

**Development Control Committee**  
**6 July 2022**

**WORKING PAPER 1**

**Planning Application DC/22/0364/FUL and Listed Building Consent DC/22/0365/LB –  
The Deanery, 3 The Great Churchyard, Bury St Edmunds**

<b>Date registered:</b>	24 March 2022	<b>Expiry date:</b>	EOT 08 July 2022
<b>Case officer:</b>	Amey Yuill	<b>Recommendation:</b>	Grant Full Planning Application Refuse Listed Building Consent Application
<b>Parish:</b>	Bury St Edmunds Town Council	<b>Ward:</b>	Abbeygate
<b>Proposal:</b>	Planning application - a. single storey extension to north wing; b. alterations to garage and addition of garden/woodshed; c. provision of bicycle storage (following removal of shed); d. external window and door alterations; e. electric charging points; f. provision of call point on south pedestrian gate; g. gratings over window areas; h. associated landscaping; i. relocation of amenity space for west wing; j. installation of flue liners and cowls		

Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications

**Site:** The Deanery, 3 The Great Churchyard, Bury St Edmunds

**Applicant:** The Very Reverend Joe Hawes

**Synopsis:**

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

**Recommendation:**

It is recommended that the committee determine the attached applications and associated matters.

**CONTACT CASE OFFICER:**

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## **Background:**

**These applications were considered at Delegation Panel on 17 May 2022 as the officer recommendation for refusal of the Listed Building Consent application is contrary to the Town Council's 'recommended approval' comment. It was agreed by the Delegation Panel that the matters should be referred to the Development Control Committee for determination.**

**A site visit is due to take place on Monday 4 July 2022.**

## **Proposal:**

1. This proposal has been submitted following in depth pre-application advice with both West Suffolk's Conservation Officer, The Victorian Society and Historic England.
2. Planning permission and listed building consent is sought for extensive work externally and internally.
3. Planning permission is sought for a flat roof single storey rear extension to the north wing measuring 2.74 metres in depth, 4.57 metres in width and 3.94 metres in height, alterations to the existing garage and the addition of a garden/woodshed, the provision of bicycle storage (following removal of an existing shed), external window and door alterations, installation of electric charging points, the provision of a call point on the south pedestrian gate, gratings over window areas, landscaping, the relocation of amenity space for the west wing and installation of flue liners and cowls.
4. Listed building consent is sought for a single storey rear extension to the north wing (as detailed above) to include partial demolition of rear wall and window, external door and window alterations to include the replacement and reinstatement of window and doors to rear elevation, the provision of gratings to basement window areas, remodelling of internal layouts to include the demolition of the existing staircase to the main entrance hall to allow for large dining area, the partial relocation of the modified staircase from main entrance hall to new stairwell within existing laundry room, demolition of an internal partition between the existing bedrooms one and two, the provision of a new attic staircase, upgrading of the thermal elements to the existing attic accommodation, together with provision of a shower room, upgrading of the internal doors to half hour fire resistance, renewal of the services to include electrics, heating and plumbing, together with other modifications.

## **Application supporting material:**

5.
  - Application Form
  - Existing Floor Plans (Drawing No. C250.3.13 02D)
  - Existing Elevations (Drawing No. C250.3.13 03C)
  - Proposed Basement Floor (Drawing No. C250.3.13 04D)
  - Proposed Ground Floor (Drawing No. C250.3.13 06F)
  - Proposed First Floor (Drawing No. C250.3.13 10F)
  - Proposed Attic Floor (Drawing No. C250.3.13 13D)
  - Existing Entrance Hall Plan (Drawing No. C250.3.13 15)

