



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/48

Development Control Committee 7 July 2016

Planning Application DC/16/0453/FUL Former Village Hall, The Street, Stradishall

Date	18 March 2016	Expiry Date:	13 May 2016
Registered:			
Case Officer:	Aaron Sands	Recommendation:	Refuse
Parish:	Stradishall	Ward:	Hundon
Proposal:	Planning Application - 1 no. dwelling (following demolition of former village hall)		
Site:	Former Village Hall, St Street, Stradishall		
Applicant:	Mr E Hollingsworth		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

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Background:

This application was referred to the Development Control Committee from the Delegation Panel, where it was called in by the Ward Member, Councillor Jeremy Farthing. It was deferred at the May 2016 Development Control Committee in order for Officers to seek additional information.

A site visit was undertaken on 28 April 2016.

Additional information was received on the 27 May 2016 in the form of a letter (Appendix A).

Proposal:

1. Planning permission is sought for the erection of a one and a half storey dwelling following the demolition of an existing, currently empty, village hall. The proposed dwelling is one and a half storeys with a one and a half storey rear projection.
2. The proposed dwelling measures 7.5 metres in overall height and 4 metres at the eaves. It measures 10 metres in overall width and 14 metres in overall depth.
3. Vehicular access is provided to the rear of the site, with an access off the B1063 which provides a shared access to the adjacent Hoult's Mansion and the cold store to the rear of the site which is no longer operational.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Application Form
 - Heritage Assessment Report
 - Design and Access Statement
 - Ecological Survey
 - Environmental Survey
 - Land Contamination Questionnaire
 - Planning Statement
 - Quantity Surveyors Viability Report
 - Tree location plan
 - Location Plan (Drawing no. 001 A02)
 - Topographical Survey (Drawing no. 002 A02)
 - Proposed Ground Floor Plan (Drawing no. 004 A01)
 - Proposed First Floor Plan (Drawing no. 005 A01)
 - Proposed Elevations (Drawing no. 006 A01)
 - Proposed Elevations (Drawing no. 007 A02)

Additional information received 27th May:

- Letter

Site Details:

5. The site comprises a currently empty village hall within the housing settlement boundary and conservation area of Stradishall, categorised as an 'infill village'. Though the village hall is not curtilage listed it is considered to represent a non-designated heritage asset as identified at pre-application stage and the site lies adjacent to Hoult's Mansion, a Grade II listed building. The site is prominent in the street scene by virtue of its elevated ground level in relation to the road.

Planning History:

6. DC/14/0669/FUL – Adjoining Site - Planning Application - Erection of new dwelling and cart lodge (following demolition of existing dwelling) as amended by drawings received on 10th November 2014 (redesign of proposed dwelling). Granted. 11/12/2014
7. DC/15/1078/FUL - Planning Application - demolition of former village hall and replacement with single detached dwelling. Refused. 30/07/2015

Consultations:

8. Suffolk County Archaeology: No objection subject to conditions.
9. Conservation: Objection on the grounds of insufficient detail and assessment. Additional comments made 7th June (see Appendix B).
10. Environment Team: No objection subject to informatives.
11. Highway Authority: No objection and recommend conditions.

Representations:

12. Parish Council: No objection in relation to the loss of the former village hall. Objection to the replacement dwelling on the grounds of harm to the neighbouring listed building and neighbouring amenity.
13. Ward Member (Councillor Farthing) – Call to delegation panel.

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

14. Joint Development Management Policies Document 215:
 - Policy DM1 (Presumption in Favour of Sustainable Development)
 - Policy DM2 (Creating Places – Development Principles and Local Distinctiveness)
 - Policy DM15 (Listed Buildings)
 - Policy DM16 (Local Heritage Assets and Buildings Protected by an Article 4 Direction)

- Policy DM17 (Conservation Areas)
- Policy DM20 (Archaeology)
- Policy DM22 (Residential Design)
- Policy DM41 (Community Facilities)
- Policy DM46 (Parking Standards)

15. St Edmundsbury Core Strategy December 2010

- Policy CS2 (Sustainable Development)
- Policy CS3 (Design and Local Distinctiveness)
- Policy CS4 (Settlement Hierarchy and Identity)
- Policy CS13 (Rural Areas)

Other Planning Policy:

16. National Planning Policy Framework (2012)

Officer Comment:

17. The issues to be considered in the determination of the application are:

- Principle of Residential Development (not including demolition or loss of community facilities)
- Demolition of the Non-Designated Heritage Asset
- Loss of Community Facilities
- Impact on the Listed Building and Conservation Area

