

## **Application for Listed Building Consent**

### OFFICER'S REPORT AND RECOMMENDATION

**CASE OFFICER:** Averil Goudy

**CASE REFERENCE:** DC/24/01147

#### **The Openness of Local Government Bodies Regulations 2014**

The national regulations on openness and transparency in local government require certain decisions to be recorded where they are taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. When read as a whole, this report and recommendation, alongside the accompanying decision notice, constitute the written record for the purposes of the regulations.

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**PROPOSAL:** Application for Listed Building Consent - Works to facilitate conversion of former coachhouse to 1No. dwelling.

**LOCATION:** Greshams Barn, Stowmarket Road, Ringshall, Stowmarket, Suffolk, IP14 2HZ,

**PARISH:** Ringshall.

**WARD:** Battisford & Ringshall.

**APPLICANT:** Hitchcock

**SITE NOTICE DATE:** 25/03/2024

**PRESS DATE:** 27/03/2024

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### **PLANS, DOCUMENTS AND SUPPORTING INFORMATION**

The application, plans and documents submitted by the applicant can be viewed online at:

<https://www.midsuffolk.gov.uk/w/application-search-and-comment>

### **SUMMARY OF CONSULTATIONS**

#### **Ringshall Parish Council Comments Received - 26/03/2024**

*"Ringshall Parish Council discussed this planning application at the most recent meeting, held on Thursday 21st March 2024. Ringshall Parish Council welcome the planning application and look forward to seeing the building brought back into use. Ringshall Parish Council have no objections to this planning application at all."*

#### **Heritage Team Comments Received - 24/04/2024**

*"I consider that the proposal would cause a low level of less than substantial harm to the surrounding designated heritage assets because:*

- The proposal would introduce a new dwelling between two listed buildings which have a historic, functional relationship, causing harm to the settings of both."*

#### **Heritage Team Comments Received - 22/05/2024**

*"Whilst the additional detail on the development of the site as a whole is welcomed, it has not provided any 'clear and convincing' justification for the harm identified in my previous response. Whilst the pre-application report states that the proposal is 'acceptable in principle' in planning terms, it goes on to state that*

*'compliance with Local Plan Polic HB9 is imperative'. The advice given by Heritage that formed part of this response is clearly articulated with regards to the introduction of a new dwelling on this location would be harmful in heritage terms. Subsequent information has not been supplied that would overcome these concerns, and as such, my previous harm rating remains unchanged.'*

#### **Historic England Comments Received - 27/03/2024**

No comments.

#### **SUMMARY OF REPRESENTATIONS**

No representations were received.

#### **POLICIES**

SP09 - Enhancement and Management of the Environment

LP19 - The Historic Environment

NPPF - National Planning Policy Framework

PPG- Planning Practice Guidance

#### **RELEVANT HISTORY**

<b>REF:</b> DC/24/01146	Full Application - Conversion of former coachhouse to form 1No dwelling.	<b>DECISION:</b> PDE
<b>REF:</b> DC/23/03288	Full Application - Conversion of former coachhouse to form 1No dwelling.	<b>DECISION:</b> WDN 25.10.2023
<b>REF:</b> DC/23/03289	Application for Listed Building Consent - Works to facilitate conversion of former coachhouse to a single dwelling.	<b>DECISION:</b> WDN 25.10.2023
<b>REF:</b> 4329/15	Prior Approval (Class Qa) of Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3)	<b>DECISION:</b> REF 02.02.2016
<b>REF:</b> 0513/14	Change of use and works to facilitate conversion of a barn to a dwelling	<b>DECISION:</b> DIS 20.10.2015
<b>REF:</b> 0125/92/LB	CONVERSION OF REDUNDANT BARN TO DWELLING, INSTALLATION OF PRIVATE SEWAGE TREATMENT PLANT AND USING EXISTING VEHICULAR ACCESS; DEMOLITION OF LEAN-TO ATTACHMENTS.	<b>DECISION:</b> GTD 09.03.1993
<b>REF:</b> 0789/92/	CONVERSION OF REDUNDANT BARN TO DWELLING, INSTALLATION OF PRIVATE SEWAGE TREATMENT PLANT AND USING EXISTING VEHICULAR ACCESS; DEMOLITION OF LEAN-TO ATTACHMENTS	<b>DECISION:</b> GTD 09.03.1993

The site was subject to an application for conversions under reference DC/23/03288 and DC/23/03289 in 2023 which were subsequently withdrawn given the Officer recommendation of refusal pertaining to

matters of heritage. This application seeks to address this by providing a curtilage plan and a Heritage Statement.

## **ASSESSMENT**

### **Details of Amended Plans**

During the course of determination, the application was in receipt of a Heritage Statement. Re-consultation with the Heritage Team has taken place.

### **Site and Surroundings**

The application site comprises a one and half storey stable building to the northeast of Grade II\* listed Greshams Barn and southwest of Grade II listed Ringshall Hall. The painted brick construction with a pantile roof building is considered curtilage listed. The site is outside of the settlement boundary of Ringshall. The site is accessed via Stowmarket Road to the west. There are a number of ponds within vicinity of the site. The application site is at risk of surface water flooding and EA mapping shows it in Flood Zones 2 and 3.

