

**DC/2016/01380**

**REMOVAL OF EXISTING FIRST FLOOR ABOVE FRONT ROOM, REMOVAL OF EXISTING AND CREATION OF NEW INTERNAL WALLS, NEW GLAZED DOOR TO FRONT, REMOVAL OF SIGNAGE, ALTER COLOUR SCHEME OF FAÇADE**

**BRITANNIA INN, 51 FROGMORE STREET, ABERGAVENNY**

**RECOMMENDATION: REFUSE**

Plans:

Rec 02/12/16

R247-00 Site Plan

R247-08 Existing elevations

Rec 20/12/16

R247- 09A Proposed plans

R247-10A Proposed plans and elevations

R247-11A Proposed elevations

R247-12A Existing and proposed sections

Rec 12/01/17

R285 06A Existing plans

R285 07A Existing plans

**1.0 APPLICATION DETAILS**

1.1 The Britannia Inn is located towards the northern end of Frogmore Street where the street widens. The building is mid-nineteenth century in appearance, however the internal inspection suggests that the building has an earlier core. The ground floor public house has suffered significant alteration over time although part of the floor plan and some internal features still remain.

1.2 Three previous applications have granted permission for various internal alterations and the erection of a rear extension, together with lowering the cill of the ground floor windows to the front elevation. In addition consent has been granted for alterations to the rear of the building together with a link and construction of an additional building in the rear yard, designed to appear as an extension of the terrace to Baker Street

1.3 This application seeks further modifications to the building which involve the removal of the internal floor structure separating the ground and first floor. For clarity the alterations proposed to the front elevation regarding the doors and windows have since been omitted from the scheme.

1.4 It is important to note that there is a concurrent listed building consent application to raise the internal floor structure in question.

1.5 Conservation Designations:

The building was listed Grade II in 2005 and is within the Abergavenny Conservation Area

**2.0 RELEVANT PLANNING HISTORY**

DC/2011/01207      Listed Building Consent – internal alterations, extension and lower  
window cills to gfront      Approved      03/02/12

DC/2011/01194      Planning permission – as above      Approved      06/02/12

DC/2012/00684 Listed Building Consent – Amendments to 01207- remove staircase  
Approved 05/11/12

DC/2014/00371 Listed Building Consent – Amendments to 00684- internal alterations  
and inclusion of new build to rear Approved 29/08/14

DC/2014/00367 Planning Permission – alterations to building and new build to rear  
Approved 02/09/14

DC/2016/01376 Listed Building Consent – raising of internal floor structure Current

### **3.0 PLANNING POLICY**

#### **3.1 Monmouthshire Local Development Plan**

Objective 5 relates to Respecting Distinctiveness, Monmouthshire has a significant built heritage resource in terms of scheduled ancient monuments, listed buildings, conservation areas, historic parks and gardens and archaeologically sensitive site that, together with their settings, require protection and enhancement.

The LDP seeks to influence these issues by:

- Containing measures to preserve and enhance the cultural heritage and historic environment of Monmouthshire
- Playing a key role in promoting good sustainable design that will enable new development to respect and enhance distinctive character of Monmouthshire.

#### **Policy HE1 – Development in Conservation Areas**

Within Conservation Areas, development proposals should, where appropriate, have regard to the Conservation Area Appraisal for that area and will be permitted if they preserve and enhance the architectural or historic character and appearance of the area and its landscape setting.

#### **3.2 National Policy**

Planning Policy Wales Chapter 6, Edition 9, Paragraph 6.5.11 states that with regards to listed buildings:

‘There should be a general presumption in favour of the preservation of a listed building and its setting, which might extend beyond its curtilage.’

Welsh Office Circular 61/96

In determining this application for Listed Building Consent particular attention will be given to the following guidance provided by this Welsh Office Circular.

Annexe D (Alterations to listed buildings: General Principles)  
Appendix to Annex D, and  
Annex F (Conditions for listed Building Consents)

### **4.0 REPRESENTATIONS**

#### **4.1 Consultation Replies**

Royal Commission on the Ancient and Historic Monuments of Wales have not responded to the consultation.

Abergavenny Town Council – approve subject to all relevant conservation planning being met and suggests a site visit by MCC.

Glamorgan Gwent Archaeological Trust have not responded to the consultation.

MCC Ecology – responded stating that the building does have a high potential for bat roosting and although the surrounding vegetation quality is poor this does not outweigh the overall potential of the building to support bat species. The extent of the proposals would impact upon a roost if present and as such an assessment is required. Considering the open nature of the roof a preliminary bat roost assessment may be sufficient, however, subject to their findings and recommendations, dawn/dusk surveys may be required.

#### 4.2 Neighbour Notification

Not applicable.

