



Appeal Decision

Site visit made on 14 November 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal Ref: APP/F3545/W/22/3291504

Stud Farm, Dunstall Green, Ousden, Suffolk CB8 8TZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)..
 - The appeal is made by Mr David Hearn of Anglia Holdings UK Ltd against the decision of West Suffolk Council.
 - The application Ref DC/21/0973/P3QPA, dated 21 April 2021, was refused by notice dated 18 October 2021.
 - The development proposed is described as 'Conversion of 2 existing modern portal barns to 5 dwellings. Comprising the conversion and associated works (insertion of windows, doors and exterior walls, works to roofs and installation of water, drainage, electricity and heating) to:
 1. The Dutch barn (Barn A) to four dwellings each with 2 bedrooms and
 2. Grain Store (Barn B) to a single dwelling with 4 bedrooms.Parking to serve each dwelling created will be provided within its garden. The existing yard access and hard standing serving the barns will be retained and used to provide vehicle access to the dwellings. Bin and cycle storage are detailed on the plans'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted amended drawings that detail internal alterations to the proposal in respect of Barn A (the Dutch barn). It is normally inappropriate to evolve a scheme through the appeal process but amended plans can be accepted if no party would be prejudiced by such a course of action. As the alterations are minor in scope, internal and were submitted at the outset of the appeal, no party would be prejudice by me considering them.
3. The Council's decision notice does not explicitly state that its prior approval was required in respect of the matters listed in Paragraph Q.2 of the GPDO¹. However, it can be reasonably inferred that this was the case because the decision notice confirms that prior approval was refused. The proposal is for the change of use of the appeal buildings and building operations reasonably necessary to convert them, as described in Paragraph Q.(b) of the GPDO.
4. I share the view of the appellant, for the reasons set out in the Heritage Statement submitted with the appeal, that Barns A and B are not curtilage listed structures.

¹ Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

Background and Main Issue

5. Class Q of the GPDO permits the conversion of agricultural buildings to dwellinghouses subject to several limitations and conditions. The Council has not raised concerns with regards to the matters listed in Paragraph Q.1 of the GPDO. However, it submits that the proposed conversions would be undesirable given the effect on the setting of Stealth Barn², a Grade II listed building. In addition, the Council are also of the view that the size of the homes proposed in Barn A would fall below that set out in the Nationally Described Space Standards and therefore the appeal scheme would not be permitted development by virtue of Section 3 9(a) of the GPDO.
6. Thus, the main issues in this appeal are:
 - Whether the conversion of Barn A would provide accommodation that adheres with the Nationally Described Space Standards; and
 - The effect of the proposed conversions on the setting of Stealth Barn, a Grade II listed building.

Reasons

Nationally Described Space Standards (NDSS)

7. The NDSS sets out a standard that single bedrooms should be a minimum of 7.5sqm. The drawings originally considered by the Council proposed four new homes in Barn A. The second bedrooms in these properties would measure between 6.5sqm and 7.2sqm. The proposal would therefore not comply with the NDSS. As a result, the proposal as originally submitted was not permitted development given the provision of Section 3 9(a) of the GPDO. Accordingly, the Council had no option but to refuse the application for prior approval.
8. The subsequent amendments submitted with the appeal now detail second bedrooms measuring 7.56sqm. The Council does not dispute this. This has been achieved by reconfiguring the proposed hallways. As a result, the scheme now proposes bedrooms that exceed the standard in the NDSS. Accordingly, there is no conflict with Section 3 9(a) of the GPDO and therefore the proposal would be permitted development in respect of this matter.

The effect on the setting of Stealth Barn

9. Stealth Barn was formally an agricultural barn. It probably dates from the late 16th to early 17th Centuries and is a rare survivor from this era. It is timber framed with a half hipped thatched roof. The weather boarding has been removed and it is being converted to a dwelling. The barn has five bays and was the largest farm building within the farmstead for much of its existence. The building therefore has historic and architectural value as a repository of historic building techniques and agricultural practices. There is also a rustic aesthetic quality to the building. The ability to view the building and experience it in a rural agricultural context adds positively to how its value and significance is experienced, understood and appreciated.
10. I share the view in the appellant's Heritage Statement that the listed building is currently viewed as part of a modern working farm. The appeal buildings comprise a Dutch barn and grain store located to the east of the listed building

² Described as Barn 30m North East of Dunstall Green Farmhouse in the list description.

between it and the open arable landscape. Both are reasonably modern 20th Century buildings with a functional appearance and very little architectural merit. The grain store is especially jarring with the listed barn because of its wide gable span, square plan form and low quality but durable materials. The Dutch barn has less of an impact due to its narrower depth, which better reflects the proportions of Stealth Barn. It is also mostly open sided. Thus, it is more respectful and lightweight. The sense of the latter would endure even when hay is stored within it because the contents would be transitory.

