

The Debenham Angel – Change of Use Application

Appeal Decision Summary (April 2025)

- **Appeal Dismissed**

Preliminary Matters

- Appeal was made against the Council failure to reach a decision in time, but Council stated that they would have refused and provided reasons. The Inspector has taken those reasons into account.
- Similarly, the reasons for refusing at appeal in 2022 were also noted.

Main Issues

- Is change of use justified having regard to the local development plan?
- Would the proposal preserve the Grade II listed building and its effect on the other heritage assets and Debenham Conservation Area?

Reasons – Viability

- Debenham is a relatively large settlement and a Key Service Centre.
- After the northern half of the building and beer garden was converted to a dwelling and sold, the remaining half was successfully run by 2 successive tenants until closed by appellant.
- The council has adopted the Babergh and Mid Suffolk Joint Local Plan which includes policies relating to the loss of Community facilities and employment.
- The policy requires demonstration the facility is not viable or is not needed and lays out how this should be done.
- There is also a requirement to demonstrate that other employment or community uses have been explored.
- Consultation with the council to agree how the points above would be met was not done so the marketing and viability reports submitted are severely diminished in value.
- The first 2 marketing campaigns would appear to have been at an unrealistic price.
- The latest campaign was in line with the independent valuation of 2019 but access to the building to update this valuation had not been given.
- The Inspector considers the condition of the building has significantly deteriorated since then which suggests that the sales price is still not realistic.
- There is nothing to suggest that the Angel would not complement the other licensed premises.
- Council's Economic Development and Tourism Officer community engagement and recent Lion opening demonstrates that a pub could thrive if appropriately managed and promoted.

Inspector Observations on Appellants Claims

- Appellant's viability report focuses on general trends however all premises have their own different circumstances.
- Last tenant found business viable and there is no explanation of why the tenant arrangement wasn't working, so no direct evidence that pub unviable. Historic evidence

would indicate that the pub was well used and featured high in the village's community life.

- DACL are not in a position to purchase the property in a timely fashion. The protracted dispute may have influenced other parties purchasing the property.
- The opening of the Lion is independent of the Angel and cannot be considered a compensatory replacement.
- The appeal decision concerning the Admiral's Head in Woodbridge not comparable and carries little weight.
- Although closed for some time, the Angel was previously valued and with Debenham expanding, its loss would erode the range of facilities available and reduce the appeal of the village.
- Based on the foregoing there is insufficient justification for the appellant's claims to justify change of use.

Designated Heritage Assets

- Angel is Grade II listed and built as an inn.
- The special interest and significance of the building derive from its age, historic fabric, and architectural features. Its use as a public house contributes to that significance.
- Debenham Conservation Area is centred on the High Street and derives from the range of historic buildings and thus have a group value.
- The Listed Building Act of 1990 requires special attention to preserving the whole character of a conservation area.
- Unusually there has not been a listed building consent application with this change of use application. However, this does not prevent a determination.
- Loss of the building's long standing historic use would be harmful to its special interest and significance thus diminishing the appearance, character and significance of other nearby listed buildings in the Conservation Area.
- Loss of significance of a designated heritage asset requires a clear and convincing justification.
- There are only moderate benefits to a change of use (e.g. building re-occupied and maintained, large house rather than flat) but these do not outweigh the harm.

Planning Balance and Conclusion

- The overall benefits are insufficient to outweigh the harm in each of the main issues.
- It is for the owners to decide whether to sell, who to and at what price.
- Based on the reasons given the conclusion is that the appeal should be dismissed.

Alan Cushion