

Development Control Committee

7 September 2021

Later Paper

Item 7 –DC/22/0365/LB – 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

The Deanery, 3 The Great Churchyard, Bury St Edmunds

Case Officer – Amey Yuill

- 1. Supporting Letters Sent to Applicant** – Since the Risk Assessment Report has been written five letters from public and amenity groups have been sent to the applicant and forwarded thereafter to the Local Planning Authority. The applicant has requested that these be circulated to Members. Each letter has been uploaded to the West Suffolk Council website and is available to view via the public access system. A summary of the statements within the letters, however, has been provided below:

Our Bury St Edmunds BID (30 August 2022)

Advised that they are always looking for new locations to host their meeting and events and the proposal would result in a provision of space ideal to host business and network meetings for them.

Churchgate Area Association (30 August 2022)

Advised that the proposal would benefit the community as would allow for meetings, talks and smaller gatherings and the Churchgate Area Association members would benefit from the space it would provide.

Gatehouse (31 August 2022)

Advised that they would like to hold fundraisers, large meetings conferences, support groups in the heart of the town but finding space that is affordable and available is extremely difficult, therefore this would be a very welcome

addition to the town facilities in my opinion. They support the idea of restructuring and renovating the space and consider that the 'new venue' would address issues relating to finding an appropriate meeting space for the local community.

Lord Bishop of St Edmundsbury and Ipswich (01 September 2022)

Advised of continued support to the proposal and welcomes the opportunity to use the Deanery as a place to work, offer of hospitality and to convene countywide meetings. Advised that the current configuration of The Deanery does not allow for the type and size of meetings required but if the application is approved, they will make full use of The Deanery.

Bury Bach Choir (01 September 2022)

Advised they support of the application. Advised that the proposed removal of the staircase would result in an attractive reception area, for use by the Cathedral and other local organisations to host small gatherings such as a venue for Trustee meetings, fundraising dinners or receptions, as well as a space for auditions of new singers and occasional interviews and other meetings.

2. Statement from Planning Consultant – A statement has been received from the applicant's planning consultant (Brighter Planning Consultancy) on 01 September 2022, addressing the use of the building, the public benefits and the removal of the staircase.

The statement can be viewed via the public access system in full, however, a summary of the statement is below:

- The property is used as a deanery, therefore should not be considered as a secular dwelling, as The Dean uses their dwelling to entertain, host meetings and accommodate community groups.
- The proposal would allow for the ancillary community functions, ecclesiastical users as well as for secular users.
- The guidance does not require the building to be generally accessible to the public as a whole to be considered to be a benefit.
- The benefits are considered to flow from the proposed works as the works seek to alter the building to enable this dual use of the building.
- The proposals will sustain the building in a new optimum use - ecclesiastically related residential use with wider use for community groups.
- Allows greater public access of the space will give greater appreciation of the original use of the building to a wider section of the community than if the building were just used as a dwelling.
- If the multiple functions of a Deanery cannot be accommodated in the building it is probable it would be sold into private ownership as a residential unit.
- It is argued the key reason for why the building was Listed Grade II* is due to form and function of the building as an C18 alms house building, not the alterations in 1900 to convert part of the building to a Vicarage, which includes the installation of the staircase.

- The 19th and 20th century changes to the building have eroded the historic hall, therefore, it is considered that the harm ascribed to the removal of the staircase has been assessed too high and the benefits from reinstating the hall been dismissed and not been properly balanced.
- It is maintained that the proposal meets the requirements of para 190 of the NPPF and provides a positive resource to the local community as part of sustaining the building in a viable and economic use.

3. Officer Comment – The additional supporting information in the form of letters from public and amenity groups has been noted by the case officer and Members are directed to the public access system to view the letters in full should they wish.

However, the case officer would like to bring Member's attention to paragraph 24 and 25 of the Risk Assessment Report which highlights the issue of public benefit in terms of the proposal, and which remains highly relevant. Whilst the letters of support suggest that the proposal will result in public benefit due to the creation of a space/venue which could be used by the local community for meetings and events, the application before us does not propose the change of the use of The Deanery to allow for the use of the space for such purposes, noting that planning permission would likely be needed for such a use. This obvious uncertainty clearly very significantly limits the weight to be attached here. On the contrary, if any public use of the property is at such an incidental level that planning permission is not required then, of course, this also serves to significantly limit the public benefit to be attached to such, noting that in such a scenario any use would be very modest in terms of its nature, duration and extent. The space to be created by the removal of the staircase could only lawfully be used in a residential capacity, in line with the existing use of the property. In either scenario therefore officers caution that only very limited weight can be attached in favour of the proposal therefore, and noting the comments of Historic England in particular, not at any level close enough to outweigh the obvious harm arising from the removal of the staircase.

Whilst the statement from the planning consultant advises that The Deanery should not be considered to have the same use as a secular dwelling. However, under the use classes order The Deanery is residential in use and could be let or sold as a secular dwelling at any time, as has been done with the subdivided units which adjoin The Deanery. The Local Planning Authority are unable to control this, and therefore it cannot be guaranteed that the removal of the staircase to enable to space for entertaining and hosting meetings and accommodating community groups in connection with Deanery related uses would remain in perpetuity if consent were given for the removal of the staircase and associated works being sought. If sold or let as a private secular dwelling, the claimed community benefit would be lost. This is moot in any event since the community use of the space almost certainly needs planning permission, and this application could not grant such use, meaning as explained that absolutely no control exists to ensure that any community use would remain in perpetuity. Therefore, again, the weight which can be afforded to the public benefit of the proposal is severely limited.