Principle of Development (not including demolition or loss of community facilities)

18. The site is located within the housing settlement boundary, where proposals are considered to be sufficiently sustainable as to garner the support of Policy DM1. The dwelling is situated between existing dwellings, with the adjacent site to the south east having been granted permission in 2014 for a replacement dwelling (ref. DC14/0669/FUL) which has now been built. The proposed replacement dwelling is not considered inappropriate in character, when considered generally, in relation to the wider area of Stradishall and does not constitute an overdevelopment of the site. However, noting that the existing site contains a non-designated heritage asset that is proposed for demolition, the principle of development is not considered acceptable in the form proposed, as detailed further below.

Demolition of the Non-Designated Heritage Asset

19. The former village hall is an attractive, single storey building that makes a positive contribution to the character and appearance of the conservation area. It is not considered to be curtilage listed due to its relationship with Hoult's Mansion, but is considered to be a non-designated heritage asset, and was identified as such at the pre-application stage. There is, therefore, a presumption against its demolition subject to an assessment of significance and a structural report.

20. Policy DM17 of the JDM requires that proposals for the demolition of buildings that make a positive contribution to the conservation area should demonstrate the building is beyond repair, or that repair would result in the loss of its historic features and that all possible measures to sustain the existing use or find an alternative use have been explored. The policy is clear that all proposals will need clear justification for the works, especially where they would harm the significance of the conservation area or its setting. These requirements are echoed in the NPPF, particularly paragraph 129 which requires applications to take into account heritage assets into account when assessing the impacts of development.
21. The proposal was originally accompanied by a heritage statement and a built heritage assessment. The heritage statement, in its assessment of the former village hall, noted, in particular, its current empty status and dilapidated appearance and concludes that the former village hall is harmful to the conservation area. The built heritage assessment states that the village hall has;
- "...negligible, if any significance to the adjacent Grade II listed Hoult's Mansions. Due to its close proximity to the heritage asset, the Former Village Hall is considered to provide a neutral contribution to its setting"*
22. The Conservation Officer's original comments disagreed with this assessment's conclusion that the building does not make a contribution to the area and noted its form, appearance and detail as what would be expected of a building of this time (1930's). Such features are the contributing factors for the historic merit of the building. Additionally, there remains no evidence submitted as to the structural status of the building and the quantity surveyor's report details only the cost, with statements made about the ability to convert the building, but no indication as to how the conclusions have been reached. This was identified in the previous application, and has not been addressed during this resubmission.
23. At the time of the May 2016 Development Control Committee meeting therefore, it was considered that the proposal had not sufficiently demonstrated that the demolition of the non-designated heritage asset (i.e. the former village hall) had been fully addressed. Additionally, as per part iii) of policy DM17, an acceptable scheme had not been forthcoming for the redevelopment of the site as the proposed dwelling was considered to represent harm to the adjacent listed building.
24. Following the Development Control Committee in May a letter has been received from the agent on the 27th May, in response to contact from officers (attached as Appendix A).
25. The letter makes reference to a building survey. The survey referred to is in fact a quantity surveyor's viability report, and not a structural engineer's survey that would otherwise be required in order to ascertain whether the building is capable of being converted. The report does not detail the

structural status of the building, it only describes its and states that it does not currently comply with building regulations. Though the report does state retention and conversion is not viable, this is unsubstantiated. Without an objective assessment as to why the building is unable to be converted, taking into account factors such as special dispensations that could well be available in the conservation area and for a building of this nature, it is not considered by officers that sufficient evidence has been submitted that precludes the conversion of the building.

26. That said, officers are not specifically recommending that the building must be retained, only that insufficient information has been submitted to identify its capability of being converted. While it has been expressed that retention of the building is preferable this does not preclude its demolition if other factors, such as an acceptable replacement scheme, are brought forward that would outweigh the loss of the non-designated heritage asset. Reflecting on this point in light of the further information received, the Conservation Officer (latest comments attached as Appendix B) has subsequently confirmed her revised opinion that continuing to seek information regarding the status and potential of the building to be converted is a point that no longer has merit. As such, this specific reason for refusal is no longer supported by Officers.

