



Bury St Edmunds Area Working Party 9 July 2012

Amendments to the boundaries of the Bury St Edmunds Town Centre and Victoria Street Conservation Areas

Summary

1. The Town Centre Conservation Area was designated on 26 January 1973, with some extensions to the boundary being added on 23 May 1975. The Victoria Street Conservation Area was designated on 5 March 1987.
2. It was apparent that there are places where the boundaries of the conservation areas were in need of updating.
3. The Bury St Edmunds Area Working Party approved the draft amended conservation area boundaries for public consultation at their meeting on 24 January 2012 (paper C296 refers). Public consultation took place between 29 February and 30 April 2012 inclusive.
4. The Working Party is asked to recommend to Cabinet and Full Council that the amended conservation area boundaries as shown in Appendices 1 and 3 are adopted.

1. Purpose of Report

- 1.1 The purpose of this report is to ask the Working Party to recommend to Cabinet and Full Council that the amended boundaries of the Bury St Edmunds Town Centre Conservation Area and the Bury St Edmunds Victoria Street Conservation Area (as shown in Appendices 1 and 3 of this report) are formally adopted.**

2. Background

- 2.1 Bury St Edmunds has two designated conservation areas. Both contain properties protected by Article 4 Directions and a review of the effectiveness of the Article 4 Directions has been carried out. Following this, a Task and Finish Group has been established through the Overview & Scrutiny Committee. The Group will be resurveying the Directions and a number of initiatives are being put in place to ensure the homeowners affected by them fully understand what they are and are aware of the requirements they bring.

- 2.2 In carrying out preparatory work before the full resurvey of all the Article 4 Directions, Officers identified parts of the conservation area boundaries which required amending.
- 2.3 The Bury St Edmunds Area Working Party approved the proposed amended boundaries for consultation at the meeting on 24 January 2012 (paper C296 refers). Consultation took place between 29 February and 30 April 2012 inclusive.

3. Consultation

- 3.1 There is no statutory requirement to carry out any public consultation before designating a conservation area or amending its boundary. Officers consider it 'good practice' however, and a means of raising public awareness of the conservation areas. Public consultation, in accordance with the Council's Statement of Community Involvement, therefore took place between 29 February – 30 April 2012 to coincide with the consultation period for the Vision 2031 documents.
- 3.2 Each resident in, or adjoining, an area proposed for change was written to with specific details of the changes which might affect them. Drop-in sessions were held in the Bury St Edmunds Library and Theatre Royal. In addition, a full-day event was held at The Apex and all residents of traditional properties within the two conservation areas were invited to this. Details of the conservation area proposals were displayed. The Principal Conservation Officer and Councillor Terry Clements also took part in an interview on BBC Radio Suffolk to promote the consultation.
- 3.3 Many general enquiries were received in the form of telephone calls and emails, most of which were for further information or advice about the specific impact of the proposals on individuals' properties. The drop-in session in the Library and the Apex event were very well attended. All written replies received are included in the summaries of responses.
- 3.4 The Bury St Edmunds Town Centre Conservation Area boundary has been amended after consultation to follow the west side of St Andrews Street South and part of St Andrew's Street North to include the town ditch.
- 3.5 The Bury St Edmunds Victoria Street Conservation Area boundary has been amended after consultation to include St Peters Pit in Out Risbygate and remove the whole garden of 2 Westbury Avenue.
- 3.6 The following appendices are attached to this report:-
- Appendix 1: map showing the amended boundary for the Bury St Edmunds Town Centre Conservation Area;
- Appendix 2: summary of the responses received during the consultation and the changes made to the Bury St Edmunds Town Centre Conservation Area boundary;
- Appendix 3: map showing the amended boundary for the Bury St Edmunds Victoria Street Conservation Area; and
- Appendix 4: summary of the responses received during the consultation and the changes made to the Bury St Edmunds Victoria Street Conservation Area boundary.

