



Appeal Decision

Site visit made on 4 February 2020

by G Pannell BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2020

Appeal Ref: APP/F3545/W/19/3241186

Walnut Tree Barn, 4 Thetford Road, Barnham, Thetford IP24 2PA

- 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 Alan Brentnall against the decision of West Suffolk Council.
 - The application Ref DC/19/1604/FUL, dated 30 July 2019, was refused by notice dated 10 October 2019.
 - The development proposed is change of use of Joinery Manufacturing Workshop to dwelling (c3).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On the 1st April 2019 St Edmundsbury Borough Council was dissolved and along with Forest Heath District Council became a new non-metropolitan district council known as West Suffolk Council.
3. The development plans for the merged local planning authority remain in place for the former area of the St Edmundsbury Borough Council until such a time as they are revoked or replaced. It is therefore necessary for me to determine this appeal with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
4. I have amended the description of development in the banner heading above to ensure that it accurately captures the scope of the proposal. The description of development on the application form is imprecise as it reads: "change of use". However, in Part E of the appeal form the description has been changed to the one that the Council used to deal with the proposal and I have therefore used this in my formal decision.

Main Issues

5. The main issues are whether the proposed residential use would be appropriate and whether the site represents sustainable development in respect of its location.

Reasons

Appropriate Use

6. The appeal site comprises Walnut Tree Cottage and an existing workshop, Walnut Tree Barn. The workshop is recently constructed, having first been

granted planning permission in 2012 and built in 2014. The workshop is constructed of flint and brick walls, under a tiled roof and is relatively large having a similar footprint to that of the host dwelling.

7. The workshop is restricted by conditions to limit the use of the building to a joinery manufacturing workshop, in order to protect the residential amenity of nearby occupiers and to limit its occupation to purposes ancillary to the residential use of Walnut Tree Cottage. The reason given was to ensure that the workshop remained as part of and ancillary to the single dwelling unit having regard to its location in the countryside.
8. Policy DM33 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document 2015 (DMPD) allows for the re-use and conversion of buildings in the countryside for residential use, in accordance with policy DM28. Policy DM28 of the DMPD allows for the residential use of redundant, disused barns or other buildings in the countryside where alternative uses for employment/economic development, tourist accommodation, recreation and community facilities have been fully explored to the satisfaction of the local planning authority and can be discounted.
9. The building is currently used as a joinery workshop and from my inspection of the building it appears still in use as such with evidence of equipment and commercial extractors in place. Therefore, the use is not at present redundant or disused.
10. The appellant advises that they no longer wish to continue to use the building as a joinery workshop and therefore it will become disused for this purpose in the future. However, in order to be acceptable under policy DM28, alternative uses need to be explored and discounted. The Council have suggested that this could be through marketing of the property for alternative uses.
11. The Council have previously refused an application (DC/19/0893/VAR) to remove the restrictive conditions as it was considered that the use of the workshop independent from the host dwelling and not on a limited scale would have likely significant adverse impacts on the residential amenities of the occupiers of Walnut Tree Cottage and the amenities of the area by reason of noise and vehicular movements, as well as general operational activities associated with such a business.
12. The appellant considers that the Council's decision in relation to DC/19/0893/VAR means that no other alternative uses can be explored and therefore the requirements of policy DM28 of the DMPD for alternative uses to be fully explored have been adequately discounted. I concur that the unrestricted use of the outbuilding as a joinery workshop could lead to adverse impacts on the occupiers of Walnut Tree Cottage, but from the evidence before me I am not persuaded that the building's use as a joinery workshop would not be possible with adequate controls to mitigate any adverse impacts and therefore its continued use can not be fully discounted.
13. However, even if I accepted the appellant's case that it can not continue in its present use, this does not remove the policy requirement for alternative uses to be fully explored and policy DM28 lists these as employment/economic, tourist accommodation and community facilities. There is nothing in the evidence before me to indicate that the appellant has considered any of these

other options, the suitability of which would be the Council to consider in any future application.

