the listed building**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

7.17 The NPPF advises that proposals which preserve the setting of heritage assets should be treated favourably. Policy CSEN3 of the SOCS seeks to ensure that the setting of the district's designated historic assets be conserved and enhanced. Policy CON5 of the SOLP advises that development which would adversely affect the setting of a listed building will be refused.

7.18 In this case the proposed works are either internal works or ones which are physically attached to the listed building. As such, they would not have any material impact on the setting of the grade II listed building in your officers' opinion

**8.0 CONCLUSION for P19/S0358/FUL**

8.1 The proposed single storey rear extension and replacement front porch would not harm the character and appearance of the conservation area or the character of the listed building and would not be unneighbourly. The proposed rear staircase and the platform necessary to use it would detract from the character of the listed building.

**9.0 CONCLUSION for P19/S0359/LB**

9.1 The proposed external staircase and the removal of the internal staircase and walls would result in unacceptable loss of historic fabric of the listed building and is not outweighed by public benefits as per the NPPF (paragraph 196). The works would adversely affect the special character of the listed building by removing an integral part of the building's plan form. Whilst the stair does appear to be a later replacement, it is in its original position and its loss would be irrevocably alter the feel and flow of the building and would harm its significance.

**10.0 RECOMMENDATION for P19/S0358/FUL**

**10.1 That planning permission is refused for the following reason:**

**1. The proposed external stair case to the rear of the building would involve the insertion of a door at first floor level which would interrupt the pattern of fenestration on this part of the building. It would also require the removal of the original stone walling below the window sill. This, together with the associated enclosed panelled section would appear incongruous within the context of what have been modest and traditionally detailed additions to the rear. As such it would adversely affect the character of the listed building contrary to policy CSEN3 of the South Oxfordshire Core Strategy and saved policy CON2 of the South Oxfordshire Local Plan and to advice within the NPPF**

11.0 **RECOMMENDATION for P19/S0359/LB**

11.1 **That listed building consent is refused for the following reasons:**

1. The removal of the staircase and walls represents a high level of less than substantial harm to the significance of the listed building and is not sufficiently outweighed by public benefits as required by paragraph 196 of the NPPF. This means that the proposal fails to preserve or enhance the special historic and architectural interest of the building and is contrary to Sec 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The works would also be contrary to policy CSEN3 of the South Oxfordshire Core Strategy, saved policies CON2 and CON3 of the South Oxfordshire Local Plan and to advice within the NPPF.

2. The proposed external stair case to the rear of the building would involve the insertion of a door at first floor level which would interrupt the pattern of fenestration on this part of the building. It would also require the removal of the original stone walling below the window sill. This, together with the associated enclosed panelled section would appear incongruous within the context of what have been modest and traditionally detailed additions to the rear. As such this part of the proposal would result in unacceptable loss of historic fabric and would adversely affect the character of the listed building contrary to policy CSEN3 of the South Oxfordshire Core Strategy and saved policies CON2 and CON3 of the South Oxfordshire Local Plan and to advice within the NPPF.

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