

Development Control Committee

Title	Agenda		
Date	Wednesday 28 April 2021		
Time	10.00 am		
Venue	Facilitated by Microsoft TeamsLive virtual meetings platform only The meeting will be accessible by the press and public via a live stream; the link to which will be published on the Council's website alongside the agenda papers		
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chair Mike Chester and Jim Thorndyke</p> <p>Conservative Group (9) Carol Bull Ian Houlder Andy Drummond David Roach Susan Glossop Peter Stevens</p> <p>The Independent Group (6) Richard Alecock Roger Dicker John Burns David Palmer Jason Crooks Don Waldron</p> <p>Labour Group (1) David Smith</p>		
Substitutes	<p>Conservative Group (5) Terry Clements Sara Mildmay-White John Griffiths David Nettleton Rachel Hood</p> <p>The Independent Group (2) Trevor Beckwith Andy Neal</p> <p>Labour Group (1) Diane Hind</p>		
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.		
Quorum	Six Members		
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting			
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk		

Development Control Committee Agenda notes

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

Material planning considerations

- 1. It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their officers must adhere to this important principle which is set out in legislation and Central Government guidance.**
- 2. Material planning considerations include:**
 - Statutory provisions contained in planning acts and statutory regulations and planning case law
 - Central Government planning policy and advice as contained in circulars and the National Planning Policy Framework (NPPF)
 - Supplementary planning guidance/documents eg. Affordable Housing SPD
 - Master plans, development briefs
 - Site specific issues such as availability of infrastructure, density, car parking
 - Environmental; effects such as effect on light, noise overlooking, effect on street scene
 - The need to preserve or enhance the special character or appearance of designated conservation areas and protect listed buildings
 - Previous planning decisions, including appeal decisions
 - Desire to retain and promote certain uses e.g. stables in Newmarket.
 - The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

3. The following are **not** material planning considerations and such matters must **not** be taken into account when determining planning applications and related matters:
 - Moral and religious issues
 - Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property or access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see section 3 above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation received after the distribution of committee papers

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- a. Officers will prepare a single committee update report summarising all representations that have been received up to 5pm on the **Thursday** before each committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- b. the update report will be sent out to Members by first class post and electronically by noon on the **Friday** before the committee meeting and will be placed on the website next to the committee report.

Any late representations received after 5pm on the **Thursday** before the committee meeting will not be distributed but will be reported orally by officers at the meeting.

Public speaking

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Council's website.

Development Control Committee

Decision making protocol

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision Making Protocol

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.

- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.

- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth);

- delegate the detailed wording and reason to the Director (Planning and Growth) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Director (Planning and Growth) and the Director (HR, Governance and Regulatory) (or Officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth)
 - delegate the detailed wording and reason to the Director (Planning and Growth) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend Development Control training.

Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural matters

Part 1 – public

1. Apologies for absence

2. Substitutes

Any member who is substituting for another member should so indicate, together with the name of the relevant absent member.

3. Minutes

1 - 10

To confirm the minutes of the meeting held on 7 April 2021 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Planning Application DC/20/1849/FUL - Boyton Hall, Anne Sucklings Lane, Little Wratting

11 - 48

Report No: **DEV/WS/21/010**

Planning application - a. Sixty-six bed care home for the elderly including car park, bicycle, refuse and garden stores b. new vehicular and pedestrian access onto Anne Suckling Road (following demolition of existing house)

6. Planning Application DC/21/0325/FUL - The Retreat, Plough Hill, Stansfield

49 - 68

Report No: **DEV/WS/21/011**

Planning application - one dwelling with outbuilding

7. Planning Application DC/20/2047/ADV - Advertising Board, 98 High Street, Newmarket

69 - 82

Report No: **DEV/WS/21/012**

Application for advertisement consent - two internally illuminated digital totem signs with static BID map to replace existing signage

8. Planning Application DC/21/0528/FUL - Haverhill House, Lower Downs Slade, Haverhill 83 - 92

Report No: **DEV/WS/21/013**

Planning application - a. external wall insulation to all elevations with coloured render finish b. replacement fenestration to the south east, north east and north west elevations c. replace one window on south west elevation

9. Planning Application DC/21/0527/FUL - Bus Station, St Andrews Street North, Bury St Edmunds 93 - 102

Report No: **DEV/WS/21/014**

Planning application - Installation of one air source heat pump including siting of external unit adjacent to North elevation

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Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 April 2021** at **10.00am** via Microsoft Teams

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock

Carol Bull

John Burns

Jason Crooks

Roger Dicker

Andy Drummond

Susan Glossop

Ian Houlder

David Palmer

David Roach

David Smith

Peter Stevens

Don Waldron

113. **Welcome**

The Chair formally commenced the meeting and jointly welcomed all present and those externally viewing the Development Control Committee.

A number of housekeeping matters and remote meeting guidance were highlighted to all.

114. **Apologies for absence**

No apologies for absence were received.

115. **Substitutes**

No substitutions were declared.

The Democratic Services Officer verbally outlined all Members of the Committee who were present, together with any attending Councillors and the names of the Officers supporting the meeting.

116. **Minutes**

The minutes of the meeting held on 3 March 2021 were unanimously confirmed as a correct record.

117. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

118. **Planning Application DC/21/0016/FUL - Liberty House, Hepworth Road, Market Weston (Report No: DEV/WS/21/006)**

Planning application - change of use from single dwelling house (C3) to a holiday let property (sui generis)

Due to the recent planning history and the level of local interest in the site the application was referred directly to the Development Control Committee at the request of the Assistant Director, Planning and Regulatory Services.

As part of his presentation to the meeting the Planning Officer drew attention to the relevant planning and appeal history, he also took Members through videos of the site by way of a virtual 'site visit'.

Reference was made to enforcement queries that had been submitted to the Planning Authority in connection with the application site, Members were advised that these were being investigated separately and the matter was not pertinent to the consideration of the application before the Committee.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 77 of Report No DEV/WS/21/006.

Speakers: Nigel French (neighbouring objector) spoke against the application
Councillor Miranda Martin (Market Weston Parish Council) spoke against the application
Councillor Carol Bull (Ward Member: Barningham) spoke on the application
Juliet Hargrave (applicant) spoke in support of the application
(Nigel French and Councillor Martin did not connect to the meeting to personally address the Committee and instead the Democratic Services Officer read out pre-prepared submitted statements on their behalf.)

A number of Members made comment/posed questions on the application which the Case Officer responded to as follows:

Booking information – the Committee was advised that the booking details the Planning Authority had been provided with did not include the number of occupants for each booking;

Operation under GPDO – the Officer confirmed that under a General Permitted Development Order the property would be able to be hired out for 28 days per annum without planning permission; and

Noise monitoring/residential amenity – attention was drawn to the sections of the report which covered the comments made by Public Health & Housing.

Councillor Mike Chester spoke in support of granting the application but with a two-year temporary approval that was subject to a review after one year. However, the Service Manager (Planning – Development) explained that it would not be technically possible to grant permission in that way.

Councillor Jim Thorndyke then proposed that the application be granted but for a temporary 12-month occupation period. This was duly seconded by Councillor Andy Drummond.

The Planning Officer then verbally advised on the conditions that could be appended to a temporary permission including a noise management condition.

Upon being put to the vote and with 15 voting for the motion and with 1 against, it was resolved that

Decision

Planning permission be **GRANTED FOR A TEMPORARY 12-MONTH OCCUPATION PERIOD** subject to the following conditions:

1. The holiday-let use of the property hereby permitted shall be discontinued and the property shall revert back to a single C3 dwelling house within 12 months from the date of this planning permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Within 2 months from the date of this planning permission, a Noise Management Plan which sets out the measures that are to be taken to minimise the potential noise impacts of the development shall be submitted to and approved in writing by the LPA. Unless otherwise agreed in writing, the development shall be carried out in complete accordance with any details as shall have been approved by the LPA and the Noise Management Plan shall not be altered or amended without the prior written consent of the LPA.
A written 12 month record of all bookings (including party size and booking type) shall be maintained and made available to the LPA for inspection upon request.
4. Details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
5. Within 6 months from the date of this planning permission, the holiday let property hereby approved shall be provided with an operational electric vehicle charge point at a reasonably and practicably accessible location, with an electric supply to the charge point capable of providing a 7kW charge.
6. Within 3 months from the date of this permission, details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed.