### **Development Plan and National Policy**

The proposed works to the listed building have been assessed specifically against policies SP09 and LP19 of the Babergh & Mid Suffolk Joint Local Plan (2023) which relate to the historic built environment and Chapter 16 of the NPPF. The principle of the proposed conversion works in isolation are supported by policies SP09 and LP19 of the Development Plan, however as discussed in the main body of this report the principle of the end use of the building as a separate dwelling which would arise from the conversion works would result in a harmful subdivision that would result in a low level of less than substantial harm.

### **Heritage**

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving the building, its setting, and any features of special architectural or historic interest which it possesses.

The practical effect of those legal duties is that the decision-taker is presented with a strong presumption against a grant of permission where harm is identified, as the asset's conservation is a matter of considerable importance and weight.

Irrespective of the level of harm identified to the significance of a designated heritage asset (including from its setting), great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Policies SP09 and LP19 and paragraphs 205 and 206 of the NPPF, are consistent with the above duties.

The building stands to the southwest of Ringshall Hall (Grade II), and to the east of the listed former barn (Grade II\*), now converted into a residential dwelling called Greshams Barn. To the north is Grade I Church of St Mary, and together these buildings form an isolated manor and church arrangement, as identified on the HER.

The building in question is a former stable block. It is now in the ownership of Greshams Barn. The building was likely built around 1926-30 and is thus likely to qualify as curtilage listed.

The heritage concern relates to the potential impact of the works to the significance of Greshams Barn, Ringshall Hall and the significance of the surrounding listed buildings insofar as their setting contributes to their significance.

A large portion of the land that surrounds Greshams Barn will be allocated to the new proposed development, which is located directly between Greshams Barn and Ringshall Hall. This will intrude into the curtilage of both listed buildings, interrupting the relationship between the three related buildings that form this group, detracting from this historic cluster as a whole.

The building itself is considered to have limited historic value. By changing its use into a dwelling, it would create an intrusive, unrelated development which adversely affects the setting of both buildings.

The substantive difference between these applications and those withdrawn in 2023 is a curtilage plan. In the previous heritage comments (dated 7<sup>th</sup> August 2023) the location plan as drawn brought the boundary right up to the corner of the listed former barn, cutting off occupants' access round the building and unnecessarily fragmenting the surroundings, and potentially attaching two boundaries to the building. Whilst this has been amended, it hasn't altered the conclusions of the Heritage Team regarding fragmentation of the setting of the listed buildings. A Heritage Statement has also been submitted and reviewed by the Heritage Team under a re-consultation. The Statement is not considered to provide any 'clear and convincing' justification for the harm.

A low level of less than substantial harm has been identified to the significance of Grade II listed Ringshall Hall and Grade II\* Greshams Barn.

In line with Policy LP19 and paragraph 208 of the NPPF, public benefits (including securing its optimum viable use) must be identified within the proposed development that outweigh the harm. Paragraph 205 of the NPPF states that *great weight* should be given to an asset's conservation, and the more important the asset, the greater the weight should be [emphasis added].

The building itself is considered to have limited historic value and therefore there is no benefit inherent in its retention per se. It is the interrupted relationship and subdivision of the curtilage that is harmful to the significance of the assets. The building in its current use as a stable block (or alternative ancillary use) is the optimum viable use of the building. Any future change of use would be harmful due to the subdivision (and no evidence has been provided to demonstrate otherwise). As to the public benefits of the proposal, these would arise from construction as a short-term (but which could be provided for a use less harmful than that proposed) and localised economic consideration and the supply of 1 no. dwelling. The benefit of additional housing is significantly reduced in the presence of a substantial five-year housing land supply.

In the round the public benefits are of very limited weight, particularly where the building is currently in an optimum viable ancillary use, such benefits are therefore not considered to outweigh the considerable weight attached to the identified harm to the heritage assets.

The proposed development is therefore considered contrary to JLP policies SP09 and LP19, Section 66 of the Listed Buildings Act 1990 and Chapter 16 of the NPPF (2023).

## **Ecology**

Under the Wildlife and Countryside Act 1981 (as amended) and section 40 of the Natural Environment and Rural Communities Act 2006, the Council has a statutory duty to have regard to protected and priority species and habitats in all decisions taken.

The proposed works to the coachhouse could affect habitat suitable for a species that are afforded legal protection, as outlined within the Council's statutory duties. A Bat Survey Report (MHE Consulting Ltd., June 2023) and the Ecology Report (MHE Consulting Ltd., June 2023) have been submitted with the

application. The Council Ecologist raised no objection to the proposal subject to conditions, which would be imposed on any planning permission granted. The Council can therefore comply with its statutory duties.

## **CONCLUSION**

The proposal is contrary to Development Plan policies SP09 and LP19 as it would result in a low level of less than substantial harm to Grade II listed Ringshall Hall and Grade II\* Greshams Barn that would not be outweighed by public benefits, given the building currently is in an optimum viable ancillary use. The recommendation is therefore to refuse Listed Building Consent.

<b>RECOMMENDED DECISION:</b> Refused
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*I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and wellbeing of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.*