11. The grain store is a large quasi-industrial structure that competes with the listed barn. This is also the case with the Dutch barn because of its length and closer proximity. The awkward relationship between the listed building and the modern barns is particularly apparent when viewed from the south in vantage points along Dunstall Green Road. The grain store also blocks views of the barn in some vantage points from the east, including a public footpath. This results in an unfortunate impact because it erodes Stealth Barn's relationship with the open arable landscape and dilutes the ability to appreciate its historic scale. The grain store also has a looming presence in the background of views from the west of the listed barn.
12. The siting, bulk, form and massing of the buildings is harmful to the setting and significance of the listed barn. This is unsurprising as the barn was apparently not listed when these buildings were constructed. I share the view of the Council that the removal of Barns A and B would be beneficial to the setting of the designated heritage asset, but it is a conversion that is before me. Converting the buildings would likely extend their lives but the appellant has suggested that they have no intention to demolish the buildings in the foreseeable future. Consequently, the harm would endure regardless of the outcome of this appeal. Therefore, I must consider the proposal against the existing baseline and assess whether its impact on the setting of the listed building would be an enhancement, neutral or negative.
13. The conversion of the barns to dwellings would result in them having a more domestic appearance and this would erode the agricultural setting of the listed barn. However, the listed barn has planning permission and listed building consent to be converted to a dwelling and these works have started. This was probably sanctioned due to the public benefit of finding a long-term viable use for the building, despite there being an inherently negative impact upon its special interest as a surviving agricultural structure. The conversion of the two more modern buildings now proposed need to be considered in the context that the listed building will itself have a more domestic character and setting once converted. There would also be a clear demarcation between the listed building and Barns A and B. As a result, an increased domestication of the appeal site would not appear harmful to the setting of the listed building.
14. That said, the Grain Store once converted would be particularly apparent due to the extensive areas of glazing and its position. Its form would also result in the new house having an unattractive and bulky appearance. As a result, I share the view of the Council that this building once converted would appear more assertive and conspicuous in the landscape and this would accentuate its presence. This would increase the negative impact the building has on the ability to experience the aesthetic value, and thus setting, of the listed building. The proposal would therefore increase the level of harm beyond that which currently occurs. Therefore, I do not share the view outlined in the Heritage

Statement that there would be an enhancement to the setting of the listed building from repairing and consolidating the outward appearance of Barn B through a conversion to a dwelling.

15. Moreover, the drawings submitted by the appellant are not especially detailed and provide little information regarding the finishing materials, boundary treatment or general landscaping of the areas around Barns A and B. including new planting. Furthermore, the windows and doors appear to be flush, whereas stepping them back could have created shadow lines. As a result, the details before me do not demonstrate that the conversion of either building would be of a high quality that would enhance the setting of the listed building when considered against the current base line.
16. The adverse impacts on the setting of the listed building would not be severe. Accordingly, the harm would be less than substantial within the meaning of the National Planning Policy Framework (the 'Framework'). It is therefore necessary to weigh the public benefits of the scheme against the harm. The proposal would result in the provision of five homes that would boost the supply of housing in a rural area with the moderate economic and social benefits that would flow from this, including support to the viability of a rural community and additional spending. However, great weight should be given to the conservation of designated heritage assets. In this context the moderate benefits would not be of sufficient force to outweigh the weight I attach to the harm.
17. In conclusion, the appeal scheme would harm the setting of the listed building and this harm is not outweighed by public benefits. Accordingly, the proposal would not adhere to the expectations set out in Paragraphs 189, 197, 199 and 200 of the Framework. This would be an undesirable impact under Paragraph Q.2 1(e) of the GPDO that justifies refusing prior approval.

Other Matters

18. The appellant submits that the existing barns could be converted to commercial or business uses. And this would result in works and associated activity that would harm the setting of the listed building. However, I have seen nothing of substantive to suggest this is anything more than a theoretical proposition and therefore I afford it limited weight in my assessment.
19. Interested parties have suggested that the works to the Dutch barn would amount to a rebuilding and thus fall outside the scope of Class Q when applying the principles in the Hibbit judgement³. Barn A is skeletal in that it comprises of a metal frame and generally open sides, albeit with some areas of single skin cladding. Moreover, there does not appear to be a solid structural floor. Nevertheless, given my conclusions above, it has not been necessary for me to reach a finding on this matter.

Conclusion

20. For the reasons given above the appeal is dismissed.

Graham Chamberlain
INSPECTOR

³ Hibbit v SSCLG [2016] EWHC 2853