14. Paragraph 83 of the National Planning Policy Framework (the Framework) also makes it very clear, in seeking to build a strong and competitive economy, that planning policies should 'support the sustainable growth and expansion of all types of business in rural areas'. This is considered to be a very significant factor, and one which suggests firmly that the priority should be given to economic re-use, in recognising the importance of economic growth in rural areas. The failure to consider alternative economic uses for the building would undermine these objectives, causing harm to the rural economy.
15. It has been put to me whilst the building can not benefit from the permitted development rights afforded by Class PA of the General Permitted Development Order 2015 (as amended) this remains a material consideration. However, as the building can not benefit from those rights this does not provide a realistic fallback position and therefore does not weigh heavily in my decision.
16. I have taken into account the support offered within the Framework for the reuse of rural buildings. I have had regard to Paragraph 148 of the Framework which encourages the reuse of existing resources, including the conversion of existing buildings, however paragraph 83 clearly advises that the reuse of existing buildings can help support a prosperous rural economy and this also includes growth and expansion of all types of business in rural areas and rural tourism. Therefore the Framework does not alter my findings on the main issue.
17. Therefore, whilst I agree that the development complies with policy DM28 parts b – d, as it is a building which is capable of conversion and is of a high quality design and the conversion can take place with minimal alteration, the proposal is in conflict with policy DM28a. As a result, the development can not be in accordance with the policy as a whole. There are no other material considerations that lead me to outweigh the conflict I have identified with policy DM28a.
18. In conclusion the proposed residential use would be inappropriate and would conflict with policies DM28 and DM33 of the DMPD which only permits the conversion of redundant buildings in the countryside into dwellings where alternative uses have been fully explored and allows for the re-use of buildings in the countryside where they comply with other policies within the plan.

Suitability of Location

19. The site is located within Barnham, which is identified in the St Edmundsbury Core Strategy 2010 (CS), as an infill village where development is permitted under policy CS13 where it maintains the sustainability of local services and the diversification of the economy. However, the site is outside of the defined settlement boundary for Barnham and is therefore in the countryside for planning policy purposes. However, given its grouping with other dwellings along Thetford Road, the site is not isolated in the context of paragraph 79 of the the Framework.
20. Policy CS1 of the CS sets out the spatial strategy for the area and directs residential development to the most sustainable settlements and policy DM5 of

the DMPD states that the countryside will be protected from unsustainable development.

21. The site is located off the A134 which links the towns of Bury St Edmunds and Thetford, however I have no substantive evidence before me to indicate that the site is well served by public transport. I therefore consider that occupiers of the proposed development would be likely to be reliant on the private car to access a full range of community facilities such as shopping, healthcare, leisure and entertainment, given the distance to either town.
22. The proposed development would not provide a suitable location for housing, having regard to the accessibility of services and facilities. Consequently, it would not accord with Policy DM5 of the DMPD and policies CS1, CS4 and CS13 of the CS. These policies protect the countryside from unsustainable development and provides for development within the settlement boundaries of infill villages. These provisions are echoed within policies RV1 and RV3 of the St Edmundsbury Rural Vision 2031 (2014).
23. However, I must have regard to other material considerations and in particular that planning permission already exists for a commercial use, albeit ancillary to Walnut Tree Cottage, to operate from the site. It is reasonable to conclude that the joinery workshop generates additional trips from deliveries and customers visiting the site, or other employees working at the site. Therefore, I consider that the proposed use of the workshop as a dwelling would not generate a materially different level of trips by car than the existing workshop. Therefore, I find no demonstrable harm to sustainability in respect of accessibility to services and facilities.

Conclusion

24. In conclusion, whilst I have found no demonstrable harm to sustainability in respect of accessibility to services and facilities, the proposed residential use would be inappropriate such that the appeal should be dismissed.

G. Pannell

INSPECTOR