- Existing Sections (Drawing No. C250.3.13 16)
- Staircase Details A and C (Drawing No. C250.3.13 17)
- Staircase Details C (Drawing No. C250.3.13 18)
- Existing Internal Elevations (Drawing No. C250.3.13 19A)
- Proposed Entrance Hall Floor (Drawing No. C250.3.13 20A)
- Proposed Internal Elevations (Drawing No. C250.3.13 21A)
- Proposed Staircase Floor (Drawing No. C250.3.13 22)
- Proposed Sections A-A (Drawing No. C250.3.13 23)
- Proposed Sections B-B and C-C (Drawing No. C250.3.13 24)
- Proposed Sections D-D and Handrail (Drawing No. C250.3.13 25A)
- Proposed Sections E-E (Drawing No. C250.3.13 26A)
- Proposed Section F-F (Drawing No. C250.3.13 27A)
- Proposed Sections G-G (Drawing No. C250.3.13 28A)
- North Wing - Existing Floor Plan and Section (Drawing No. C250.3.13 34)
- North Wing - Proposed Floor Plan and Section (Drawing No. C250.3.13 35A)
- Proposed Elevations (Drawing No. C250.3.13 36B)
- Stairs – Existing and Proposed Attic Plan (Drawing No. C250.3.13 37A)
- Attic – Existing Stair Sections (Drawing No. C250.3.13 38)
- Window Details - Sections (Drawing No. C250.3.13 68)
- Stair – Proposed Section (Drawing No. C250.3.13 39A)
- Location Plan (Drawing No. C250.3.13 42B)
- Bathroom Detail – First Floor Plan (Drawing No. C250.3.13 44A)
- Attic Floor Plan (Drawing No. C250.3.13 45A)
- En-suite Floor Plan (Drawing No. C250.3.13 46A)
- Kitchen – Proposed Elevation and Floor Plan (Drawing No. C250.3.13 47)
- Existing Elevation and Floor Plan (Drawing No. C250.3.13 48)
- Proposed Basement Floor Plan (Drawing No. C250.3.13 50)
- Proposed Ground Floor Plan (Drawing No. C250.3.13 51)
- Proposed First Floor Plan (Drawing No. C250.3.13 52)
- Proposed Attic Floor Plan (Drawing No. C250.3.13 53)
- Garage – Existing Elevations and Floor Plan (Drawing No. C250.3.13 54)
- Garage – Proposed Elevations and Floor Plan (Drawing No. C250.3.13 55)
- Existing and Proposed Door Details DG2 (Drawing No. C250.3.13 56)
- Door and Window Details (Drawing No. C250.3.13 57)
- Window Details (Drawing No. C250.3.13 58)
- Window Details (Drawing No. C250.3.13 59)
- Window Details (Drawing No. C250.3.13 60)
- Window Details (Drawing No. C250.3.13 61)
- Ground Floor Plan (Drawing No. C250.3.13 62)
- Partition Details (Drawing No. C250.3.13 64)
- Cycle Plans (Drawing No. C250.3.13 65)
- Attic Sections (Drawing No. C250.3.13 66)
- Door Details (Drawing No. C250.3.13 67)
- Grating – Window Details (Drawing No. C250.3.13 69)
- Guttering Details (Drawing No. C250.3.13 70)
- Existing and Proposed North Terrace (Drawing No. C250.3.13 71)
- Existing Block Plan (Drawing No. C250.3.13 01E)
- Proposed Block Plan (Drawing No. C250.3.13 14G)
- Services Plan (Drawing No. C250.3.13 49B)
- Site Location Plan (Drawing No. C250.3.13 49B)

- Existing Block Plan (Drawing No. C250.3.13 01F)
- Staircase Details A and C (Drawing No. C250.3.13 14D)
- Section F-F (Drawing No. C250.3.13 14D)
- Section F-F (Drawing No. C250.3.13 27A)
- Services Plan (Drawing No. C250.3.13 49B)
- Window Details WG, WG 14 WF2-4 (Drawing No. C250.3.13 68)
- Heritage Statement
- Heritage, Design and Access Statement
- Schedule of Works
- Specification of Repairs