119. Planning Application DC/17/2269/FUL - 27 Old Clements Lane, Haverhill (Report No: DEV/WS/21/007)

(Councillor David Smith declared a non-pecuniary interest in this item in light of the fact that he had taken part in Haverhill Town Council's consideration of the application when they resolved to oppose the scheme. However,

Councillor Smith stressed that he would keep an open mind and listen to the debate prior to voting on the item.)

Planning Application - 3no dwellings and access (following demolition of existing dwelling and garage)

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel at the request of the Ward Member Councillor Aaron Luccarini (Haverhill Central).

Haverhill Town Council objected to the scheme which was in conflict with the Officer's recommendation of approval, subject to conditions as set out in Paragraph 70 of Report No DEV/WS/21/007.

As part of his presentation the Senior Planning Officer provided videos of the site by way of a virtual 'site visit'.

Speakers: Martin Espin (neighbouring objector and also on behalf of fellow neighbouring objectors Mr Kiddy & Mrs Webb) spoke against the application
Councillor Pat Hanlon (Haverhill Town Council) spoke against the application
Councillor John Burns (neighbouring Ward Member) made a statement against the application on behalf of Haverhill Central Ward Member Councillor Aaron Luccarini

In relation to a comment made by a speaker concerning the inaccuracy of a boundary map shown in the Case Officer's presentation, the Officer displayed a map to the meeting which showed the correct boundary.

A number of Members voiced concern with the application; principally in relation to the existing dwelling being a non-designated heritage asset. Local Member Councillor Jason Crooks spoke at length on the history of the dwelling and its importance to the town.

Councillor Ian Houlder made reference to the need for additional housing and proposed that the application be approved as per the Officer recommendation. However, this failed to achieve a seconder.

Following further debate the Chair invited the Senior Conservation Officer (Buildings) to address the meeting and further elaborate on her comments which were included within the report.

Councillor David Roach proposed that the application be refused, contrary to the Officer recommendation, due to (i) overdevelopment and the impact on the character of the area, (ii) access concerns, and (iii) the loss of the non-designated heritage asset. This was duly seconded by Councillor Don Waldron.

The Service Manager (Planning – Development) explained that if Members were minded to refuse the application, contrary to the Officer recommendation, for the reasons stated by Councillor Roach then a Risk

Assessment would need to be produced in respect of reason '(ii) access' because Suffolk County Council, as statutory consultee as Highways Authority, had not raised concerns with the scheme in this respect.

However, if the proposer and seconder were content to pursue a refusal motion with just reasons (i) and (iii) as outlined above then a Risk Assessment would not be necessary.

The Chair sought clarification from Councillors Roach and Waldron who both agreed that reason (ii) could be disregarded from the motion.

Accordingly, upon being put to the vote and with 14 voting for the motion and with 2 against it was resolved that

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION**, for the following reasons:

1. Policy DM2 Creating Places - Development Principles and Local Distinctiveness and Policy DM22 Residential Design provide that proposals for all development should, recognise and address the key features, characteristics, landscape/townscape character and local distinctiveness. In addition, proposals should maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.

The surrounding area comprises a mix of properties which are predominantly two-storey and three-storey. The dwellings along Old Clements Lane are of traditional design with pitched roofs and are either semi-detached or in short terraces.

The proposed dwellings would be an inappropriate deviation from the prevailing pattern of development in the surrounding area, and from the rhythm of built form. The proposal would significantly alter the grain of development in the vicinity and fail to respect and reflect the particular character of the locality.

It is the scale, bulk, design and positioning at an elevated level above the existing properties that render these dwellings so at odds with the prevailing character. The dwellings fills the plot in a way that is considered to result in a cramped and contrived overdevelopment of the site.

The proposal would therefore be contrary to Policy DM2 which requires new development to address the characteristics and local distinctiveness of the area. As a consequence the proposal would also be contrary to the provisions of DM22, Core Strategy Policy CS3, and to the provisions of the NPPF in relation to good design.

2. Policy DM16 sets out the criteria which will be considered when considering proposals which will lead to the loss of Local Heritage Assets. This includes a requirement to demonstrate a clear understanding of the significance of the building and to ensure that any proposal will not lead to an unacceptable loss. Furthermore, paragraph 197 of the NPPF advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that

directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

In this case the proposal will lead to the total demolition of the building. 27 Old Clements Lane is a double fronted two-storey house with a modified rear 'outshut' most likely dating from the early part of the 19th century. Despite the changes that have since taken place to this building, it is still considered to meet the criteria of a non-designated heritage asset, and is considered worthy of retention. Based on the information provided the proposed demolition would prove contrary to policy DM16 in particular insofar as the proposal to demolish the building will entail an unacceptable loss. In cases where the works would cause harm to a local heritage asset clear justification for the works must be provided so that the harm can be weighed against any public benefits. Whilst evidence has been provided of the costs associated with the repair of the building this is not considered compelling. Furthermore, no obvious public benefit arises from the proposal to otherwise outweigh this harm. The proposal is therefore considered contrary to the provisions of DM16, as well as to the provisions of paragraph 197 of the NPPF.

(On conclusion of this item the Chair permitted a short comfort break and asked that an adjournment slide be displayed in the live stream, before reconvening the virtual meeting and taking a roll-call of those present.)

120. **Planning Application DC/20/1729/HH - Welham House, South Street, Risby (Report No: DEV/WS/21/008)**

Householder planning application - a. Two bay car port/wood store b. brick enclosure for heat pump c. outdoor swimming pool d. rebuilding of front wall

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel at the request of the Ward Member Councillor Susan Glossop (Risby).

The Committee were advised that Risby Parish Council had initially objected to the scheme, however, after being reconsulted on amended plans they withdrew their objections.

Officers were recommending that planning permission be granted, subject to conditions as set out in Paragraph 61 of Report No DEV/WS/21/008.

As part of his presentation the Planning Officer provided videos of the site by way of a virtual 'site visit'.

Members were also shown a detailed landscaping plan which had been submitted by the applicant since publication of the agenda and which related to condition No 4.

Speakers: George Irving (neighbouring objector) spoke against the application

Jonathan Wooldridge (applicant) spoke in support of the application
(George Irving did not connect to the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)

In response to questions posed by Members during the debate the Planning Officer confirmed that the cleaning/maintenance and soakaway of the swimming pool were not material planning considerations.

Councillor Mike Chester moved that the application be approved as per the Officer recommendation. This was duly seconded by Councillor Jim Thorndyke.

Upon being put to the vote and with 15 voting for the motion and with 1 against, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Prior to the occupation of any unit/dwelling:
 - i) All of the noise protection and mitigation works associated with that pool as detailed in the submitted noise information dated 05/01/2021 shall be completed in their entirety in accordance with the approved details prior to the first use of the swimming pool hereby permitted. These works shall thereafter be retained for as long as the pool is in situ on site.
4. All planting comprised in the approved landscaping plan submitted on the 06.04.2021 shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

121. **Planning Application DC/20/2197/HH - Holly Bungalow, Stow Road, Ixworth (Report No: DEV/WS/21/009)**

Householder planning application - single storey side extension to create an annexe following demolition of existing garage

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been presented to the Panel because Ixworth Parish Council raised no objections to the scheme which was

in conflict with the Officer's recommendation of refusal, for the reason set out in Paragraph 25 of Report No DEV/WS/21/009.

As part of her presentation the Planning Assistant provided videos of the site by way of a virtual 'site visit'.