Impact on the Listed Building and Conservation Area

27. As stated, the conservation officer has objected to the proposal, and it is considered that the scope of assessment of the conservation area that has been carried out that identifies the characteristics, materials, plot sizes, divisions etc. is limited. Additionally, while reference has been made as to the impacts on the adjacent listed building, it is not considered that these have been adequately supported by evidence.
28. Policy DM17 requires development within the conservation area to preserve or enhance the character of the Area. In considering the replacement of The Haven on the adjacent site, the applicant had regard to the scale of the dwelling to be replaced and replicated some of the style and character of the previous dwelling on the site in the proposed replacement. Whilst this replacement is greater in its overall depth, the appearance of the frontage has been maintained in order to preserve its character of the Conservation Area.
29. The proposed dwelling would be greater in height than both Hoult's Mansion and The Haven and would not respect the scale and massing of the dwellings on either side. In addition to this the former village hall to be replaced is of a much smaller scale and this is a consideration in how its impact is assessed. The application is also considered to fail to accord with policy DM22 which requires development to have design based on an analysis of existing buildings, for example that being replaced. The development has not, therefore, utilised the characteristics of the locality and has failed to create a continuity of built form which reflects the wider characteristics of the area.
30. The design of the proposed dwelling has not been amended since May DC

Committee. The proposed front elevation (drawing no. 006 A01), which indicates the heights of the neighbouring properties, shows that the proposal is of a greater height than both Hoult's Mansion and The Haven. The letter asserts that a reduction to the dwelling would lead to issues of viability as it would be smaller, but no information has been supplied to substantiate this and Officers are of the view that ample space and scope exists within this generous plot to accommodate a dwelling of a reduced height but still with sufficient accommodation to render it a scheme that a developer would wish to build.

31. In the event of replacing the existing building, officers have expressed a preference for a single storey building, both to retain some of the existing character and to prevent conflict with the neighbouring listed building, though it was noted at pre-application stage that extension to the rear could readily be achieved. While this does not eliminate the possibility of other potential heights, if suitably related to the listed building, the proposal as it stands remains an inappropriate design.

32. The replacement building will sit immediately alongside Hoult's Mansion and, whereas the existing hall appears very much subservient to the listed property and makes a positive contribution to its setting, the proposed development, whilst attractive in its own right, is considered to compete with the listed building due to its increased bulk. Accordingly, the proposal does not demonstrate a clear understanding of the significance of the listed building or respect its setting. It is therefore contrary to policy DM15 of the joint development management policies.

Loss of Community Facilities

33. Policy DM41 of the Joint Development Management Policies indicates that the loss of valued community facilities will only be accepted provided that the use is not economically viable, with appropriate supporting financial evidence, including any efforts to advertise the premises for sale for a minimum of 12 months. This sits alongside a requirement to either provide evidence that there is no local demand for the use of the building or site or that there are appropriate replacement facilities of at least equivalent standard, in an accessible location well served by public transport.

34. This requirement is echoed in policy DM17 that also requires that proposals resulting in the demolition of heritage assets demonstrate that all possible measures to sustain an existing use or find an alternative have been explored and failed and that development would bring substantial public benefits. The retention of community facilities is actively encouraged in the NPPF under paragraph 28.

35. No marketing assessments have been submitted, nor were any submitted with the previous application (ref. DC/15/1078/FUL). It does not, therefore, appear that a marketing exercise has taken place, though it is noted that this in itself would not preclude evidence that economic viability is not achievable.

36. The planning statement submitted at the outset of the application indicates that the replacement community facility provided is in use by the parish council, the local church and is available for hire. This is contrary to the statements made in the letter received in response to the May Committee, which now only mentions the parish council. The additional details of the replacement do not provide any indication of its use as a community facility available for the wider community, nor do they provide any guarantee that the replacement would remain available to the parish or other parties in the event that permission is granted for the replacement dwelling. Indeed, the letter specifically refers to the fact that the replacement provision is made on a purely informal basis and does not have the benefit of planning permission. This latter fact is a matter under investigation by the Authority.
37. The additional details provided by the agent state that no formal change of use is to be proposed as the replacement community provision building is also used for storage. The letter speaks of the use of the replacement site as de minimus (which will be considered by the Authority as part of its investigation) but this does not reflect the level of use that was indicated as part of the planning statement, which was indicated to be higher.
38. The letter refers to the current use of the site as retail and storage. However, permission which granted those uses (E/94/1157/P) was subject to an expiry clause. Though this was extended (under SE/01/1255/P) the use is not considered to be established, and the uses were limited to Bracken Woodcraft in any event. It would appear that the sites last lawful use was as an agricultural engineering workshop, though it may be that an alternative use has become lawful through the passage of time. Any unauthorised use of the site is, in itself, a material consideration. As no regularisation is forthcoming, no weight can be afforded to the alleged replacement, which
39. While it is noted that the parish council have indicated their preference to utilise part of the church, this does not appear to have come to fruition in the nine years since the letter was written. No information has been provided as to the status of the plans to use the church, or whether it is still the intention of the parish council to do so. Additionally, no information has been submitted as to the whether such a facility could be accommodated within the church, a Grade I listed building, or whether the owners would be amenable to that proposal. Such a development may in turn require planning permission, listed building consent or, depending on denomination, fall within the ecclesiastical exemptions.
40. The applicant also suggests (incorrectly) that as the hall is 'family owned' it is 'not a community asset of any kind'. This fails to understand the way that Policy DM41 is worded, which is plain on its own face. Ownership is not relevant and the fact that the building was 'family owned' is neither here nor there. The issue at stake is its community use, which is apparent, and which has endured for decades. The only reason it fell out of use appears to be due to its state of repair. That the Parish Council are presently operating on a temporary basis out of alternative premises, with the informal goodwill of that landowner, also suggests that such a village

hall / meeting room is a 'valued' facility and that the provisions of Policy DM41 are therefore engaged.

41. Policy DM41 seeks to ensure that alternative facilities are provided or that replacement provision is made. It is not the intention of the policy to retain sites in community use if indications are that an alternative solution is preferable, or even simply if the market wants to explore opportunities for development. However, the point of the policy, quite plainly laudable, is to ensure that if such a site is to be lost in planning terms from a community use, then to make sure that replacement provision is made, of a suitable standard, and in a suitable location, such that there will be no overall loss of valued facilities.
42. This is manifestly not the case here and the proposal clearly offends the requirements of DM41. Officers are not suggesting that the existing building or site must be retained in community use. On the contrary, subject to design issues being resolved (noting that these are still unresolved, see above), and on the basis that effective replacement provision has been made elsewhere, it is possible that permission would be forthcoming. The issue remains however that the replacement provision is made on a purely informal basis, reliant on the goodwill of the landowner and also potentially representing a breach of planning control. For Officers to have comfort that effective replacement provision has been made then it would be anticipated that planning permission would have been granted for such a use. The point then in such a scenario, assuming that such alternative provision was of a suitable scale and in a suitable location, is that a formal community use would endure at that replacement site, thereby perpetuating the community use and thereby complying with Policy DM41. That no such approval exists for an alternative community use means that its continuance is subject to the whims of an individual landowner, or to the market, with the LPA having no control over the perpetuation of the community use. It is for this reason that Officers remain of the opinion that the proposal seriously offends Policy DM41 in advance of formal planning permission having been implemented for a replacement use, thereby transferring the protection offered by Policy DM41 to that replacement location.
43. Reference has been made to the willingness of the applicant to make a financial contribution towards the cost of provision of a community use elsewhere. This has not been quantified and no formal offer is made and, in any event, such does not guarantee the provision of a replacement or the retention of any replacement site for community use, as required by Policy DM41.

Conclusion:

44. The replacement dwelling would compete with the adjacent listed building due to its overall bulk, scale, height and massing therefore proving contrary to policy DM15, DM16 and DM17 and relevant policies contained within the NPPF.
45. The proposal also fails to take account of policy DM41 and has not

provided any indication as to the adequacy or permanence of the replacement facilities in comparison to the former village hall.

Recommendation:

It is **RECOMMENDED** that planning permission be **Refused** for the following reasons:

1. The proposed development would result in the loss of a non designated heritage asset which currently makes a positive contribution towards the character and appearance of the conservation area and the setting of the listed building. The replacement dwelling would also compete with the adjacent listed building due to its overall bulk, scale, height and massing therefore proving contrary to policies DM2, DM15, DM16, DM17 and DM22 and relevant policies contained within the NPPF.
2. The loss of the community facility has not been adequately addressed within the application in that no alternative facilities are available or replacement provision made for the community facility to be lost. The site has been in use for community purposes since the 1930's and this remains its last use. That the Parish Council are presently operating a community facility on a temporary basis out of alternative premises, with the informal goodwill of that landowner, also suggests that such a village hall / meeting room is a 'valued' facility and that the provisions of Policy DM41 are therefore engaged. The proposal is therefore considered to conflict with the provisions of Policy DM41 in advance of formal planning permission having been implemented for any replacement community use elsewhere.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=O3CPU5PDFOJ00>

Case Officer: Aaron Sands

Date: 21 June 2016