### Site details:

6. The Deanery and attached Clopton Cottage is a Grade I Listed building, located to the northern side of The Great Churchyard. The land on which the building sits is scheduled (Scheduled Monument - Bury St Edmund's Abbey including the monks' cemetery and outer precinct and vineyard walls) and is located within The Abbey Gardens and Precincts - a grade II listed Historic Park and Garden. It is also located within the Bury St Edmunds Town Centre Conservation Area, which is restricted by an Article 4 Direction, as well as the Housing Settlement Boundary of Bury St Edmunds.
7. Originally built c1744 as Almshouses known at the time as The Clopton Asylum, the building is constructed of red brick with stone dressings and quoins. It has a tiled roof with a parapet and stone cornice.
8. In 1898 the building was sold to the Church to serve as a Vicarage. It is thought Clopton's Cottage to the east was separated off from the vicarage to provide a separate dwelling around the same time. In 2018 permission was granted/approved (DC/18/1387/FUL and DC/18/1388/LB) to subdivide the Deanery (former vicarage) into two separate residential units, with the intention of The Deanery remaining within the central unit flanked by Clopton's Cottage to the east and West Wing to the west. To the front of the site is a footpath up to the front door, to the side is a gravel driveway behind a gate and to the rear is a garden which overlooks the Abbey Gardens.

### Planning history:

Reference	Proposal	Status	Decision date
DC/18/1387/FUL	Planning Application - Subdivision of the dwelling to create 2no. dwellings	Application Granted	4 October 2018
DC/18/1388/LB	Application for Listed Building Consent - (i) subdivision of dwelling to create 2no. dwellings; (ii) internal alterations to create the division at ground, first and attic floor levels; (iii) removal of an existing cloakroom and provision of a new	Application Granted	4 October 2018

	cloakroom for the new west wing; (iv) installation of shower room for the Deanery; (v) extension and alteration of gas, electricity, water and waste drainage systems within the building; (vi) new gas balanced flue on the north wall; (vii) 2no. extract vent exhausts; (viii) 1no. extract vent exhaust under eaves and (ix) new gate in existing fence within the site		
DC/18/2566/LB	Application for Listed Building Consent - (i) to install an airing cupboard adjacent to the existing bathroom; (ii) to install extract fan in existing bathroom; (iii) external repairs including pointing and brick renewals on the west elevation	Application Granted	5 February 2019
DC/19/1224/LB	Application for Listed Building Consent - (i) Creation of en-suite shower room in the south bedroom of the Deanery west wing (ii) installation of 2no. extract vents in roof tiling behind the south parapet	Application Granted	12 August 2019

### Consultations:

9. **Suffolk County Council Highway Authority** – No objections raised subject to conditions regarding cycle parking, vehicle parking and manoeuvring, and bin storage and presentation areas.
10. **Suffolk County Council Fire and Rescue** – No objections raised but advice provided.
11. **Suffolk County Council Archaeological Service** – Deferred to advice provided by statutory advisers, however, advised if permission is to be granted, would assist in wording a satisfactory archaeology condition.
12. **The Victorian Society** – Object to the removal of the imperial staircase, stating that the staircase contributes positively to the significance of the building, and it is mentioned specifically in the listing entry. It is one of the clearest indicators of the change of use from almshouse to high-status residence, and by its impressive design and quality communicates the status of the Church of England clergy in the early part of the 20th century. Therefore, its removal would cause harm to the significance of

the building and especially the understanding of its adaptation from use as an almshouse. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as piece of architecture designed to impress would be lost.

13. **Historic England** – Raised concerns regarding the proposal, stating that the application would result in a high level of less than substantial harm to the character and significance of this grade I listed building and therefore recommended that the local planning authority should weigh up the planning balance as described by paragraph 202 of the NPPF. It was considered by Historic England that the removal of the central staircase would result in harm to the understanding and appreciation of the later part of this building's history which has become a large part of its significance. The vicarage stage of the development of this building is remarkably intact and the removal of the staircase would result in further changes to this plan form that would be harmful to the significance of the building. They therefore considered that the requirements of paragraphs 199 and 200 of the NPPF have not been met.
14. **Conservation Officer** – Object to the listed building consent proposal and recommend refusal, stating that the proposed development has been the subject of lengthy pre- application discussions and site meetings when both Historic England and Conservation set out their concerns regarding a number of the proposed works and these concerns have not been resolved.
15. The impact of the removal of the staircase on significance not only relates to the loss of historic fabric, but fabric which relates to a key phase in the building's history, the design and detail of which was clearly intended to make a statement upon entry and is attributed to a known architect whose work has been acknowledged on at least one occasion with listed status.
16. The proposed works, specifically the demolition, remodelling and relocation of the grand staircase and the substantial removal of the internal partition between bedrooms 1 and 2 would not only prove detrimental to architectural and historic features but would fail to have regard to the historic internal layout which contributes towards significance. Consequently, the proposed development would fail to accord with policy DM15 causing harm to significance.
17. Whilst it is appreciated the space resulting from the removal of the staircase may be an ideal space for the bishops to gather and entertain in West Suffolk, the public benefits resulting from this, if any, would be limited and would not outweigh the harm caused by the proposed works. In addition, whilst it is also appreciated there may be a keenness by others for the opportunity to utilise the space as a smaller meeting venue this does not demonstrate that existing smaller meeting venues within the town are oversubscribed supporting the need for further smaller venues or a justification for the harm.
18. No issues are raised, however, with the proposed works within the planning application which include works to the garage, bike and bin store, the subdivision of the curtilage, provision of electric charge point. This conclusion is subject to conditions regarding compliance with plans, the

