



Appeal Decision

Site visit made on 30 July 2019 by Emma Worby BSc (Hons)

by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2019

Appeal Ref: APP/W3520/W/19/3228134

Land and Barn at Vulcans Cottage, Quakers Lane, Beyton, Bury St Edmunds, Suffolk IP30 9AN

- 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 and Mrs R Webb against the decision of Mid Suffolk District Council.
 - The application Ref DC/18/03236, dated 14 July 2018, was refused by notice dated 28 February 2019.
 - The development proposed is the conversion of an existing single storey barn to residential use to provide one market dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the setting of the adjacent listed building known as Vulcans Cottage.

Reasons for the Recommendation

4. The appeal site accommodates a single storey building located adjacent to, and used ancillary to, the dwelling known as Vulcans Cottage, which is a grade II listed building. The outbuilding which is the subject of this appeal is currently used for domestic storage by the occupants of the host dwelling, however it has an agricultural style and appearance. The proposed development would result in the creation of a separate two bedroom dwelling within the outbuilding with some external alterations.
5. The outbuilding currently provides a positive contribution to the setting and significance of the host listed building, Vulcans Cottage. Although a heritage statement has not been provided as part of the application, from the listing description provided as part of the appeal, I consider that the significance of the listed host dwelling is largely drawn from its historic age, use, form, fabric and architectural features. Although the front section of the outbuilding appears to be a later addition, the outbuilding appears to be largely unaltered

and due to its overall form, scale, design and siting it has a strong visual and functional relationship to the listed dwelling.

6. The proposed external alterations to convert the existing outbuilding into a dwelling, such as the provision of additional doors and windows, would give the building a more domestic appearance which would be exacerbated by additional domestic paraphernalia on the site, such as additional cars, domestic landscaping etc. This, along with the subdivision of the site, would disrupt the visual and functional relationship identified between the ancillary outbuilding and the host dwelling and therefore would have a negative impact on the setting of the host listed building. Although the view of the building from the public realm would be largely unchanged, the setting includes the surroundings in which a heritage asset is experienced and therefore the public view would not be the only consideration.
7. Consequently, I conclude that the proposed development would have a materially harmful impact on the setting of the listed building, Vulcans Cottage. Therefore, it would be contrary to Policies HB1 and H15 of the Mid Suffolk Local Plan (September 1998) which seeks to preserve historic buildings and their settings and provide development which reflects the character of the area. The appellant has stated that the current development plan is out of date, however as the policies are consistent with the policies of the National Planning Policy Framework relating to heritage assets, I give them considerable weight.
8. Although the proposal causes harm to the significance of the heritage asset, I consider that the harm is less than substantial. Paragraph 196 of the Framework requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The main public benefit from the proposed development would be the provision of an additional market dwelling, however as the proposed scheme is limited to one dwelling, this is given limited weight. The appellant disagrees that the Council has a deliverable supply of housing, which would weigh in favour of the proposed development. However, even if there is a shortfall in the 5-year supply of housing as suggested by the appellant, the adverse impacts of granting permission as discussed above would significantly and demonstrably outweigh the limited benefit identified.

Other Matters

9. I acknowledge that there is a dispute between the parties as to whether the outbuilding would be 'curtilage listed' due to its location and date of construction. However, harm has already been identified to the setting of the host listed building and so, notwithstanding its status, even if no harm was found to that building, I have no reason to consider that that could give anything other than neutral weight which could not outweigh the harm found above. This matter is therefore not determinative and I need not consider it further. Consequently I have not given consideration to Policy HB5 which relates to the reuse of listed buildings.
10. The appellant's comments regarding the standard of the Council's reason for refusal and the reluctance of the Council's Heritage team to assist the applicant do not affect the planning merits of the proposal and therefore cannot be taken into consideration when determining this appeal.

11. The Council has not raised any concerns with regards to the impact upon the conservation area in which this site is located. For conservation areas, the statutory duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area. It is not considered that the proposed development would cause harm to the conservation area, primarily as the changes visible from the public realm would be minimal. Therefore, my conclusion is consistent with the Council's findings.

Conclusions and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR