



Appeal Decision

Site visit made on 31 January 2022

by Peter Mark Sturgess BSc (Hons), MBA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 March 2022

Appeal Ref: APP/F3545/W/21/3277422

Doveden Hall, Chedburgh Road, Whepstead, Bury St Edmunds, Suffolk, IP29 4UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant prior approval required under Article 3(1) and Schedule 2, Part 3 Class Q paragraphs (a) and (b) of the Town and Country Planning (General Permitted development) (England) Order 2015.
 - The appeal is made by Mr R Ames against the decision of West Suffolk Council.
 - The application Ref DC/21/0236/P3QPA, dated 4 February 2021, was refused by notice dated 27 May 2021.
 - The development proposed is conversion of agricultural building to 5no dwellinghouses.
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Decision

1. The appeal is allowed, and prior approval granted in accordance with Article 3(1), Schedule 2, Part 3, Class Q, paragraphs (a) and (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO) for the conversion of agricultural building to 5no dwellinghouses, at Doveden Hall, Chedburgh Road, Whepstead, Bury St Edmunds, Suffolk, IP29 4UB, in accordance with the details set out in application Ref: DC/21/0236/P3QPA, dated 4 February 2021 and subject to the condition that the development must be completed within a three year period from the date of this decision, in accordance with Paragraph Q.2(3) of the GPDO and subject to the additional conditions set out below:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 4435 01 P1; 4435 01 P2; 4435 SK.02; 4435 SK.02 P2; 4435 SK.03.
 - 2) Prior to the occupation of the first dwelling hereby approved, the area around the building shown for loading/unloading and the parking and manoeuvring of vehicles on plan No 4435 SK.03 shall be provided and thereafter retained for those purposes.
 - 3) Prior to the occupation of the first dwelling hereby approved the cycle parking and facilities for the storage of refuse bins shown on plan No 4435 SK.03 shall be provided and thereafter retained for those purposes.
 - 4) Prior to the occupation of the first dwelling hereby permitted each of the off-road parking spaces shown on plan number 4435 SK.03 shall be provided with a electric vehicle charging point capable of providing a 7kW charge, which shall thereafter be retained for the charging of electric vehicles.

- 5) The dwellings hereby approved shall not be occupied until the requirement for water consumption (110 litres, per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been supplied to the Council.
- 6) All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Chiroptera Sp., Bird Aves, and Barn Owl Tyto and alba survey at Doveden Hall Grain Store, Chedburgh Road, Whepstead, Suffolk (Hillier Ecology, August 2021). This may include the appointment of an appropriately competent person e.g., an Ecological Clerk of Works (ECoW), to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out in accordance with the approved details which shall thereafter be retained.

Preliminary Matter

2. The description of development given above is that submitted by the appellant on the planning application form. The Council in their decision on the application described the proposal as "*Prior approval application under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 – (a) change of use of agricultural building to dwellinghouses (Class C3) to create five dwellings (b) associated operational development*". The Council's description of development is technically correct. However, both descriptions refer to the consequences should the appeal be allowed i.e., 5 dwellings would be created within an existing agricultural building. Therefore, the appellants description adequately describes the development for the purposes of this appeal, and I have used that in this decision.

Main Issue

3. The main issue in this case is whether the effect of the proposed development on the setting and significance of Doveden Hall, a Grade II listed building, is undesirable.

Reasons

4. The appeal building lies close to the road which runs through the small settlement of Whepstead. In front of the appeal building is a concrete hardstanding that joins it to the road. To one side is an access track which gives access to the dwellings which appear to be known as Doveden Mews and land to the rear. To the other side and to the rear lies agricultural land. Doveden Mews are in close proximity to the appeal building, however they are separated by gardens/parking areas and an access track. Beyond Doveden Mews, other former agricultural buildings, and an associated courtyard, lies Doveden Hall a Grade II listed building.
5. The appeal building is a typical agricultural shed that has been used for the drying of grain (a dryer still appears to be in situ at the rear of the building). It is a large building with a wide span and high roof. It is currently clad in what appeared to be profiled steel sheeting (lower portion of the walls) and corrugated asbestos cement sheeting (higher part of the walls). The roof appears to be constructed of similar materials. At each end are large doors with other openings. The flank walls appear to have no openings. It is supported by a steel frame.

6. Whilst it is a relatively modern building it appears to have been in its current position for a considerable time and still appears to be in a reasonable state of repair. I have no reason to believe that it will be removed in the near future.
7. Doveden Hall is a Grade II listed building, which is set between 60m to 80m to the right of the appeal building when viewed from the road. It is also separated from the appeal building by the former traditional agricultural buildings access tracks and a courtyard described above.
8. Therefore, the appeal building has been part of the environment that surrounds Doveden Hall for some considerable time and I have no reason to believe that it should not be so for some years to come, even if it were not to be converted. Moreover, Doveden Hall itself is separated from the appeal building by other buildings, open areas (courtyard) and access tracks. It faces on to Chedburgh Road and is set back from the road with a large front garden. It is experienced from Chedburgh Road and how it is bounded to one side by traditional former agricultural buildings. It is its front garden and the neighbouring former traditional agricultural buildings that make up its setting. The appeal building itself falls outside this area and so therefore does not contribute to the setting or significance of Doveden Hall.
9. Furthermore, the building has been a presence in the vicinity of Doveden Hall for some considerable time and there are no proposals for its removal. The appeal proposal would not alter the essential shape or exterior outline of the building. It would add glazing and establish gardens and parking areas around the building. However, given the distance and intervening buildings between it and Doveden Hall these features would have no effect on its setting.
10. Reference has been made to the 'domestic paraphernalia' which might accompany the residential use of the building should planning permission be allowed. Whilst this might well happen it is clear that the side of Doveden Mews has a domestic appearance with small lawns and parking areas, which lends the area between these dwellings and the appeal building a residential character. Moreover, the areas around the appeal building which could be used for domestic activity are small, once the areas for the parking of vehicles are taken into account. I therefore do not consider that the presence of domestic paraphernalia would impinge upon the setting of Doveden Hall.

Conditions

11. Whilst I have found that the proposal would not affect the setting or significance of Doveden Hall I do find that conditions are necessary in order to make the proposal acceptable. These include the appropriate time limits for development from the GPDO and referencing the approved plans.
12. I also consider that conditions are necessary in order to ensure that external areas are available for the parking of cars, cycles, and the storage of refuse in the interests of the character and appearance of the area.
13. In order to assist with the overall consumption of water and to ensure that emissions generated by the occupiers of the dwellings are controlled, conditions are necessary to limit water consumption and to ensure that electric car charging points are installed.

14. A condition is also necessary in order to ensure that any protected or other species which might be present in the building are taken account of during the construction phase of the development, in the interests of nature conservation.

Conclusion

15. For the reasons set out above the appeal is allowed.

Peter Mark Sturgess

INSPECTOR