### 5.0 ISSUES/EVALUATION

5.1 This application has been submitted following successive applications on the site. The case history begins with an application for conversion to retail including an extension to the rear of the building, levelling the internal ground floor and removal of a central brick pillar. A second application was submitted for the removal of the ground floor staircase to create a larger retail unit. The third application approved alterations to the rear to form a new link extension and new build to elongate the terrace along Baker Street together with clarification of the levelling of the internal ground floor on entry to the building. All applications were approved.

5.2 The third application also proposed to remove the internal floor which was considered to have a harmful effect on the proportions and character of the space internally. Following these concerns it was removed from the application. The subsequent pre-application advice also stated that the removal of the internal floor would not be supported.

5.3 This application includes other alterations to the building, namely some re-organisation to the ground floor layout which has partly been approved by previous applications and is not considered to have a significant detrimental impact on the character of the building. The proposals to alter the front of the building have been omitted following concerns from officers. Consequently the remaining concerns focus on the removal of the internal floor structure.

5.3 As mentioned above the listing description of the building states that the building is mid-19th Century in appearance, although internal inspection reveals timbers to the ground floor ceiling structure that appear to be 17th Century in origin due to their size and chamfered detail, with an exposed stop at one end. There are two principal beams of this type within the ground floor ceiling. The remaining ceiling construction dates from the 19th Century with simple intermediate joists cut and prepared for a lath and plaster ceiling. These principle beams join in the centre and are off-set to each other, meaning that they do not line up. The junction is currently supported on a modern brick pillar.

5.4 The assessment of the application begins following the guidance set out in Circular 61/96. Paragraph 68 states that the 'starting point for the exercise of listed building control is the statutory requirement on the local planning authority to "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". In addition paragraph 69 states that "applicants for listed building consent must be able to justify their proposals. They will need to show why works which would affect the character of a listed building are desirable or necessary". The applicant

has submitted a Design and Access Statement together with an historic building assessment by the Historic Building Advisory Service. The statement outlines the vision for the proposals as 'In five years since the current owner of the Britannia Inn bought this property he has been unable to find a tenant for it due to the low ceiling heights and general state of disrepair (see figure 3). For this reason the former public house has lain empty, becoming an eyesore on the picturesque Frogmore Street. The following proposals would allow the Britannia Inn to contribute to the bustling Abergavenny street life once more'. The statement goes on to add that the building cannot be rented out and has been rejected on numerous times by 'Specsavers, Ty Hafan, Blue Cross, Loungers, Costa Coffee, Starbucks, Domino's Pizza, The Works and several local ventures as these businesses were unable to use the premises in its current state due to the changes in level, obstruction of the floor space and low ceiling height'.

5.5 The statement goes further to justify the proposed change stating that 'Genesis Design and Construction Ltd, the architects working on the previous planning applications, concluded that the ceiling would not be able to meet commercial loadings. This would prevent heating and cooling, air handling and lighting from being in their ideal position on the ceiling. A structural report by DAT Design Ltd commented that if the first floor structure above the front room was to be retained it would require strengthening works (the full report is shown in the Appendix). These works would be so extensive that the report suggests they would make the project commercially unviable. Specialists in timber preservation, Newbridge Damp Proofing, discovered timbers in the first floor were found to have been badly affected by wood boring insects and general decay. They concluded that the whole section should be removed (see figure 7). This letter is available in the Appendix. An independent historical survey conducted by HBAS (the Historical Building Advisory Service) concluded that removal of the first floor would cause minimal amounts of 17/18th C fabric to be removed. This would be the existing floor beams, which they concluded were not originally in that position anyway. The vast majority of this floor is mid / late 19th century or more modern fabric'.

5.6 The justification, that the building is commercially unviable based on the low ceiling height, integrity to meet commercial loadings, difficulty to heat, cool and light the building in an ideal way, presence of infestation, strengthening works, and minimal 17th Century fabric is not considered sufficient to warrant removal of the floor for the following reasons.

5.7 The presence of a ceiling and its height is part of the building's character; a new use should adapt to the character of the building rather than the building being heavily and irreversibly altered to accommodate the standards of modern high street commercial businesses. Bearing this in mind, Officers have attempted to find a suitable compromise through the concurrent listed building consent application which proposed to raise the ceiling in order to address the issue of height. In relation to strengthening the existing floor, the structural report submitted outlines what would be required to strengthen the floor structure in section 3. The report concludes that this work would be commercially unviable and recommends that to ensure the floor structure does not have a negative impact on the commercial viability of the development the floor is either raised or removed. It is considered that the floor could be strengthened to be safe however this might result in a less than 'standard' commercial unit. However, this would still achieve a suitable compromise facilitating a new use and retaining the building's character.