4. Recommendation

- 4.1 The Area Working Party is asked to recommend to Cabinet and Full Council that the amended conservation area boundaries for the Bury St Edmunds Town Centre and Victoria Street Conservation Areas, as shown in Appendices 1 and 3, be formally adopted.
- 4.2 The Interim Head of Planning and Economic Development, in consultation with the Portfolio Holder for Transport and Planning, be authorised to amend any minor mapping errors prior to formal adoption.

For further information contact:-

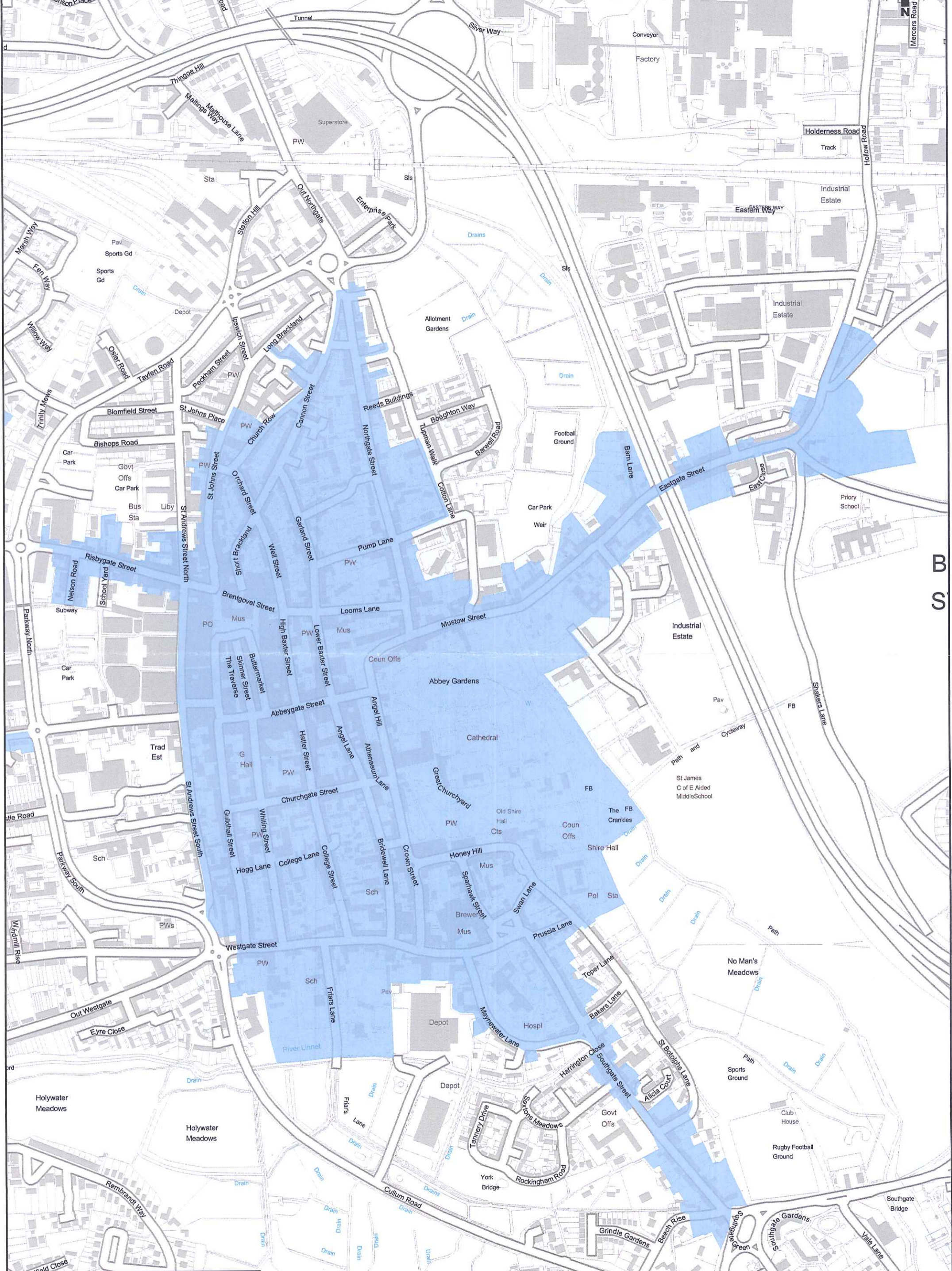
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Bury St Edmunds Town Centre Conservation Area - Revised Amendments