Councillor Jim Thorndyke spoke in support of the application but voiced preference for the finish to be in brick as opposed to timber cladding. In response to which, the Officer explained that the applicants had indicated that they would consider amending the material finish of the extension to a matching brick.

Councillor David Roach echoed the support for a brick finish and, subject to including this, he proposed that the application be approved, contrary to the Officer recommendation, as he considered Policy DM2 to be subjective and in his opinion the proposal did respect the scale and character of the dwelling and the character and appearance of the surrounding area. This was duly seconded by Councillor Jim Thorndyke.

The Service Manager (Planning – Development) advised the Committee that if they were minded to approve the application contrary to the Officer recommendation a Risk Assessment would not be required.

The Planning Assistant then verbally outlined the conditions which could be appended to a permission.

In response to questions relating to conditions in respect of restricting the usage of the annex and electric charging points, Members were advised that neither of these were necessary or proportionate to the application.

Upon being put to the vote and with 13 voting for the motion and with 2 against, it was resolved that

Decision

Planning permission be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION** and subject to the following conditions:

1. The development hereby permitted shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Notwithstanding the detail shown on the submitted drawings or within the application form, the materials to be used in the extension hereby approved shall match in type, colour and texture those on the existing building.

(Councillor Susan Glossop left the meeting at 1.01pm during the preliminary introduction of this item.)

The meeting concluded at 1.18pm

Signed by:

Chair

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Development Control Committee

28 April 2021

Planning Application DC/20/1849/FUL – Boyton Hall, Anne Sucklings Lane, Little Wratting

Date registered: 16 November 2020 **Expiry date:** Extension of time to 30 April requested

Case officer: Penny Mills **Recommendation:** Refuse

Parish: Haverhill Town Council **Ward:** Haverhill North

Proposal: Planning application - a. Sixty-six bed care home for the elderly including car park, bicycle, refuse and garden stores b. new vehicular and pedestrian access onto Anne Suckling Road (following demolition of existing house)

Site: Boyton Hall, Anne Suckling Lane, Little Wratting

Applicant: Mrs Maidment/LNT Care Developments

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 application and associated matters.

CONTACT CASE OFFICER:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

1. This application has been referred to the Development Control Committee following a call-in request from one of the local Ward Members (Councillor Joe Mason).

Proposal:

2. The application seeks full planning permission for the construction of a 66 bedroom three-storey care home with associated parking and access following the demolition of Boyton Hall.

Application supporting material:

3. The supporting plans and documents are set out below:

Document/Plan	Reference	Date Received
Application Form		22.10.2020
Heritage Statement		02.03.2021
Planning Statement		02.03.2021
Design and Access Statement	Rev A	02.03.2021
Energy Statement		22.10.2020
Arboricultural Impact Assessment	15249-C/AJB	02.03.2021
Land Contamination Assessment		22.10.2020
Flood Risk		22.10.2020
Landscape Strategy	Rev A	02.03.2021
Drainage – Pre Planning Report		22.10.2020
Drainage Calculations		18.12.2020
Biodiversity Survey	Preliminary Ecological Appraisal	23.10.2020
Biodiversity Survey	Ecological Impact Assessment	11.11.2020
Environmental Report		08.12.2020
Geoenvironmental Appraisal		08.12.2020
SUDs Proforma		10.11.2020
Drainage Strategy	BHHH-BSP-22-00-DR-C-SK240-P02	18.12.2020
Ecology Statement	MKA Ecology	08.03.2021
Drainage Strategy	SK240 REV. P06	02.03.2021
Travel Plan		02.03.2021
External Lighting Scheme	E104A	02.03.2021
Site Location Plan	CB97TA-A-01 REV B	16.11.2020
Vehicle Tracking Plan	CB9 7TA-A-07-A	02.03.2021
Tree Removal Plan	CB9 7TA-I-14-A	02.03.2021
3D Visual	CB97TA-A-06.2-A	02.03.2021
3D Visual	CB97TA-A-06.1-A	02.03.2021
3D Visual	CB97TA-A-06-A	02.03.2021
Topographical Survey	CB97TA-A-02	22.10.2020

Proposed Block Plan	CB97TA-A-03-A	02.03.2021
Proposed Floor Plans	CB97TA-A-04 -A	02.03.2021
Proposed Elevations	CB97TA-A-05-A	02.03.2021
Summer Solar Study		02.03.2021
Winter Solar Study		02.03.2021

Site details:

4. The application site is located on the northern side of Ann Suckling Road within the housing settlement boundary for Haverhill. The site is approximately 2.77 hectares and comprises the residential dwelling known as Boyton Hall and its associated garden land. Boyton Hall is set back around 60 metres from the highway.
5. The site is surrounded by residential development, including new dwellings within the north west Haverhill strategic development to the north east, existing dwellings accessed from Ann Suckling Road to the east and west and dwellings which are under construction to the north. There is an approved access road from Ann Suckling Road which runs along the western side of the application site.
6. The site contains a number of trees and hedges including trees covered by tree preservation orders as well as an area of protected woodland. The listed building Chapel Farm Cottage lies approximately 100 metres to the west of the site.

Planning history:

7. The relevant planning history for the site is set out below:

Reference	Proposal	Status	Decision date
E/80/1621/P	ERERCTION OF GARAGE AND SHEDS	Application Granted	3 April 1980
E/78/1492/P	ERECTION OF EXTENSION AND ALTERATIONS	Application Granted	13 April 1978
E/77/1559/P	RESIDENTIAL DEVELOPMENT INCLUDING THREE SHOPS AND ONE PUBLIC HOUSE	Application Withdrawn	10 August 1979
E/76/3104/P	HOTEL AND ACCESS	Application Granted	17 February 1977

Consultations:

8. Amended/additional plans and documents have been submitted during the course of the application and a full reconsultation has been carried out.
9. The consultation responses set out below are a summary of the latest response received. Full copies of consultation responses are available to view online through the Council's public access system

10. Suffolk County Council is abbreviated to SCC in the consultation responses set out below.

SCC Highways

11. Highways Authority recommends that permission be refused.

12. Further to our previous comments we note that no additional details have been provided and the application is now due for determination, therefore this response is based on the information currently submitted (N.B. Our response refers to Anne Suckling Lane U6740, however we are aware it may also be known locally as Ann Suckling Road).

13. Parking

- We note that we have been made aware of an error in our previous parking space calculations. The application is proposing a total of 34 spaces not 40.
- We note the applicant claims in the revised planning letter of 2nd March that there will be 14 FTE staff, however the Design and Access Statement (Feb 2021 Rev A) Table 1 shows 24 staff per day shift. As we previously explained it is difficult to assess FTE staff for a Care Home operating 24 hours a day and we accept the total 24 day shift staff as the FTE. We do not accept the 14 FTE staff as quoted in the revised letter of March 2021 as this is not evidenced and appears contrary to the Design and Access Statement.
- Based on this, the recommendations in the Suffolk Guidance Parking 2019 would be for 46 vehicle parking spaces. The proposed 34 parking spaces would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
- This application does not include suitable cycle storage for staff and visitors.

Therefore, we would recommend a minimum of 40 parking spaces with very good cycle store facilities and the promotion of sustainable travel modes for staff and visitors.

14. Access

- As we have previously noted the application proposes connecting to the highway - Anne Suckling Lane - via a private access consented as part of a different planning application, DC/18/1498. We advise that the widths illustrated on drawing CB9 7TA - A-03-A appear to differ from those approved with DC/18/1498. DC/18/1498 is consented to have a 5.5m access for the first 10m only then reducing to 4.8m.
- This application (DC/20/1849) would need a 5.5m carriageway width to continue from Anne Suckling Lane to the access into the Care Home to accommodate the increased vehicle movements and vehicle types associated with this application.
- The visibility from the Care Home access will need to be to Manual for Streets recommendations. We advise that to achieve this visibility to the right (toward to development approved with DC/18/1498) the

proposed trees and hedges are likely to be in the visibility splay. We also advise that car park spaces 1 and 6 may obstruct the visibility.

