
Appeal Decision

Site visit made on 15 November 2017

by C J Anstey BA (Hons) DipTP DipLA MRTPI

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

Decision date: 14th December 2017

Appeal Ref: APP/E3525/Y/17/3179501

Plot 3, Dover Farm, Stow Road, Ixworth, Suffolk, IP31 2JW.

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Terry Lucas against the decision of St Edmundsbury Borough Council.
 - The application Ref DC/16/0411/LB dated 24 February 2016, was refused by notice dated 18 May 2017.
 - The works are retention of internal and external alterations to Plot 3 of SE/11/1072/LB.
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Decision

1. The appeal is allowed and listed building consent is granted for retention of internal and external alterations to Plot 3 of SE/11/1072/LB at Plot 3, Dover Farm, Stow Road, Ixworth, Suffolk, IP31 2JW in accordance with the terms of the application Ref DC/16/0411/LB dated 24 February 2016, and the plans submitted with it.

Application for costs

2. An application for costs was made by Mr Terry Lucas against St Edmundsbury Borough Council. This application is the subject of a separate Decision.

Preliminary matters

3. Plot 3 is a Grade II listed, timber-framed threshing barn dating from about 1800. It has recently been converted to a sizeable two-storey dwelling and is now fully furnished and occupied.
4. The consent for the conversion of the barn to a dwelling dates from 2012 and included the retention of its existing plinth to the base of the structure. During construction works the existing plinth was replaced with a new blockwork plinth supported on new foundations. The appeal application seeks consent for the retention of these works.
5. The appeal application also includes other internal and external works that are not opposed by the Council. On the basis of the material submitted I find these other works to be acceptable.

Main Issues

6. The main issues in this case are

- (i) whether the works to the plinth cause harm to the significance of the Grade II listed barn, having regard to features of special architectural or historic interest it possesses; and
- (ii) whether any harm identified under the first main issue is outweighed by the public benefits of the scheme.

Reasons

National legislation and policy

7. *Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act)* require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest it possesses. *Paragraph 132 of the National Planning Policy Framework (the Framework)* makes it clear that when considering the impact of a proposal on the significance of a designated heritage asset great weight should be given to the asset's conservation.

Local planning policy

8. The development plan for the area is a material consideration in the determination of this listed building consent case. *Policies DM15: Listed Buildings and DM18: New Uses for Historic Buildings* of the *St Edmundsbury Joint Development Management Policies Document (2015)* indicate that schemes for listed building should be based on a clear understanding of the building's significance alongside an assessment of the potential impact of the proposal on that significance. The policies make it clear that any historic features or fabric that contribute towards its special interest should not be harmed and that appropriate materials and methods of construction that respect the character of the building should be used. Where works would harm the significance of the listed building there must be a clear justification for the works so that the harm can be weighed against any public benefits.
9. These policies are at their core in line with *the Act* and *the Framework*. In view of this I have afforded them significant weight as a material consideration in this case.

Issue 1 - Impact on the Listed Building

10. The barn's significance derives from the historic and aesthetic value of its exterior appearance and internal spaces. In addition there are various historic features and fabric within the barn, including the timber frame and the associated plinth (before it was removed), that contribute to its special interest. Although parts of the plinth may not have been original it is clear that it was still a part of the historic fabric of the building and constituted an evidential record of its development. Consequently the removal of the material that made up the plinth and all that illustrates has caused harm to the significance of the barn.
11. Having regard to the scope and nature of the appeal works and the high threshold required for 'substantial harm' I consider that the works to the plinth cause 'less than substantial harm' to heritage assets in terms of *the*

Framework. Indeed the harm it causes is at the lower end of the spectrum of 'less than substantial harm.' It is accepted and well-established that any harm to the significance of heritage assets should be given considerable importance and weight and any harm or loss must be clearly and convincingly justified.

12. I conclude, therefore, on the first issue that the works to the plinth cause less than substantial harm to the significance of the Grade II listed barn.

Issue 2 – Public benefits

13. *Paragraph 134* of the *Framework* specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum use.
14. When building works on the conversion scheme began in 2015 it was discovered that the clay/flint/half brick plinth formation was inadequate for the scale of the proposed renovation works that had been approved, which included a first floor. In particular the inner face of the plinth was built out of loose stone rubble which in places was friable and unstable. As a result a decision was taken by the engineer and contractor involved to replace the existing plinth with a new blockwork plinth supported on new foundations. This was done and the conversion scheme was duly completed. The modern origins of the plinth are not now discernible as it has been rendered and painted externally and plastered internally.
15. The long term future of this substantial historic barn has been secured by this conversion scheme. Both the internal and external treatment of the building has been handled carefully with the use of traditional materials and methods. The internal arrangements, including the exposed timber frame and the sensitive introduction of a first floor, are particularly impressive. The preservation of the barn and the securing of a long term viable use represent important public benefits that must be accorded substantial weight.
16. Part of the motivation to construct a new plinth and foundations as a matter of urgency was to secure the stability of the building and ensure that it did not suffer further deterioration or damage particularly as a result of adverse weather conditions. The stabilisation of this listed building also constitutes a significant public benefit that needs to be weighed in the balance.
17. In the event of the dismissal of the appeal it would appear that the Council may seek to secure the replacement of the modern plinth arrangement using traditional materials and methods. As the former plinth is not in place some form of new structure would still have to be constructed. Such works are likely to be far from straightforward and may have implications for internal ground floor levels, the retention of the first floor, and the stability of the barn. This approach could also mean that the future of the residential use of the barn is threatened given the substantial costs that are likely to be involved in removing and replacing the plinth and any associated works, and the absence of listed building consent for the barn as it now stands. Such a state of affairs could well threaten the considerable public benefits that have been achieved. Furthermore a new plinth would not enhance the listed building or add to its significance.

18. I conclude, therefore, on the second issue that the public benefits, including securing the optimum use of the building, that accrue from the scheme as a whole outweigh the less than substantial harm to the significance of the Grade II listed barn caused by the removal and replacement of the plinth. In view of this the appeal scheme accords with national policy relating to conserving and enhancing the historic environment as set out in the *Framework*. It also complies with the objectives of *Policies DM15 and DM18* of the *St Edmundsbury Joint Development Management Policies Document (2015)* insofar as it is a material consideration.

Overall conclusion

19. My overall conclusion, therefore, is that there are compelling grounds for allowing the appeal. None of the other matters raised, outweigh the considerations that have led to my decision.

Christopher Anstey

Inspector