Revised Area 

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Scale 1:6 000

Bury St Edmunds Town Centre Conservation Area - summary of comments received

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
Rod Rees	Bury Society	Generally agreed that proposed changes were sensible. Suggested including Reeds Buildings, off Northgate Street. These buildings were considered and it was decided not to include them. The Bury Society subsequently agreed with this decision.	Noted	None required
Bob Pattimore	Resident	Asked for further information about how he might be affected.	Information was provided. No further response was received.	None required
Carla Mayes	Resident	Asked for further information.	Information was provided. No further response was received.	None required
Mrs Gainsborough-Foot	Churchgate Area Association	Requested more information about conservation areas, why we need them and the rules which apply in them to enable a reasoned response to be made. Also commented that The Martins and St James Middle School should be kept within the conservation area because the trees form a backdrop to the Abbey Gardens.	Information was provided, including an explanation about how trees were being considered for separate protection in areas where the conservation area is proposed for removal. No further response was received.	None required
Mr D Carter	R G Carter Projects Ltd	Objected to the removal of the conservation area boundary in red area 30 unless the council would delist his property. Felt he would be at an unfair commercial position as his properties are listed so he couldn't demolish them whereby his neighbours could demolish their if the conservation area was removed	Explained that listing and delisting are done by English Heritage and sent details of how to apply. Also explained that the two issues cannot be connected so I would report his comments as an objection to the removal of this area from the conservation area. The objection is made on commercial grounds because the property is listed and	None required

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
			not specifically on the basis of the area justifying conservation area status.	
Daniel Barker	National Planning Casework Unit	Acknowledge receipt of proposed boundary amendments	Noted	None required
Jamie Melvin	Natural England	No comments to make	Noted	None required
Darren Johnston	Resident	Concerned that the removal of Redwood Gardens (red area 5) would result in the loss of mature trees in the gardens. The trees make a significant and positive impact on the setting of the listed buildings in this part of Northgate Street.	Jaki Fisher, tree and landscape officer, has looked at these trees and is proposing a TPO for three Yew, two Pine, one Sequoia, and one Beech tree. These are significant trees which form part of the setting of the listed buildings and the backdrop to this part of the conservation area	None required
Frank Silver	Howe and Silver Managing Agents	Concerned about impact of removing red area 5 on setting of Grade II* listed building in Northgate Street	Jaki Fisher, tree and landscape officer, has looked at these trees and is proposing a TPO for three Yew, two Pine, one Sequoia, and one Beech tree. These are significant trees which form part of the setting of the listed buildings and the backdrop to this part of the conservation area	None required
Mr D Short	Resident	Reducing the coverage of the conservation areas will make it more difficult to protect the character, history and heritage of the town. Would not only affect the areas marked for removal and indirectly the	A conservation area is not only about individual buildings, but is also about the spaces between the buildings and the special character and appearance of an area which can result from the relationship	None

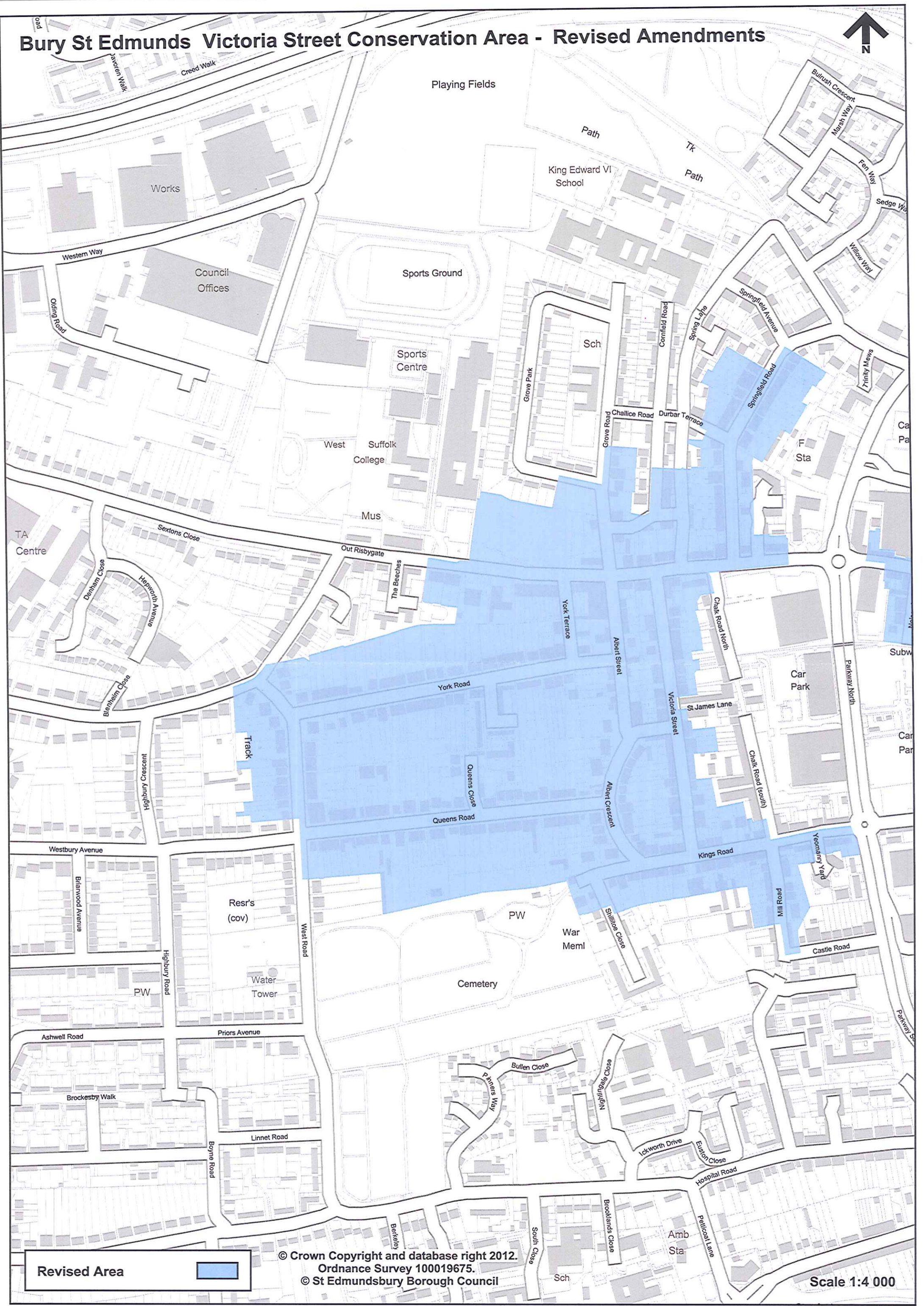
Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
		<p>land near them. Overall, proposals are characterized by reduction and weakening. To better protect, should focus in direction of enlargement and strengthening.</p> <p>Commented specifically on red areas 30, 35 and 36 as summarised:</p> <p>Area 30: boundary should be extended to include more of Hospital Road, Out Westgate and St Andrews Street South to protect more old buildings and give control over the potential redevelopment of St Louis School site</p> <p>Area 35: has enough old buildings to justify its place in the conservation area. It should be extended to include St John's Place, Blomfield Street and Bishops Road to give greater protection to old buildings. The proposed change would result in a more ragged and obscure boundary rather than making it neater and clearer. Would also remove control over the redevelopment of the offices and car park sites.</p> <p>Area 36: contains enough interesting old buildings to justify its continued inclusion in the conservation area. The boundary should be extended to include the western side of St Johns Street and Peckham Street. From here is a clear sightline down Ipswich Street</p>	<p>between the two. The extension of the conservation area to include areas which do not possess special interest is not justifiable.</p> <p>The majority of buildings in the areas suggested for inclusion have been significantly altered so they no longer possess any special qualities which would contribute to the established character or appearance of the existing conservation area. The survival of one or two good examples is not sufficient justification alone for extending the boundary of the conservation area.</p> <p>Listed buildings and their settings are already protected and their inclusion within a conservation area would not offer any additional protection. The setting of a conservation area and listed building together with views into and out of a conservation area are material considerations when assessing any planning applications. These would be taken into account when assessing the impact of development on a conservation area and listed building. There is legislation in place to ensure this is done. There are also national and local policies in</p>	

