Bryan, Jacob

From: Polly Harris-Gorf
Sent: 09 December 2022 12:06
To: _planningadvice
Subject: FW: Mermaid Inn - Final Comments following HE Letter - H17-0898-21 & H17-1012-22

H17-0898-21 & H17-1012-22

6SUP (The comments from the applicant's Heritage Consultant in relation to the advice letter from Historic England to SHDC)

From: Lewis Smith <
Sent: 09 December 2022 11:59
To: Polly Harris-Gorf <

Subject: FW: Mermaid Inn - Final Comments following HE Letter

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Good morning Polly
Please find below the comments from our Heritage Consultant in relation to the advice letter from Historic England to SHDC.
I trust this is of assistance.
Regards

Lewis

Lewis Smith MRTPI
Town Planning Director

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From: liz mayle <
Sent: 09 December 2022 10:51
To: Lewis Smith <
Cc:
Subject: Mermaid Inn - Final Comments following HE Letter

Good morning Lewis,

As per our last meeting, my final points in relation to the CoU and LBC applications for the Mermaid Inn.

1. HE advice letter (Tim Allen) to the LPA

Tim Allen's advice to the LPA states:

> The significance of historic fabric and the phasing of the standing buildings are well explored in Elizabeth Mayle's report, however the change of use (planning) and subdivision (planning and listed building consent) present harm to significance in addition to the direct physical impacts proposed. Significance lies in the historic uses of the buildings as a riverside inn, with the elements of social space, food & drink, accommodation and brewing across its long history.

and also that:

> The articulation of these internal and external spaces in its functions as a pub is an important part of significance, through subdivision and redevelopment some of that significance will be lost.

I would advise based on the more detailed Planning Policy Guidance on the GOV.UK webpage which is national advice to all LPA's when making decisions about heritage assets.

a. Firstly the HE letter is advice to the LPA and not an objection. They advise the LPA to consider the harm arising against public benefit.

b. I would refer to the national Planning Policy Guidance (PPG) in this respect which advises:

What is meant by the term public benefits?

The National Planning Policy Framework requires any harm to designated heritage assets to be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Paragraph: 020 Reference ID: 18a-020-20190723

Revision date: 23 07 2019

It is my professional view that the proposed changes to the Mermaid Inn, result in an acceptable optimum viable use, securing the heritage asset for its long term conservation, and will remove risk from the heritage asset, which is currently vacant, and has been for more than six months.

Important note: Historic England heritage at risk criterion considers a building in good condition without a use or any use in the near future, as a building at risk. Although HE only add buildngs of grade I or II*, many local authorities do have registers for grade II listed buildings and use the same criterion. Leaving a listed building vacant and without a use is a risk.

b. Optimum Viable Use (OVU)
Again, the PPG sets out very clearly what an optimum viable use is for a listed buildings and that 'some harm' may be acceptable in achieving an OVU. See below:

It is important that any use is viable, not just for the owner, but also for the future conservation of the asset: a series of failed ventures could result in a number of unnecessary harmful changes being made to the asset.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable 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. The optimum viable use may not necessarily be the most economically viable one. Nor need it be the original use. However, if from a conservation point of view there is no real difference between alternative economically viable uses, then the choice of use is a decision for the owner, subject of course to obtaining any necessary consents.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised. The policy on addressing substantial and less than substantial harm is set out in paragraphs193-196 of the National Planning Policy Framework.

Paragraph: 015 Reference ID: 18a-015-20190723

Revision date: 23 07 2019

My professional view in respect of an optimum viable use for the Mermaid Inn is that the detailed statement of heritage significance demonstrates that the Mermaid Inn has been a public house since 1939, but from 1869 to 1939, it was a residential family house. Returning to a residential use is a very appropriate use for this listed building and is considered to be an optimum viable use. The building is located in a village where there are three other public houses.

Changes to achieve the above change of use impact on the listed buildings interior and have been carefully designed around the statement of heritage significance, and are the absolute minimum necessary to achieve this new use and therefore complies entirely with the last paragraph of the PPG advice noted above.

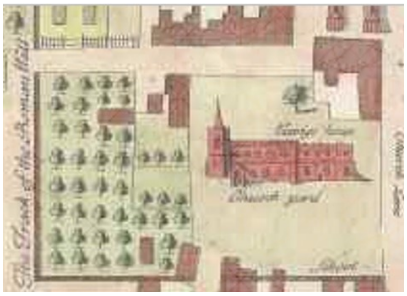
The PPG can be found here and should be used by all LPA's when making decisions about heritage assets:
https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment

I hope the above assists.

Best wishes,

Liz

Liz Mayle BA(Hons) MA (Dist) IHBC
Historic Buildings Consultant


The Church of the Dominican Friars
Church yard
Church Lane