- The applicant has not provided any visibility splay information.

Therefore, if the access was constructed to these drawings there is a high risk of a severe impact on the safety of all users and we recommend the access designs should be revised accordingly.

15. There appears to be some confusion with the status of the access consented with DC/18/149. We confirm that this access was consented on the basis that it is to be a privately maintained road. We acknowledge that the developer has approached the highway authority to offer the road for adoption. A request for highway adoption is not a guarantee of eventual highway adoption and for the purposes of this application (DC/20/1849) it must be assumed the access will remain a privately maintained access.

16. Conditions were recommended should the local planning authority be minded to approve the application.

SCC Lead Local Flood Authority

17. Holding objection removed. Recommend approval of the application subject to conditions to secure the following:

- Implementation of the submitted drainage strategy
- Details of the sustainable drainage systems components and pipe networks to be submitted for inclusion on the Flood Risk Asset Register
- Details of a construction surface water management plan
- Informatives relating to the flood risk asset register, construction surface water management guidance and other relevant legislation.

SCC Archaeology

18. No objection subject to conditions.

19. Advised the site is in an area of high archaeological potential and recommended conditions to ensure preservation in situ of important heritage assets and recording of findings.

West Suffolk Conservation Officer

20. No objections.

21. Advised the proposed development will not adversely affect the setting of the nearby listed building Chapel Farm Cottage

22. In response to the original submission and based on the limited information provided Boyton Hall had been identified as a non-designated heritage asset. Further information has been submitted by the applicant and having considered the content of the additional information the conservation officer advises that the building no longer meets the criteria to be identified as a non-designated heritage asset.

23. The conservation officer's reassessment is copied below:

Reassessment of Boyton Hall – following receipt of additional information

- Age - based on the information submitted as part of the original submission the estimated date of the building was late 19th century. Appendix 2 of the recent Heritage Statement indicates Boyton Hall existed in 1904. Further maps indicate it did not exist in 1886 or 1893. The date of the building is therefore somewhere between 1893 – 1904. The building dates from between Late 19th century early 20th century.
- Rarity – the additional information illustrates the building has changed notably since construction removing key features. Whilst there may be few examples within the locality I believe its significance has been reduced due to the changes.
- Aesthetic value - Architectural and artistic interest - additional information confirms notable changes to the principal elevation have been undertaken and whilst the building as it exists today is not unattractive the changes have resulted in the removal of key features which have as a result significantly reduced the architectural and historic interest of the building as a non designated heritage asset. The most notable changes are indicated within the photos and include the following:
 - The removal of faux timber framing to the two storey bay and gable end;
 - removal and infilling of the decorative balcony at first floor level;
 - removal of decorative detailing to ground floor open porch

All of the above have altered its appearance considerably to the extent its aesthetic/architectural and artistic interest is reduced.

- Group value – comments remain unchanged - the building appears to sit in isolation and it would appear it is not within sight of other historic buildings contributing towards group value.
- Historic Association - not known at the time of writing - comments remain unchanged.
- Archaeological interest – defer to Suffolk County Council for advice - comments remain unchanged
- Landmark status – not applicable - comments remain unchanged
- Social and communal value - The Heritage Statement advises Boyton Hall was the home of Mr Fred Taylor former owner of the flour mill in the pightle subsequently sold in 1915 to Hovis Bread and Flour Company. Whilst it might have been argued the flour mill held social and communal value not least as it provided employment for the area, it would be inappropriate to attribute the same value to the Boyton Hall just because it housed the former owner of the flour mill.

Whilst Boyton Hall is not an unattractive building, based on the information provided I no longer believe the building meets the criteria to be identified as a non-designated heritage asset.

West Suffolk Public Health and Housing

- 24.No objection subject to the use of conditions.
- 25.Comments provided in respect of lighting following submission of external lighting design. Advised that additional information with regard to the proposed lighting design, including the submission of lux calculations at the boundary of the site, should be submitted for approval. The local authority can then be confident that the external lighting installations at the care home, including within the car parking areas and grounds, will not adversely impact on existing residential occupiers in the vicinity.

Recommended conditions

- Noise relating to fixed plan and machinery
- Control of odours
- Commercial delivery times
- Restriction on external lighting
- Hours of demolition
- Construction method statement

West Suffolk Strategic Housing

- 26.Advised affordable housing would not be required if this is a C2 use.
- 27.Planning Officer comment - Use Class C2 covers residential institutions, which would include use for the provision of residential accommodation and care to people in need of care. The proposed Care home is considered to fall within this use class.
- 28.Note that whilst the NPPF seeks to deliver a wide choice of high-quality homes including provision for older people, we would welcome local evidence of need to support a care scheme in Haverhill due to the fact that the North East Haverhill application has a parcel allocated for a care home which may impact on the overall need within Haverhill.

West Suffolk Environment Officer

- 29.No objections subject to conditions
- Satisfied that the risk from contaminated land is low. Advice notes recommended.
 - Electric vehicle charging to be secured by condition

West Suffolk Waste Services

- 30.Advised that the bin store is in a location that does not have vehicular access and should be positioned close to the access road to minimise the distances that bins are wheeled.
- 31.The current proposed layout would not allow an RCV access to collect waste from the premises due to a conflict with the proposed retaining wall.

West Suffolk Tree Officer

32. Concerns raised in consultation responses dated 15 January and 14 April summarised below:

- There is likely to be a significant detrimental arboricultural impact and this should be considered against the relevant development management policies, particularly DM12 and DM13.
- A considerable number of trees are proposed to be removed. Given the scale of development on the site, it is not clear how appropriate mitigation planting could be secured, both from the resultant negative impact on the landscape and the impact on biodiversity.
- There are several aspects of the proposal that will equate to harm to retained trees. Of most concern is the likely impact to the Horse chestnut (T1) which is a landscape feature, and one of the few fine mature specimens in the immediate surroundings. The feasibility of the tree's short and long term retention is not thought to have been sufficiently demonstrated, and I would suggest that this is contrary to Policy DM13 'Landscape Features - Development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value'

Suffolk Wildlife Trust

33. Holding objection removed in respect of bats and dormice but remaining concerns regarding biodiversity.

- We have read the ecology letter statement (MKA Ecology, March 2021) and we are satisfied with the findings of the consultant regarding bats and dormice.
- We still believe the development fails to deliver biodiversity net gain in accordance with National Planning Policy Framework (section 174) (2019) and St Edmundsbury Local Plan Policy CS2. We note there has been a change in landscape proposals, but this has resulted in the development keeping a section of leylandii in an area that had previously been set aside for native hedgerow planting. As leylandii provides less benefits to biodiversity than a mixed species, native hedgerow, then we believe that the new proposals do not deliver biodiversity net gain. As demonstrated in our previous comments, we believe that a substantial amount of habitat of value to wildlife, including trees, grassland and hedgerows, are to be lost to facilitate the development.
- We do not feel the proposals demonstrate measures to compensate for this and so do not constitute biodiversity net gain. Therefore, the proposals will need to be amended to demonstrate measures that will achieve biodiversity net gain, including planting specifications to outline what species will be used in replacement tree and hedgerow planting.

Ecology comments

34. Holding objection removed- subject to securing biodiversity mitigation and enhancement measures. Conditions recommended.

35. Place Services Ecology has reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA and PRA) (MKA Ecology, March 2020), the Ecological Impact Assessment (MKA Ecology, Nov 2020) and the Ecology Letter Statement (MKA Ecology, March 2021) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.
36. Advise that there is now sufficient ecological information for the local planning authority to determine the application.
37. The submitted information provides certainty in terms of the likely impacts on Protected and Priority species and habitats and with appropriate mitigation measures secured it has been demonstrated that the development can be made acceptable.