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
		to the proposed development site at Station Hill. Removing this area from the conservation area would weaken control over this prominent site.	<p>place regarding design which would apply to the development sites.</p> <p>The boundary of a conservation area should reflect the special character or appearance of a place. It does not have to be neat. By removing from the conservation area those parts which do not possess a special character or appearance we are in fact strengthening those parts which do. This should make the boundary clearer as it would be more evident where the special areas are.</p> <p>Paragraph 127 of the NPPF states “when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.”</p>	
Dr Colin Pendleton and Dr Abby Antrobus	Suffolk County Council Archaeological Service	Requests that several areas proposed for removal – red areas 1-5, 8-12, 16, 19, 20, 30, 31, and 33 – 36 - are in fact retained within the conservation area due to their known archaeological significance or their archaeological potential. Many contain/potentially	Bury St Edmunds is a town rich in archaeology of great significance. A conservation area, however, relates to the above-ground structures which give a place its identifiable character and interest. Conservation area legislation is not aimed at	Amend boundary to follow the west side of St Andrew’s Street South and St Andrews Street North, (to the extent of the part of this street within the conservation

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
		<p>contain Saxon, Medieval and/or post-Medieval buried remains of high to regional significance.</p> <p>Suggest that the boundary is extended to include areas A – D on the attached maps:</p> <p>Areas A and B relate to the extent of the Saxon and Medieval town and covers land to the north, north-east and north-west of the existing conservation area.</p> <p>Area C is the site of chalk extraction pit and lime kilns to the north of Hospital Road, now largely under Parkway.</p> <p>Area D is the larger site of which red area 19 is a part. Today it is the grounds of 3 and 5 Beech Rise, which are outside the current conservation area. This area is believed to be the site of the Medieval hospital of St Petronella.</p> <p>Suggest that surviving green areas to the east (Cotton Lane allotments and No Mans Meadows areas) and south of the town (Holywater Meadows) should be included within the conservation area to preserve the landscaped setting of the town, probably include elements of archaeological importance and are a significant element of the</p>	<p>providing protection for below-ground remains. English Heritage guidance Understanding Place: conservation area appraisal, designation and management (2011) recognises that archaeological remains often contribute directly to the sense of place evident in the present day. In the areas referred to in the Town Centre Conservation Area, however, there is little, if anything, of the below-ground archaeology directly evident in the standing structures. The areas proposed for inclusion contain buildings which do not in themselves justify inclusion in a conservation area, nor do they have any directly evident connection to the archaeology. Unfortunately, the areas which are of archaeological significance do not retain such significance above ground to possess the special architectural or historic interest required to justify conservation area designation (see reference to paragraph 127 of the NPPF, quoted above).</p> <p>The local plan and V2031 documents contain a map showing the area of archaeological significance which largely covers the areas referred to.</p>	<p>area) to include the town ditch below the road (Area B).</p>

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
		Medieval townscape. Believe they should be retained but acknowledge that conservation area status may not be the most suitable means.	Conservation area designation does also not confer any special protection for landscapes as it is primarily concerned with the built environment. Protection of these important open areas should therefore be considered by alternative, more appropriate means.	