provision of brick material samples and drawn details for all new or replacement gates.

## **Representations:**

19. **Town Council** – The Bury St Edmunds Town Council recommended the application be approved, subject to conditions proposed by Suffolk County Council.

**Ward Member** – No comments received

20. **Neighbour Representation** – Ten representations were received from residential properties, as well as local businesses during the course of the application's consultation period who support the application, a list of which can be seen below:

Gatehouse Caring in East Anglia  
The Bishops House  
Abbey Garden Friends  
Cleves Cottage 24 Hengrave Road  
St Edmundsbury Cathedral Fabric Advisory Committee  
Beech Cottage  
Bid For Bury  
Our Bury St Edmunds  
Churchgate Area Association  
2 Woolhall Street

Many of the comments received specifically supported the removal of the staircase and stated that it would allow for a use of space for the local community.

## **Policy:**

21. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

22. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Bury Vision 2031 have been taken into account in the consideration of this application:

- 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 DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest
- Policy DM20 Archaeology
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage
- Policy DM46 Parking Standards
- Core Strategy Policy CS3 Design and Local Distinctiveness
- Bury Vision Policy BV1 Presumption in Favour of Sustainable Development

**Other planning policy:**

23.National Planning Policy Framework (NPPF)

24.The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

**Officer comment:**

**Full Planning Application**

25.The issues to be considered in the determination of the full planning application are:

- Principle of Development
- Impact on Character, Conservation Area and Article 4 Direction
- Impact on Listed Building
- Impact on Residential Amenity
- Other Matters

**Principle of Development**

26.Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and

the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

27. In the case of this application, the dwelling is located within a curtilage which is able to accommodate the proposed degree of external extension and alteration without overdevelopment of the plot occurring, nor an adverse impact on character to the dwelling itself or surrounding area and no adverse impact on neighbouring amenity is anticipated. Therefore, the principle of development in terms of the planning application is deemed to be acceptable.

### **Impact on Character, Conservation Area and Article 4 Direction**

28. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions and alterations to dwellings respect the character, scale and design of the host dwelling and the surrounding area.

29. Policy DM2 states that proposals for all development should (i) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and (ii) maintain or create a sense of place and/or local character.

30. Policy DM24 states that development will be permitted provided that the proposal (i) respects the character, scale and design of the existing house and the character and appearance of the immediate and surrounding area.

Policy DM15 and DM16 state that proposals to alter, extend or change the use of a building protected by an Article 4 Direction or where the building is listed will be permitted where they demonstrate a clear understanding of the significance of the building and its setting. The proposed development must contribute to the preservation of the building and must not be detrimental to the building's character, appearance or any architectural, archaeological, artistic or historic features that contribute towards its special interest. The works must be of an appropriate scale, form, height, massing and design.

31. Furthermore, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

32. Policy DM2 and DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area.

33. The proposed extension, alterations to the existing garage, addition of a garden/woodshed, the provision of bicycle storage (following removal of an existing shed), external window and door alterations, installation of electric charging points, the provision of a call point on the south pedestrian gate, gratings over window areas, landscaping, the relocation of amenity space for the west wing and installation of flue liners and cowls are all deemed to be acceptable in terms of their impact on the character of the surrounding area and the dwelling itself.

