
Appeal Decision

Site visit made on 31 January 2017

by Lesley Coffey BA Hons BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6th March 2017

Appeal Ref: APP/E3525/W/16/3161130

Former Village Hall, The Street, Stradishall, Suffolk CB8 8YW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr E Hollingsworth against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/16/0453/FUL, dated 29 February 2016, was refused by notice dated 7 July 2016.
 - The development proposed is the demolition of former village hall and replacement with single detached dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Although the Council's decision notice refers to policy DM15 of the Joint Development Management Policies Document 2015(DMPD), the submitted policy refers to safeguarding from hazards rather than listed buildings, and therefore does not appear to be relevant to the appeal proposal.

Main Issues

3. I consider the main issues to be:
 - The effect of the proposal on the character and appearance of the Stradishall Conservation Area and the setting of the Hoults Mansion Grade II listed building; and
 - Whether the proposal is acceptable having regard to development plan policies which seek to safeguard community facilities.

Reasons

Conservation Area and Setting of Listed Building

4. The appeal site lies within the Stradishall Conservation Area and is located adjacent to Hoults Mansion, a Grade II listed building. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering applications which affect listed buildings, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Significance can be harmed or lost through the alteration or destruction of the heritage asset or
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- development within its setting. In addition, Section 72 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. Amongst other matters policy of the *DM17 Forest Heath and St Edmundsbury Local Plan – Joint Development Management Policies Document* (adopted 2015) states that proposals within, adjacent to or visible from a conservation area should preserve or enhance their character and appearance and be of an appropriate scale, form, height, massing and alignment. Policy DM2 requires proposals to recognise and address the key features, characteristics, local distinctiveness, and special qualities of an area.
 6. The buildings within the conservation area are predominantly residential in character and vary in age and style. Many are positioned close to the back edge of the footpath. However, plot sizes are varied and some buildings sit back from the road in larger plots. There are a number of listed buildings in the vicinity of the Church, including Hoult's Mansion adjacent to the appeal site.
 7. The appeal property is a detached single-storey timber framed building clad in weather-boarding with a corrugated steel sheet roof with a lean-to at the rear. The existing building was previously used by the Parish Council, but was last used about ten years ago, and is now in a state of disrepair. Due to its scale, it is relatively unobtrusive within the street scene. Together with the neighbouring dwellings it affords this part of The Street, which is on the periphery of the village, a distinctly rural character. Whilst the poor condition of the building detracts from its appearance, due to its inconspicuous nature I consider that it makes a neutral contribution to the character and appearance of the conservation area.
 8. Hoult's Mansion is Grade II Listed and dates from C17-18. It is a timber framed and plastered house with a timber boarded door. It is a thatched roof building with a gabled dormer. Like the appeal property it is set back from the road behind a grassed area. The main entrance is located to the rear of the building. Its architectural and historic interest derives from its timber framed structure and the surviving external elements.
 9. The proposed dwelling would be located in a similar position to the building it would replace, although it would be substantially larger. It would extend close to the boundary with the recently constructed house to the south, but there would be a greater degree of separation from the listed building. It would have a 'T-shaped' footprint and would extend a considerable depth into the site. The proposed dwelling would be of a traditional appearance with a brick plinth and rendered elevations above. The small scale windows, low eaves height and materials would reference the existing buildings within the village.
 10. Nevertheless, due to its greater height, overall scale and position forward of the neighbouring dwellings, it would replace the existing sporadic arrangement of buildings with a much more formal arrangement and would alter the character of this part of The Street. It would compete with the listed building, and when viewed with the dwelling to the south, it would detract from the rural character of the locality and significantly harm the setting of Hoult's Mansion.
 11. I therefore conclude that the proposal would harm the setting of the listed building and would fail to preserve the character of the Stradishall Conservation Area contrary to Local Plan policies DM17 and DM2.

Loss of Community Facility

12. The appeal property was used as a village hall until approximately 10 years ago. The existing building is a single storey building with kitchen and toilet facilities within a lean-to addition. It is constructed of timber framing and timber clad in weatherboarding, under a corrugated steel sheet roof.
13. Policy DM41 of the Joint Development Management Document states that proposals that will result in the loss of valued facilities or services that support a local community (or premises last used for such purposes) will only be permitted subject to three criteria. In summary these relate to whether a) it can be demonstrated that the current use is not economically viable, or likely to become viable and, b) that there is no local demand for the building and that the site is not needed for an alternative community use or, c) alternative facilities are available or replacement provision is made.
14. The Parish Council relinquished its lease in 2007 because the building was in a poor state of repair and in need of upgrading. No evidence has been submitted to indicate that the building was used by any other groups or organisations either at that time or since.
15. Neither the access to the building, nor the toilet facilities would comply with current accessibility standards. A surveyor's report submitted at the time of the application found that the building was not capable of renovation. I appreciate that this report is not a structural survey, however, the building has minimal facilities, and based on my observations at the time of my site visit, I consider that it is probable that it would require extensive renovation, including a new roof and toilet facilities to bring it up to an acceptable standard as well as improvements to the access to the building.
16. It is many years since the building was last used for community purposes and there is no evidence to suggest that there is any demand from other groups or organisations to use the premises. Indeed, due to its size, condition and limited facilities it would be unsuited to most community uses. Criterion a) of policy DM41 requires supporting financial evidence including any efforts to advertise the premises for sale for a minimum of 12 months where appropriate. In the light of the considerable period since the Parish Council relinquished its lease and the condition of the building, I do not consider supporting financial evidence to be necessary or appropriate in this instance. I therefore consider that the proposal would comply with criterion a) and b) of policy DM41.
17. I understand that the Parish Council has for a number of years used an alternative facility provided by the appellant on an informal basis. The Council states that there is no guarantee that this informal arrangement would continue in the future. It also questions the lawfulness of the alternative facility. Policy DM41 requires proposals to comply with criterion a) and b) or c). I have found above that the proposal would comply with criterion a) and b) and therefore under the terms of policy DM41 the provision of alternative facilities in accordance with criterion c) is not required. The lawfulness or otherwise of the facilities currently used by the Parish Council is not a matter for this appeal.
18. The Council also suggest that the proposal would fail to comply with policy DM17 which resists the demolition of heritage assets. Policy DM17 does not relate to the loss of community facilities. It states that proposals to demolish

buildings or structures that make a positive contribution to the special architectural or historical interest of a conservation area will only be permitted in exceptional circumstances. The Council do not suggest that the appeal building makes a positive contribution to the conservation area and therefore the proposal would not conflict with policy DM17.

19. I therefore conclude that the loss of the village hall is acceptable and would accord with Local Plan policy DM41.

Conclusion

20. The proposal would harm the setting of the listed building. Whilst the harm would be less than substantial, paragraph 134 of the National Planning Policy Framework requires any harm to be weighed against the public benefits of the proposal. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Although I have found that the loss of the hall is acceptable, this is not a benefit of the proposal. The proposal would deliver some benefit through the provision of a single dwelling would not outweigh the harm to the setting of the listed building arising from the proposal.

21. For the reasons given above I conclude that the appeal should be dismissed.

Lesley Coffey

INSPECTOR