Bury St Edmunds Victoria Street Conservation Area - Revised Amendments



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Revised Area

Scale 1:4 000

Bury St Edmunds Victoria Street Conservation Area - summary of comments received

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
Rod Rees	Bury Society	Generally agreed that proposed changes were sensible.	Noted	None required
Elaine Duffield	Resident	Against the use of the former Falcon PH as a place of worship due to potential traffic problems	Noted	None required
Daniel Barker	National Planning Casework Unit	Acknowledge receipt of proposed boundary amendments	Noted	None required
Mr D Short	Resident	<p>Reducing the coverage of the conservation areas will make it more difficult to protect the character, history and heritage of the town. Would not affect the areas marked for removal and indirectly the land near them. Overall, proposals are characterized by reduction and weakening. To better protect, should focus in direction of enlargement and strengthening.</p> <p>Commented specifically on red area 3, as summarised: Area 3: contains enough interesting old buildings to justify its continued inclusion within the conservation area. the proposed change would result in a more obscure and ragged boundary. The existing boundary is clear and straightforward. Potential development site in the open space and car park opposite area 3. removal from the conservation area would weaken</p>	<p>A conservation area is not only about individual buildings, but is also about the spaces between the buildings and the special character and appearance of an area which can result from the relationship between the two. The extension of the conservation area to include areas which do not possess special interest is not justifiable.</p> <p>The majority of buildings in the areas suggested for inclusion have been significantly altered so they no longer possess any special qualities which would contribute to the established character or appearance of the existing conservation area. The survival of one or two good examples is not sufficient justification alone for extending the boundary of the conservation area. Listed buildings and their settings</p>	None

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
		control over development in this area.	<p>are already protected and their inclusion within a conservation area would not offer any additional protection. The setting of a conservation area and listed building together with views into and out of a conservation area are material considerations when assessing any planning applications. These would be taken into account when assessing the impact of development on a conservation area and listed building. There is legislation in place to ensure this is done. There are also national and local policies in place regarding design which would apply to the development sites.</p> <p>The boundary of a conservation area should reflect the special character or appearance of a place. It does not have to be neat. By removing from the conservation area those parts which do not possess a special character or appearance we are in fact strengthening those parts which do. This should make the boundary clearer as it would be more evident where the special areas are.</p> <p>Paragraph 127 of the NPPF states "when considering the designation of conservation areas, local planning</p>	

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			<p>authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."</p>	
Dr Colin Pendleton	Suffolk County Council Archaeological Service	<p>No concerns regarding the areas to be removed. Suggest two sites on the edge of the current conservation area to be included: St Peter's Pits: one of the important production sites for lime used in buildings in Medieval Bury St Edmunds. Later, from 1637, used for the burial of plague victims. Part survives as a significant pit within a grass covered area. The inclusion of this area would preserve a rare green space within the conservation area Gibraltar Barracks: built for the Suffolk regiment in 1878. Although only the keep and boundary walls survive, the overall plan of the barracks is still identifiable. The remains are of local and regional importance and form a significant part of Bury's history. Conservation area status should help protect the site from further degradation.</p>	<p>St Peter's Pit is an area of archaeological remains which contributes directly to the sense of place evident today (English Heritage guidance Understanding Place: conservation area appraisal, designation and management [2011]). The open space provides an attractive outlook to the terraced houses along Out Risbygate which are within the conservation area. It also has a direct connection with the site opposite, now occupied by St Peters House nursing home, which was the site of St Peters Hospital which was used to accommodate those infected by the Plague in the 16th and 17th centuries.</p> <p>The keep and walls of the Barracks are listed buildings. The site is also in active use, being occupied by West Suffolk College. There is a masterplan in place for the planned development of the site and a</p>	Amend boundary to include St Peter's Pit.

Name:	Organisation	Comments Received	Officer Response:	Proposed Change:
			management plan for the copse. Inclusion of this site within the conservation area would not offer any additional protection to it. It would, however, introduce into the conservation area an area which does not as a whole possess the special architectural or historic interest to justify its inclusion	
Mark Ennew	Resident	Garden of 2 Westbury Avenue is divided by the existing conservation area boundary. The garden actually extends into the land behind 40-42 West Road. Please amend to follow the correct boundary	Agree	Amend boundary to exclude the whole of the garden belonging to 2 Westbury Avenue