34. The proposed rear extension is modest in depth and single storey in height, therefore serving as a subservient addition to the dwelling. The proposed materials for the extension are red brick to the external elevations and a stone cornice finish to the edge of a sedum roof. These materials are considered to compliment the building, with the red brick to match the existing dwelling's red brick and the window to the east elevation is to be reused from the existing rear elevation. The window on the north elevation of the extension will be new, however, is proposed to match the window on the eastern elevation. Views of the proposed extension will be limited from anywhere other than within the site. However, it is acknowledged that glimpses of the top of the stone cornice may be visible from within the highest point of the Abbey Gardens during winter, when trees are not in full leaf. No concerns regarding this view have been raised by any of the specialists, therefore, it has been deemed to be acceptable.
35. The other proposed alterations to the dwelling and the surrounding grounds are considered to be acceptable, with the changes to the garage and addition of a shed and store for storage of garden equipment, wood, bicycles and bins being modest and the addition of the flue liners and cowl respecting the character of the existing building.
36. Therefore, in terms of the impact on the character of the Listed dwelling, its surroundings and the Conservation Area and Article 4 Direction, officers consider the planning application is compliant with the development plan policies and the NPPF.

### **Impact on Listed Building**

37. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.
38. Policy DM15 states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case the building is Grade I listed.
39. Paragraph 202 of the National Planning Policy Framework (2021) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
40. The Conservation Officer stated that they have no objection to the works proposed within the planning application, such as the proposed extension, alterations to the garage, addition of bicycle storage etc., subject to conditions requiring compliance with plans, the provision of brick material samples and drawn details for all new or replacement gates. These conditions are considered reasonable by the case officer; therefore, the proposal is considered to be acceptable in terms of its impact on the Grade I Listed Building.

## **Impact on Residential Amenity**

41. Policy DM2 states that developments will not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity.
42. Furthermore, policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
43. The proposed extension to the rear of the property is modest in depth, is stepped away from the adjoining neighbours on both sides and is single storey in height. Therefore, officers consider it would have a limited impact on neighbouring amenity in terms of loss of light, an overbearing impact or loss of privacy.
44. The other alterations to the dwelling, such as the shed, garage alterations and subdivision of the plots are also deemed to be acceptable in terms of their impact on neighbouring amenity, with the subdivision of the plots providing West Wing with their own amenity space by way of a hedged courtyard and parking spaces.
45. The proposal is therefore considered to be compliant with policies DM2 and DM24 in terms of impact on residential amenity.

## **Other Matters**

46. Policy DM46 states that all proposals must comply with Suffolk Parking Guidance and Local Planning Authorities will seek to reduce over-reliance on the car and to promote more sustainable forms of transport. In addition, Policy DM2 of the Joint Development Management Policies Document seeks to ensure that proposals maintain or enhance the safety of the highway network.
47. The proposal involves alterations to the parking layout within the site, including a reduction in size to the existing garage to allow for adequate vehicle parking and turning space within the site. In addition, new secure bicycle parking is proposed in the form of a pergola next to the front boundary wall, which would also allow for a bin storage area adjacent.
48. The Suffolk County Council as Local Highway Authority were consulted during the application's consultation period and comments were provided which raised no objection to the proposal, subject to standard conditions requiring the adherence to the drawings submitted in terms of the cycle storage, vehicle parking and manoeuvring and bin storage areas. If permission were approved, such conditions considered to be acceptable and necessary.
49. Policy DM20 states that on sites of archaeological interest, or of potential archaeological importance, provided there is no overriding case against development, planning permission will be granted subject to satisfactory prior arrangements being agreed.

50. Following consultation with the Suffolk County Council Archaeological Service, it was advised that they would defer to the advice of statutory advisors on the proposals, given the designation of The Deanery as a Grade I listed building and the designation of the surrounding land as part of the Scheduled Monument of Bury St Edmunds Abbey. The Scheduled area is legally protected, and any groundworks would therefore require Scheduled Monument Consent in addition to any planning consent, of which Historic England are primary advisors to the Secretary of State on the Scheduled Monument Consent process and would therefore take the lead on advice in relation to below ground remains. It was, however, advised that should permission be granted, the Archaeological Service would assist in the wording of a sufficient planning condition regarding the briefs for the work, review of written schemes of investigation and with processes for archiving and lodging of information into the public domain.

## **Conclusion**

51. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

52. However, whilst the proposed works within the planning application are considered to be acceptable, the proposed works also required listed building consent. Listed building consent has been sought for the proposed works which are also covered within the planning application, and these are deemed acceptable. However, additional internal works have been further sought within the listed building consent application, and which do not require planning permission, but which are not considered to be acceptable, and which will therefore be discussed below.

53. Accordingly, the planning application is recommended for approval, and if so approved, and the listed building consent is refused, then a further separate listed building consent application will need to be sought for the works proposed within the planning application.

## **Officer comment:**

### **Listed Building Consent**

54. The issues to be considered in the determination of the listed building consent application are:

- Principle of Development
- Impact on Listed Building

55. This application seeks listed building consent for various internal and external works, as previously detailed.

## **Policy**

56. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.

57. Paragraph 199 of the National Planning Policy Framework (2021) (NPPF) states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
58. Paragraph 200 states that any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification and substantial harm to or loss of assets of the highest significance, notably scheduled monuments...grade I and II\* listed buildings should be wholly exceptional.
59. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
60. Policy DM15 of the Joint Development Management Policies Document (2015) (JDMPD) states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case the building is Grade I listed.

## **History**

61. Originally Built as Almshouses/Clopton Hospital, The Deanery and attached Clopton Cottage and West Wing are listed Grade I and the land on which its sits is Scheduled.
62. The Almshouses date back to the 18c and following its decline, the building was sold to the church in 1898 to serve as a Vicarage. The list description advises the interior still retains some evidence of the Almshouse layout but was considerably altered when the building became St James' Vicarage in the late C19 – the current entrance hall, previously the communal dining room serving the former Almshouses, still retains 'a small 18c fireplace with a plain stone surround at each end of the former communal dining room.' However, a number of the doors and doorways within the same room are referred to as having been altered, presumably as part of the conversion.
63. The insertion of the staircase (referred to within the list description as a large late 19c imperial stair) together with the removal of the chimney stack, chimney breast and internal wall to the west, formerly subdividing the existing drawing room in two, and the provision of the internal partitions to create a corridor on the northern side are all believed to form part of the conversion works.
64. It is unclear exactly when Clopton's Cottage was divided off, however, OS maps indicate the division occurred sometime between 1886 and 1904. (i.e., within an 18-year period). It is suggested alterations to the vicarage

were implemented slightly later than 1900. It is assumed the separation of Clopton's Cottage occurred after the vicarage conversion, i.e., after the insertion of the central staircase, this would then have allowed access to the first floor most easterly range prior to the construction of the rear extension.

### **Assessment of proposal**

65. The description of the proposed works is quite extensive and many of the works are supported in principle. However, the following areas are not supported for the following reasons.
66. The removal of the central staircase (to include its remodelling and relocation) and associated blocking up of door openings and the removal of the internal partition between bedroom 1 and 2. Both points will now be addressed separately.

### **Removal of staircase**

67. The works associated with the original conversion to Vicarage, to include the insertion of the main staircase not only represents a key stage in the building's history when the Almshouses were converted to a vicarage, but offers an insight into the social history of the town at the time when it is understood the charity (Almshouses) was suffering financial hardship due to the economic decline in agriculture and as a consequence the building was sold at auction to the church to serve as a vicarage following its conversion.
68. The conversion works themselves are attributed to John Flatman Architect and surveyor. There are a number of examples of his work within the district at least one of which, the entrance Gateways and Gates at Abington Place Stables, is listed grade II.
69. Whilst the staircase is not an original feature, the level of importance and contribution to the history of the dwelling is attributed to its special interest expressed in its materials, craftsmanship, form and layout. Furthermore, it is considered the insertion of such an ostentatious staircase (known as an imperial staircase – meaning described in para 70 below) is so far removed from what was likely to have been a more conservative interior, was clearly intended to impress and is synonymous with the change in the building's use/function to the Vicarage in an attempt to elevate its status. For reasons of material, craftsmanship, form, layout, its attribution to a known Architect and the significant point in the building's history it and its insertion represents, it is considered appropriate by the Conservation Officer to afford a high degree of significance to the staircase.
70. The proposal involves the removal of the imperial staircase (the name given to a staircase with divided flights, usually the first flight rises to a half-landing and then divides into two symmetrical flights both rising with an equal number of steps and turns to the next floor) within the entrance hall and to then reuse parts for a new stair in the north wing, followed by the removal of the first floor doors and surrounds which currently serve the staircase.