Conditions recommended to secure the following:

- Mitigation and enhancement measures
- Submission of EPS licence for bats
- Environmental Management Plan
- Biodiversity enhancement strategy
- Landscape and Ecology Management Plan
- Wildlife sensitive lighting scheme

Anglian Water

38. Comments and recommended conditions summarised below:

- Requested informative regarding Anglian Water Assets
- Advised capacity issue with the Haverhill Water Recycling Centre. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- Advised on method for developer to seek connection to sewerage network.
- Recommended condition regarding surface water drainage and surface water hierarchy.

Design Out Crime

39. Comments summarised below

- Parking area lacks surveillance.
- Parking area could be used by people who are not staff or visitors and consideration should be given to some form of access control.
- The building design has lots of recessed areas and a flat roof area. Recessed areas can offer the potential for hiding areas and restrict surveillance. It is better to reduce the number of these areas.
- The flat roof area should not be easy to access through climbing aides such as drain pipes or bins/garden furniture positioned close by or easily accessible from the ground level.
- There is an air-lock area into the main reception area which should be appropriately accessed controlled. The lifts should also be accessed control to ensure that only authorised visitors/staff are able to use them, this also should be applied to the ground floor restaurant day

room area and the main corridor that allows access to the stairs and living quarters.

- The close board fencing shown on the plans should be 1.5 m close board at the rear with 300 mm trellis topping and defensive planting positioned on the inside of it and where metal hoop top railings are used to secure the rear garden areas this should be 1.8 m high. All garden gates must be access controlled and spring closing to ensure that only residents and visitors can use them.
- Any walls that have railings situated on the top should not provide an easy footing onto so that the railings could be climbed over. A defensive hedge of a 1 m wide but not more than 1 m high should be planted on the inside of any railing fencing.
- The Landscaping strategy refers to using a native hedgerow along the parking boundaries to soften the view from the access road and to provide a screening for the vehicles within the car park. This could restrict surveillance into the area and hide offenders and should ensure that it doesn't allow for either.

SCC Fire and rescue

40. Condition requiring fire hydrants requested and advised consideration to the use of sprinklers advised

SCC Infrastructure Officer

41. Requested contribution of £5,940 to support improved services and outreach at Haverhill Library.

West Suffolk NHS Clinical Commissioning Group

42. Identified the development would impact on the primary healthcare provision in the area

43. A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £16,500.00 Payment should be made before the development commences.

44. West Suffolk CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Representations:

Town Council

45. Initial objection which was reaffirmed following reconsultation. Concerns summarised below.

Residential Amenity and Street Scene

- The development is an overdevelopment of the site and would overshadow surrounding properties to the detriment of residential amenity.

- The appearance of the three-storey building is out of character with neighbouring existing properties.

Parking

- The parking provision is inadequate, well under what is needed and does not take into account deliveries, care giving services and visitor parking.

Highway issues

- The traffic generated by this development would adversely impact on Anne Suckling Road and add to existing parking and traffic issues. This would also have a negative cumulative effect on the A143. Current data taken from a VAS shows that current traffic volume on Wrattling Road is close to the 2035 suggested volume of traffic. At peak times the volume of traffic along Wrattling Road causes congestion and queues for traffic exiting from Anne Suckling Road. A traffic survey must be undertaken.
- Access to the site is inadequate and request that alternatives to entering and exiting the site are looked at.

Infrastructure

- Design and Access statement states that '1.5 The site has good accessibility to public transport, amenities and local services. The surrounding area has seen a significant amount of development recently, detailed within the report'.
- Local amenities are a car drive away in the Town Centre and there is no provision for access to public transport, there is no bus stop near the development.
- North West Haverhill had seeing a huge growth of residential developments and the addition of a care home would add to an already struggling GP and NHS service in Haverhill.

Landscaping

- There is no benefit to the environment from landscaping on this site. The loss of trees and hedges will have a detrimental effect on the habitat for nature and biodiversity.
- There is no provision of hedges or trees for screening to the front of the building facing Anne Suckling Road.

Design Statement

- Policy CS3 Design and Local Distinctiveness 4.23 This policy identifies the need for new development to create and contribute to a high quality, safe and sustainable environment. Proposals are required to address heritage and conservation, protection of landscape and historic views and have an understanding of local context. It is considered that the scheme adheres to the requirements of this policy.
- The Town Council do not agree that this proposal adheres to Policy CS3.

Other

- The planning application requires a heritage statement by a suitably qualified person as the application proposes to demolish a large Victorian Hall dated between 1891-1902.

- Significant harm will be caused to the character and setting of Chapel Farm Cottage which is listed Grade II. The masterplan for North/West Haverhill said the setting of Chapel Farm Cottage would be protected.
- As Haverhill expands, we must respect older buildings that sit in the path of expansion as they play an important role in our history. We would like to emphasize the positive benefits to the sense of place and wellbeing of the residents from retaining some elements of the historic background within a developing urban landscape.
- Boyton Hall is likely to be a 'Non designated heritage asset'. The National Planning Policy Framework demands that such assets are assessed for their significance before alteration or demolition, and to assess the degree of harm to the asset posed by the application. In this case the degree of harm is total destruction.

Ward Member, Councillor Joe Mason.

46. Called application in to Development Control Committee and made the following comments:

I do not believe the proposed development and the proposed plans are suitable for this location for the following reasons.

Loss of Heritage and impact on nearby buildings. Haverhill has few local landmarks and whilst Boyton Hall may not be listed, it is a local landmark and one which would be a material loss to Haverhill if demolished. Buildings to the West of the proposed site are not shown on the plans and will be severely impacted upon a three storey development so close in proximity. It is interesting to note that no visualisations are presented to show the impact of the proposed site on these buildings. Grade II listed Chapel Farm Cottage and buildings must not be adversely affected by new developments and respect be given to the historical value of this site.

Design. Justification for scale has been based on planning submitted by Persimmon for the proposed Gateway complex in 2B. This planning has not been approved and so this justification is speculative at best and does not mitigate concerns on the impact this building will have on building in close proximity to the site.

Environmental. The proposed site is not suitable for this type of development. The natural habitat will be too adversely affected and ecological diversity lost. There are too many important trees identified for removal. This plot is suitable for residential but the proposed site is far too extensive to fit on this land without adverse impact on the environment leading to a material loss of ecology. There is still insufficient screening from Ann Suckling Road to mask the size and scope of the development.

Infrastructure & Parking. The improved plans indicate more spaces than shown on the original plans, but the site is unsuitable for this sort of development due to the high likelihood of visitors using cars. The Travel plan places significance on the locality of the town centre being walking distance away and wanting to move away from people using cars. This narrative is convenient due to the limited space available on the site for parking. For many people the relatively steep elevation of Wrattling Road, means that most visitors will use the car as opposed to travelling by foot.

There is a significant risk that this site will lead to visitors parking on Anne Suckling Road as there will be no available free spaces. Boyton Hall Estate is residential and the significant increase of traffic and disturbance this development will bring makes this site location inappropriate.

Public representations:

47.44 nearby addresses were notified and site notices were posted. Representations received from 17 addresses. Full comments available online.

Comments in support summarised below:

- The building of care homes is important and necessary - expressed general support for the principle of a care home.
- With a suitable tree and shrub planting scheme the street view as currently shown on the plans would be a considerable improvement when compared to the existing overgrown mainly Leylandii hedging.

The concerns and objections summarised below:

Character and appearance

- Three story building would be too imposing in an existing housing area where no domestic dwelling is more than two storeys high.
- Out of place in the environment. Locally, other care homes are only 2 storeys and integrate better with their surroundings.
- This very large building will be out of scale to this area and overshadow dwellings in an unacceptable way.
- No attempt has been made to fit in with the surroundings.
- Height is exacerbated by the fact the site is elevated from surroundings
- This proposal would accelerate the loss of dark night skies that are so characteristic of the landscape.
- Use of smooth grey tiles is out of character

Residential amenity:

- Three storey building would introduce overlooking to the private gardens at Boyton Woods, Boyton Meadows, Boyton Close, and Chapel Farm.
- Increase in noise
- Plans should be updated to show the surrounding properties with distances to boundaries, with regard to daylight/sunlight. The covering letter of LNT suggests that this is evidenced but it is not completed within the documentation supplied. We would request that this is also updated to include impact of night time lighting.
- The building will directly block daylight and sunlight from our home (1 Boyton Woods) on both ground and first floors.
- Adverse impact on outlook from the Willows. Request that consideration will be given to ensure adequate hedging is provided to help screen and soften our view from The Willows. In addition suitable planting would help screen the residents from looking out onto The Willows.
- The proposal would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking, valuable

green space, privacy and the right to enjoy a quiet and safe residential environment.

- Light pollution from the car park will impact on amenity of 1 Boyton Wood.
- The assumptions within the transport statement are incorrect.
- The start of Ann Suckling Road (with Wratting Road) has many cars parked and the access onto and off of the road is already quite dangerous. Increased traffic would be a big problem.
- Query if there could there be an alternative access to the site through the land to the north.
- 24 parking spaces is insufficient and fall short of the parking standards.
- Concern over increase in traffic.

Heritage impacts:

- The demolition of the existing building ,important to the town's heritage.
- This will significantly alter the backdrop of Chapel Farm Cottages, which is a listed building.

Trees and ecology:

- This whole area has already suffered enough from the removal of trees/bushes/hedgerows
- There are trees partly shielding the site which should be retained.
- Removal of natural habitat.
- The parking area will destroy the orchid lawn identified in the Biodiversity Survey. And due to the insufficient number of parking spaces provided, one can assume that cars will be parked on the small remainder of the meadow. The plans include no commitments from the developer to safeguard protected plants or animals
- The impact of the drainage strategy is not assessed in the arboricultural impact assessment. But the arboricultural impact assessment indicates ground level changes need to be reviewed and approved.
- Installation of close-boarded fencing would be contrary to the Boyton Woods Woodland Management Plan (WMP). (See planning application SE/13/0613).

Drainage:

- Drainage strategy BHHH-BSP-ZZ-00-DR-C-SK240 REV PO1 indicates run-off of surface water to east of site, towards Boyton Woods houses. As the soil consists of clay, run-off water will not be absorbed, but will run down-hill to the east. Although the drainage strategy mentions 'Proposed landscaping levels to be raised locally to prevent escape of flood water from site', this is not achievable in the wooded area as proposed without significant impact on the trees. The wood is covered by a TPO. The wood also conceals a ditch running east not drawn on the plan, which will take any run-off into the neighbouring housing estate (persimmon phase 1) on the east.

Accuracy of submitted information:

- The planning map is difficult to decipher as it is not up to date - the new road built from Ann Suckling Road to access the new (Clearwater) houses under construction on the land, is only partially shown and the houses are not shown at all.

- The access shown for the home is from an existing approved road for Boyton Meadows (DC/18/1498/FUL). The traffic statement totally ignores this new estate being built and is therefore incorrect.
- Application incorrectly represents the context of the development as it ignores impacts of previously approved applications in the immediate vicinity, relating to parking, traffic, and impact on neighbours.
- Contrary to the statement of community involvement in the Design and Access Statement, we have not received any information from the developer.
- We believe that the statement concerning the maximum staff on site at any one time to be incorrect. Day and night shifts are listed in (Design and Access Statement' document, section 6, Table 1) as starting and finishing at exactly the same time. Shifts will require a handover. This will necessitate that more than 24 members of staff are on site at these times.

Other issues

- Further demands on medical and care resources, already lacking in Haverhill.
- Concern with the concept of care homes being 3 storey for the elderly. Views for residents on the upper floors are very limited.
- Query how wide the notification of the building process is for this application.
- Concern that there are a number of other developments affecting the route into this site, yet applications to build do not seem to be considered discussed together.
- A building of this size would also be difficult to manage in an emergency. Difficulties with evacuations.
- Inadequate size of communal areas
- Adversely impact on human rights of neighbouring occupants with respect to article 8 that states that a person has the substantive right to respect for their private and family life.

Policy:

48. 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.

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

Joint Development Management Policies Document 2015

- DM1 Presumption in Favour of Sustainable Development
- DM2 Creating Places Development Principles and Local Distinctiveness
- DM6 Flooding and Sustainable Drainage

- DM7 Sustainable Design and Construction
- DM11 Protected Species
- DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- DM13 Landscape Features
- DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- DM16 Local Heritage Assets and Building Protected by an Article 4 Direction
- DM17 Listed Buildings
- DM20 Archaeology
- DM22 Residential Design
- DM23 Special Housing Need
- DM45 Transport Assessments and Travel Plans
- DM46 Parking Standards

Haverhill Vision 2031

- HV1 - Presumption in Favour of Sustainable Development

St Edmundsbury Core Strategy 2010

- CS1 - St Edmundsbury Spatial Strategy
- CS2 - Sustainable Development
- CS3 - Design and Local Distinctiveness

Other planning policy

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

50. This section of the report begins with a summary of the main legal and legislative requirements before entering discussion about whether the proposed development can be considered acceptable in principle in the light of development plan policies. It then goes on to assess the detail of the development with regard to local and national policies, planning guidance and other relevant material planning considerations (including site specific considerations), before reaching conclusions on the suitability of the proposals.

Legal Context

Planning and Compulsory Purchase Act 2004 (as amended)

51. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The principle of development in relation to the Development Plan and the conformity of the proposals with key policies is discussed through the rest of this report.

The Conservation of Habitats and Species Regulations 2010

52. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended).

53. The application site is not in close vicinity of any designated (European) sites of nature conservation and it is considered that the proposals are unlikely to give rise to significant effects on the conservation objectives of any designated sites. As such it is concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project is not be required.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations).

54. The application has been considered under Regulation 8 of the EIA Regulations and it was concluded that the development is not EIA Development and does not require the submission of an Environmental Statement.

Natural Environment and Rural Communities Act 2006

55. The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

56. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.

57. The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Equality Act 2010

58. Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application. The proposals do not raise any significant issues in this regard.

Crime and Disorder Act 1998

59. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application. The proposals do not raise any significant issues in this regard.

Planning (Listed Buildings and Conservation Areas) Act 1990

60. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;
In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the same Act states;
...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

61. These statutory duties and the impact of the development is discussed under 'Heritage Impacts' later in this report.

Principle of the development

62. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The relevant parts of the West Suffolk Development Plan are the adopted Core Strategy, the Vision 2031 Area Action Plan for Haverhill and the adopted Joint Development Management Policies Document 2015.
63. The national planning policies set out in the NPPF and the online Planning Practice Guidance are also material considerations.
64. Policy DM23 of the Joint Development Management Policies Document states that proposals for new accommodation for elderly and/or vulnerable people, will be permitted on sites deemed appropriate for residential development by other policies contained within this and other adopted Local Plans, provided that such schemes meet the following criteria:
- a. the proposed development is designed to meet the specific needs of residents including requirements for disabled persons where appropriate; and
 - b. includes appropriate amenity space for residents of an acceptable quantity and quality; and
 - c. the location of the development is well served by public transport, community and retail facilities; and
 - d. the proposed development does not create an over concentration of similar accommodation in any one street or area.

65. The application site is within the settlement boundary for Haverhill where residential development would be deemed appropriate in principle. The site includes appropriate amenity space and the location within the town is considered to offer appropriate public transport, community and retail facilities. There would also not be an over concentration of this type of development within the immediate area as a result of this proposal.
66. In light of the above, the development accords with the policy and is acceptable in principle.
67. Having considered the principle of the development, it is necessary to consider the detail of the proposals and the relationship to its surroundings, taking into account all relevant planning policies, identifying those areas that either accord or conflict with the plan. Any harm arising from the development must also be identified, along with relevant material considerations weighing in its favour. It is only once all factors have been weighed in the final planning balance that a decision can be made as to the acceptability or otherwise of the development.