5.8 Paragraph 70 of the circular mentioned above identifies the main criteria for the consideration of all listed building consent applications; this does not include cost. However, it does state that consideration should be given to 'the extent to which the proposed works would bring substantial benefits for the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment (including other listed buildings).' In addition, paragraph 94 refers to alterations and extensions, identifying important points to consider. It states "where new uses are proposed, it is important to balance

the effect of any changes on the special interest of the listed building against the viability of any proposed use and of alternative, and possibly less damaging uses'. It is considered that the previous applications and concurrent application to raise the floor find a suitable compromise to protect the building's character facilitating its restoration and its overall regenerative effect on the local environment. In terms of infestation and resulting structural integrity, in most cases for listed building consent where infestation has occurred that results in wholesale loss of existing historic fabric the correct conservation approach has been to replace on a like for like basis. This ensures the character of the building is protected and fabric is not removed without evidence of what was in place at the time of listing. If the condition of the beams is such that the floor cannot be salvaged it should be replaced and not used as a justification for its removal. In addition, there is nothing to suggest that suitable heating, cooling and lighting of the building cannot be achieved using non-standard approaches. .

5.9 The applicant does state that following the removal of the floor this would create a new exciting atrium feature to the space, whilst retaining the character of the listed building. The appearance of the resulting space will be drastically different from the existing character of the smaller, more intimate spaces separated by floors that are evidenced externally by the pattern of fenestration. The change to a dual height open space is out of character with a 19th Century Inn, it is a juxtaposition with the external character and creates drastically different proportions of space leaving architectural features such as windows and fireplaces appearing suspended in the wall. The resulting space is alien to the special character and proportions of spaces within the building that make up its historical and architectural importance.

5.10 .Annex D provides further guidance on the suitability of alterations to listed buildings. Paragraph 2 states that the "foremost principle which should guide works to historic buildings is conserve as found". It is not considered that the proposals follow this principle, or provide sufficient justification to deviate from it. Paragraph 7 states that "subsequent additions to historic buildings including Victorian or Edwardian accretions...will often add to the quality of a building and be of interest in their own right as part of its organic history. Generally, later features of interest should not be removed in order to restore a building to its earlier form". The historic building assessment provides a view on the evolution of the building stating that there has been significant change over time. It is agreed that the building has changed from its original period of construction, however it is also felt that each phase of its development does have a valuable part to play in understanding this evolution.

5.11 The application also proposed to leave the internal faces of the walls exposed, the plaster has been removed in order to assess the buildings construction. Appendix to Annex D provides further detailed consideration of listed building consent applications, in particular (a) 1. Walls: Alterations to wall surfaces are usually the most damaging that can happen to the overall appearance of an historic building. In addition (a) 5. Plaster and Render: Existing plaster or render should not be stripped off merely to expose rubble, brick or timber-framed walls that were never intended to be seen. Furthermore, paragraph 4.12.16 of the historic building assessment states in relation to the walls in question 'They are generally quite rough and so were probably not originally designed to be seen'. It is not considered that the removal of the plaster to expose what is suggested, but not confirmed, to be timber framing is appropriate. The cumulative impact of these changes is considered to be contrary to guidance and would have a detrimental impact on the special character of the building.

5.12 It is also important to consider the response from the Council's in-house Ecologist. This requests further information in the form of a preliminary assessment and potential further dawn/dusk survey work. However, it is considered that the works to the building that may have the biggest impact to the potential favourable conservation status of the protected species have in the most part been approved via previous applications. These applications could, subject to conditions being discharged, be implemented now. Furthermore, in particular application ref DC/2014/00367, was also assessed for the potential impact on protected

species where it was considered that the extensions to the rear of the building had 'negligible roosting features' and so no survey was required. On balance it is not considered that the condition of the building has changed sufficiently to warrant further investigation.

5.13 It is the main aim of the Local Authority to achieve the suitable restoration of the building. Whilst its current condition is concerning and does carry weight in the consideration of the proposals put forward, it is not considered sufficient to warrant such a drastic and detrimental change. It is however considered that there is an alternative approach to secure the restoration of the building that is, in principle supported, in the concurrent listed building consent application. Therefore the proposals to remove the internal floor structure are not considered to be fully justified. Equally, the proposals are not considered to be in line with the current guidance set out in WO Circular 61/96 and therefore due to the detrimental impact the proposals and the suitability of alternatives the application is recommended for refusal.

#### 5.14 Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). In reaching this recommendation, the ways of working set out at section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

### **6.0 RECOMMENDATION: REFUSE**

#### Reason:

1. The proposed removal of the floor will have a detrimental impact on the character of the internal spaces and proportions, would involve the loss of important historic fabric and is considered to be contrary to Welsh Office Circular 61/96 and Planning Policy Wales (PPW) Chapter 6.