71. The impact of the removal of the staircase on significance not only relates to the loss of historic fabric, but fabric which relates to a key phase in the building's history, the design and detail of which is not only attributed to a known architect but was clearly intended to make a statement upon entry.
72. It is advised by the applicant that the proposal seeks to 'reinstate the elegant form and interior of the dining hall.' However, in the absence of evidence to demonstrate the former arrangement and detailing to include door openings, door details, floor finishes (it is understood the parquet flooring also dates from the conversion works) etc., attempts to reinstate the true interior of the dining hall would be both conjectural and incomplete and at the expense of later historic fabric which contributes towards the building's significance for reasons already advised. Other works required to reinstate the former interior of the dining hall (but not specified) would appear to include the reinstatement of the traditionally detailed sash windows of the 18th century incorporating much thicker glazing bars (reference to their replacement is made within John Flatman's specification).
73. Consequently, the removal of the staircase and the blocking up of door openings would not result in the reinstatement of the elegant form and interior of the dining hall. It would however result in the removal of a feature key to the building's original conversion to a vicarage which formed part of a much larger schedule of works.
74. In addition to the harm caused by removing the staircase from its original location, (generally the re-siting of such significant features is not considered to be good practice in the field of conservation due to loss of context) the proposed relocation of the staircase (in its fragmentary form or otherwise) to an area which it would appear has always functioned as a service area, would result in further harm due to the inappropriate grandeur of the staircase relegated to its proposed back of house location. Its modified form would not only diminish the status of the Imperial Staircase intended for front of house locations to ensure maximum effect but would appear inappropriate in its proposed location.

### **Removal of internal partition**

75. It is proposed to open up a partition between the east bedroom and the west bedroom (bedrooms one and two) to create one large principal bedroom.
76. Whilst it is understood this may be a new/partially new partition, it appears to be of traditional lath and plaster construction and, it would appear, sits on the line of an original partition (corresponding with the cellar floor plan and the location of the former chimney breast and stack removed as part of the conversion works). Of traditional lath and plaster construction and corresponding to both the original floor plan and that of the conversion to vicarage, the substantial removal of the partition would not only result in the loss historic fabric but would compromise the floor plan of both phases.
77. As stated by Historic England in their formal comments, the removal of the internal partition between the bedrooms has not been properly justified, therefore, further justification is required in order to understand whether



this element of the proposal is acceptable, absent of which it must be considered harmful.

## **Justification**

78. It has been detailed within the application submission that the proposed works would allow for the Dean's hospitality role to be exercised within The Deanery, whilst also maintaining family privacy. In addition, by allowing hospitality to take place within The Deanery, it would free up space within the Cathedral Centre for public use.
79. The proposal is further justified by stating that the opening up of the hall, as a result of the staircase being removed, would allow for amenity groups within Bury St Edmunds to occasionally use the space, by invitation from the Cathedral.
80. Finally, the need for the space within The Deanery to be 'usable to the maximum extent' to ensure financial stability for future maintenance costs is provided as justification for the proposed works.
81. Whilst the desire for a separate and larger entertaining space while maintaining family privacy is understood, it would appear the usable space following the removal of the staircase would not be significantly greater than that of the drawing room given the number of doors serving the entrance hall (5) to include the main entrance door and fireplaces (2) all of which would, to a degree, interfere with the usable space presenting obstacles to work around.
82. It would also appear even with the proposed arrangement it would not result in complete family privacy with both family and guests sharing corridor space which allows access to both the downstairs W.C. and potentially upper floors.
83. It is considered most likely issues of privacy and entertainment space are in part as a result of the recent subdivision of The Deanery (the financial reasons behind which are both accepted and understood will provide the much needed letting income to relieve the maintenance burden of The Deanery and to help fund ongoing maintenance of the block as a whole. The conversion was approved in 2018 it is understood the building has not as yet been let separately).
84. Whilst it is appreciated the space resulting from the removal of the staircase may be an ideal space for the bishops to gather and entertain in West Suffolk, the public benefits (i.e., those to the public at large) resulting from this, if any, would be limited and would not outweigh the harm caused by the proposed works.
85. It is also appreciated there may be a keenness by others for the opportunity to utilise the space as a smaller meeting venue, however, this does not demonstrate that existing smaller meeting venues within the town are oversubscribed supporting the need for further smaller venues or a justification for the harm.
86. Setting aside whether or not there is evidence to support the need for further smaller meeting venues, we are advised The Bury Society, The