Benefits of the development

68. The applicant has identified economic benefits associated with the development in terms of employment opportunities and investment in construction, which bring associated benefits to the local economy.
69. In terms of employment generation, the planning statement advises that between 40-50 full-time equivalent jobs would be created. These jobs would range from the Home Manager; a series of Care Workers; through to Catering and Domestic Assistants.
70. It is recognised that weight should be attributed to the contribution that new development can make to economic growth. Given the scale and nature of the development proposed it is considered that this carries considerable weight in favour of the scheme.
71. The Haverhill Vision 2031 states there is a growing elderly population in Haverhill. This development would increase the provision care accommodation in the area, and this is a further benefit weighing in favour of the scheme.
72. Both the NPPF and the PPG state that the needs of groups with specific housing requirements are to be addressed and advise that decision makers should take a positive approach to schemes that propose to address an identified unmet need. In this case there is no substantive evidence to suggest that there is currently an unmet need. Indeed, the council published a 5 Year Housing Land Supply report in September 2020, listing C2 schemes with planning permission. This illustrated that there are existing commitments for some 275 beds in the district.
73. In the absence of any further evidence to indicate that there is an unmet need in the area and given the current supply of this type of accommodation, the weight to be attached to the provision of an additional 66 bed care facility is reduced and is considered to weigh moderately in favour of the development.

Visual Amenity and impact on the character of the area

74. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development. The Framework goes on to reinforce this by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The National Design Guide also emphasises the importance of good design, setting out how this can be achieved.
75. These design aspirations are reflected in policy CS3 of the Core Strategy and policy DM2 of the Joint Development Management Policies Document.
76. Policy DM2 sets out a number of development principles which development proposals should adhere to. In terms of the impact on visual amenity and the character and appearance of an area, points a, b, d and j of policy DM2 are most relevant. These are set out below:
- a)
Development should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate this.
 - b)
Development should maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.
 - d)
Development should not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.
 - j)
Development should produce designs that respect the character, scale, density and massing of the locality.
77. The development to the south of the site is characterised by modest two storey dwellings fronting onto cul-de-sacs accessed from Ann Suckling Road. These properties are for the most part separated from Ann Suckling Road by areas of soft landscaping containing trees and hedges.
78. The northern side of the road where the application site is located has a wider variety of building forms. Towards the western end of the road, dwellings are set back from the highway, and are generally less prominent in the streetscene. Where the road joins the A143 to the east there is a row of frontage development, with smaller two storey properties at the very east and larger detached dwellings further to the west closer to the application site.

79. Within this overall mixed character, the scale of development is predominantly two storey, with a smaller number of larger 2 ½ storey properties, including Boyton Hall; a building of architectural merit which makes a positive contribution to the character of the area.
80. Whilst new development has taken place along Ann Suckling Road and further growth is anticipated in the wider area, this part of Ann Suckling Road has retained something of a sylvan setting. Boyton woods extends from the eastern part of the application site, towards the A143 to the east, behind the development on the northern side of the road. The other trees and hedgerows at the front of the application site within the garden land associated with Boyton Hall enhance this setting and make a significant positive contribution to the character of the area.
81. The proposed three storey care home would be far greater in scale than any of the other buildings in the area. Whilst it would be set some way back from the road, the L shaped building would create lengthy elevations which would appear incongruous and overly dominant.
82. The building scale and design is informed by the operational needs of the care home and to meet the requirements of the Care Standards Act, allowing less scope for reflecting local distinctiveness in the architectural approach. The applicant has endeavoured to incorporate some of the design features apparent in the surrounding area, with the use of red brick and render and hanging tile detailing and asserts that the design is of a scale and intensity which would sit comfortably within the site and its surroundings. This assessment is not shared by officers and it is considered that the development would appear as an alien and intrusive form of development in the locality.
83. It is considered that the development would have a significant adverse effect on the character of the area, and that this effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the existing building, both of which currently make a positive contribution to the character of the area.
84. In light of the above, the application would be contrary to policy CS3 of the Core Strategy and to points a, b, d, and j of policy DM2 of the Joint Development Management Policies document.
85. Given the degree of harm identified in terms of the impact on the character of the area, it is considered that this carries significant weight against the proposal.

Trees and landscape

86. There are a number of trees currently on the site, some of which are covered by tree preservation orders. Collectively, these trees contribute to the landscape setting of Ann Suckling Road and are an important part of its character.
87. Policy DM13 of the Joint Development Management Policies Document seeks to prevent unacceptable adverse impacts on the character of the landscape and landscape features.

88. The scheme has been revised and the removal of the coniferous tree line to the front of the site is no longer proposed. However, other existing trees including a group of Silver Birch to the front of the site would still be removed. These trees currently make an important contribution to the character of the area and it is considered that their loss would have an unacceptable adverse impact contrary to policy DM13. Given the given the scale of development on the site, it is considered that it would not be possible to secure replacement planting that would mitigate this negative impact.
89. Turning to the trees that are indicated to be retained, the Tree Officer has advised that there are outstanding matters of concern relating to both direct impacts (installation of hard surfaces within root protection area (RPA), installation of underground apparatus within RPAs and raising of soil levels) and indirect impacts (shading and seasonal nuisance).
90. The Arboricultural Impact Assessment (AIA) and drainage strategy show several incursions in the RPA of retained trees. Whilst mitigation measures have been recommended in the AIA, the Tree Officer has highlighted that the following factors do not appear to have demonstrated: justification for encroachment in the RPA; the tolerance of the affected trees to the disturbance; and compensatory measures for said encroachment. This also applies to the proposed soil bunding.
91. Root pruning is shown to be necessary in the RPA of the large mature Horse chestnut (T1 on plan) and again the Tree Officer has advised that the justification for RPA encroachment and the likely impact does not appear to have been sufficiently demonstrated.
92. A daylight/sunlight assessment has been submitted for the retained trees in relation to the main building, although there is no quantitative data or commentary to demonstrate that habitable rooms will receive an adequate level of daylight. At present, the Tree Officer has advised that it has not been sufficiently demonstrated that the proposed layout, when considered in conjunction with retained trees, represents adequate daylight/sunlight that would avoid future pressure for harmful tree works or felling. This potential impact is magnified by the fact the internal layout is such that rooms on the western elevation are served by a single window.
93. The tree officer has also flagged up a potential conflict between the retained Horse chestnut tree (T1) and the proposed footpath running under its crown which would likely to present a hazard in terms of slips, trips and falls, not only from typical detritus but also from a significant shedding of fruit (conkers) in the autumn.
94. Overall, it is considered that there are several aspects of the proposal that will equate to harm to retained trees. The Tree Officer has particularly highlighted the concern over the likely impact to the Horse chestnut (T1) which is a landscape feature, and one of the few fine mature specimens in the immediate surroundings. The feasibility of the tree's short- and long-term retention is not thought to have been sufficiently demonstrated, and it is anticipated that it is likely to be subject to significant post development resentment pressure, which would jeopardise its long-term retention. This would be contrary to Policy DM13 which states that

development will be permitted where it will not have an unacceptable adverse impact on landscape features.

95. Taken together it is considered that the loss of trees and the harm to retained trees would amount to a significant adverse effect of the development, which carries substantial weight against the development in the planning balance.

Residential Amenity

96. The protection of residential amenity is a key component of good design and the NPPF states that good planning should contribute positively to making places better for people. Policy DM2 of the Joint Development Management Policies Document also seeks to safeguard residential amenity from potentially adverse effects of new development.

97. There are a number of existing residential dwellings surrounding the site, including a new development under construction to the north. The neighbouring properties that would be most likely to be affected would be 1 Boyton Woods to the east, which fronts onto Ann Suckling Road, the Willows to the west which is set back from the highway, and the new dwellings currently under construction to the north. Properties in the new development in Claydon Court to the north east would be less likely to be affected due to the intervening woodland and properties further to the west and south would be less likely to be affected due to the separation distances.

98. The new care home is set within a generous sized plot allowing for separation from the neighbouring properties. However, given the scale and mass of the building it is considered that it would still result in an impact on the outlook from the neighbouring properties the Willows and 1 Boyton Woods.