Bury Town Trust, The Churchgates Association, to name but a few, could benefit from occasional use of the space. This suggests use would be limited over the year and to that of private groups rather than the wider public. The public benefit would be limited to the Diocese and a number of civic organisations, which are not considered to constitute a benefit to the public at large to such a scale that it would justify the harm resulting from the removal of the staircase in particular, which is considered to be at the higher end of less than substantial harm. Furthermore, and in any event, it is uncertain at this stage whether the wider public use of the space in the way suggested would constitute a material change of use for which planning permission might therefore be required and this further limits any weight which can be attached to this point in support of the works.

## **Conclusion**

87. Given the importance of both the staircase and partition wall between bedrooms one and two and the effect of their removal and part relocation, on the building's significance, officers consider the proposed works will result in harm to the significance to the building and that harm amounts to the higher end of less than substantial harm.
88. The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from its use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as a piece of architecture designed to impress would be lost. Due to its grandeur its relocation to its proposed back of house position is also considered to cause harm to its significance.
89. Given the degree of less than substantial harm caused affecting an asset of the highest grade and importance, it is considered appropriate to apportion greater weight, in accordance with the NPPF, to the asset's conservation. And whilst it is understood and appreciated that there is some benefit cited by the proposed use of the hospitality space, it is not considered that the level of benefit to the public at large would be sufficient to outweigh the degree of harm caused to the highest grade listed building.
90. The proposed development would therefore fail to accord with policy DM15 for reasons detailed above, causing less than substantial harm to significance. Whilst some public benefits may be achieved, it is not considered that they would be of such significance in terms of public benefit that it would outweigh the harm caused.
91. The proposal is considered to be contrary to the provisions of the development plan, in particular policy DM15 of the Joint Development Management Policies Documents by the case officer and Conservation Officer. It is also not considered to accord with the provisions of paragraphs 119, 200 and 202 the National Planning Policy Framework (2021) and this is supported by comments of objection from Historic England and The Victorian Society.
92. There are no other material considerations which outweigh the harm arising from the proposal being contrary to the development plan and its

impact on the Grade I Listed Building. Therefore, on this basis the application for listed building consent is recommended for refusal.

### **Recommendations:**

93. It is recommended that planning permission be APPROVED subject to the following conditions:

1. 001A Time Limit - Detailed
2. 14FP Approved Plans
3. Later Approved Details

94. It is recommended that listed building consent be REFUSED for the following reason:

1. When considering the impact of a proposed development on significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss of the significance of a designated heritage asset should require clear and convincing justification, in accordance with paragraphs 199-202 of the NPPF, policy DM15 of the JDMPD and section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as piece of architecture designed to impress would be lost. The grandeur of the staircase albeit it in a modified form would also appear inappropriate to its proposed back of house location.

The level of public benefit from the proposed works, resulting in the proposed use of a hospitality space, it is not considered to be of such significance that it would outweigh the degree of harm caused to the highest grade listed building.

Given the importance of partition wall between bedroom one and two and the effect of its partial removal on the building's significance, insufficient justification has been provided for its removal, contrary to paragraph 200 of the NPPF.

The proposal does not therefore meet the provisions of policy DM15 or paragraphs 199-202 of the NPPF, and there are no material considerations, including the limited public benefit for the use of the hall, that outweigh this very significant conflict with the policy.

### **Documents:**

95. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0364/FUL](#) and [DC/22/0365/LB](#)