99. 1 Boyton Woods is the first in a row of relatively large, detached properties fronting on to Ann Suckling Road to the east of the application site. This property currently enjoys a high degree of privacy, particularly in the amenity space immediately to the west of the house, which includes a private balcony/terrace area.

100. There are no adopted standards that specify appropriate separation distances in a case such as this. However, given the scale of the building, which would result in a long elevation with numerous window openings, many of which would be at an elevated level, it is considered that there would be an adverse effect on the amenity this property, with a marked increase in actual and perceived overlooking. Due to the nature of the proposed layout and the position of the existing woodland there would be less landscape buffering between the building and this neighbour.

101. The Willows is located to the west of the development and looks towards the site, with the private amenity space for the dwelling positioned to the rear. Therefore, whilst this dwelling would be closer to the new building, there would be less impact on the level of private amenity they currently enjoy. There would however be a significant change in the outlook from the property.

102. It is not the role of the planning system to protect private views. However, where a development would interfere with the outlook, to the extent that the building would appear unduly intrusive and oppressive, this is an important and legitimate consideration.
103. It is considered that in this case, given the size of the building and the degree of change from current situation, the development would have an oppressive impact on the outlook from the neighbouring properties The Willows and 1 Boyton Woods such that there would be an adverse effect on the level of amenity they currently enjoy.
104. The intensity of the use of the site would increase as a result of the development with increased noise and disturbance from the parking areas. There would also be a change in the nocturnal environment through the introduction of lighting. The Public Health and Housing Officer has reviewed the proposals and has recommended conditions relating to lighting, delivery times and odours. It is considered that impacts on amenity relating to these aspects of the development could be adequately controlled by conditions.
105. Overall, it is concluded that the proposal would result in some harm on the living conditions of occupiers of neighbouring homes, with particular regard to levels of privacy and outlook.
106. Policy DM2 of the Joint Development Management Policies Document states proposals should not adversely affect residential amenities of adjacent areas.
107. In view of the identified harm, the proposal would give rise to some conflict with this policy. Given the nature and level of harm and taking into account the degree of separation, moderate weight is afforded to this.

Highways and site layout

108. The NPPF promotes all forms of sustainable transport, advising that development should provide for high quality walking and cycling networks. It goes on to advise that development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.
109. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network and policy DM46 confirms that the authority will seek to reduce over-reliance on the car and promote more sustainable forms of transport.
110. A Transport Statement has been provided with the application. This sets out the likely transport impacts but does not provide any traffic survey information. The local highway authority does not object to this approach in this case.
111. The Suffolk Guidance for Parking 2019 recommends 1 parking space per full time equivalent (FTE) staff and 1 space per 3 beds for visitors. It is accepted that it is difficult to assess FTE staff for a Care Home operating

24 hours. The Design and Access Statement (Feb 2021 Rev A, Table 1) shows 24 staff per day shift and the highway authority accepted this 24 day shift staff number as the FTE.

112. The Highways Officer has noted that in the revised planning letter of 2nd March it states that there will be 14 FTE staff. However, this is not evidenced and appears contrary to the Design and Access Statement.
113. Based on the advice of the Highway Officer and the adopted parking guidance, the recommendation would be for 46 vehicle parking spaces. In this case, the highways authority had accepted that a lower figure of 40 could be tolerated if there were good cycle store facilities and the promotion of sustainable travel modes for staff and visitors.
114. The Highways Officer has advised that the application does currently not include suitable cycle storage for staff and visitors. They further advise that the proposed 34 parking spaces would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
115. The application proposed that development would be served via a recently approved access serving a development to the north for 38 dwellings, which is under construction. As part of this access a new footpath will extend to Ann Suckling Road and a pedestrian crossing will be provided allowing for a safe pedestrian connection to the site.
116. The Highways Officer has commented on this arrangement and has highlighted that there appears to be some confusion with the status of the access consented with DC/18/149. Highways has confirmed that this access was consented on the basis that it was to be a privately maintained road. The developer of the adjacent site has now approached the highway authority to offer the road for adoption. However, a request for highway adoption is not a guarantee of eventual highway adoption and they have advised that for the purposes of this application (DC/20/1849) it must be assumed the access will remain a privately maintained access.
117. The widths illustrated on drawing CB9 7TA - A-03-A with this application appear to differ from those approved with DC/18/1498. DC/18/1498 is consented to have a 5.5m access for the first 10m only then reducing to 4.8m. This application shows the width as 5 metres at the point where the access into the care home site would be.
118. Highways has confirmed that this application (DC/20/1849) requires a 5.5m carriageway width to continue from Anne Suckling Road to the access into the care home to accommodate the increased vehicle movements and vehicle types associated with this application. The visibility from the Care Home access will also need to be to Manual for Streets recommendations and highways advise that to achieve this visibility to the right (toward to development approved with DC/18/1498) the proposed trees and hedges are likely to be in the visibility splay. Car park spaces 1 and 6 may also obstruct the visibility.
119. If the access was constructed to these drawings, there is a high risk of a severe impact on the safety of all users, and they recommended that the access designs should be revised accordingly.

120. Public representations have raised concerns over the impact on the wider public highway with particular concern over the junction between Ann Suckling Road and the A143. The Transport Statement concludes that, given the proposed staff levels, shift patterns and resulting travel movements, together with the accessible nature of this site, it is not considered that the proposal will have any significant traffic impact. The local highway authority has reviewed this document and has raised no concerns regarding highway safety or impacts on the wider highway network.
121. In light of the above it is considered that the current proposals show an insufficient level of car parking spaces and do not include suitable cycle storage for staff and visitors. In this context it is considered that the proposal would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
122. In addition, the access is below the required 5.5 metres in width and it appears that the layout may conflict with the required visibility splays. Highways has advised that this access arrangement introduces a risk of a severe impact on the safety of all users.
123. The development is therefore contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document as it fails to deliver a design in accordance with standards that maintains or enhances the safety of the highway network.
124. It is considered that this carries significant weight against the development.

Heritage Impacts.

125. Heritage assets encompass a wide range of features, both visible and buried, including archaeological remains, Listed Buildings and non-designated heritage assets.
126. The conservation of heritage assets is a core principle of the planning system (paragraph 17) upon which the NPPF places great weight as part of achieving sustainable development. The NPPF guidance is reflected in Development Plan Policies DM15 (listed buildings), DM16 (local Heritage Assets) DM17 (Conservation Areas) and DM20 (archaeology).
127. Section 66 of the Planning (Listed Buildings and Conservation Area) 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 architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
128. The Haverhill Conservation Area is sufficiently distant from the application site to ensure that there would be no impacts associated with this development. As such policy DM17 of the Joint Development Management Policies Document 2015 is not relevant to the determination of this application.

129. The listed building Chapel Farm Cottage is located to the west of the application site. The Conservation Officer has looked at the proposal with regards to potential impact on the setting of this building.
130. Chapel Farm Cottage is separated by existing intervening development and when viewed from the east, Chapel Farm Cottage does not benefit from an uninterrupted setting with wide open views which enable its significance to be appreciated.
131. The Conservation Officer has advised that the proposed development does not appear to affect any planned views of or from the heritage asset which either contribute towards its significance or enable its significance to be appreciated. Similarly, it would appear the proposed development will not interfere with any intended/planned intervisibility between Chapel Farm Cottage and any other built heritage assets. As such, the Conservation Officer has advised that they are satisfied that the proposed development will not adversely affect the significance of Chapel Farm Cottage or how the asset is appreciated. The development therefore accords with policy DM15 of the Joint Development Management Policies Document.
132. In terms of archaeology, the Suffolk Archaeological Service has advised that the site is in an area of high archaeological potential and have recommended conditions to ensure preservation in situ of important heritage assets and recording of findings. The development therefore accords with policy DM20 of the Joint Development Management Policies Document.
133. When the application was first submitted Boyton Hall was identified by the Conservation Officer as a non-designated Heritage Asset. This initial assessment was made based on the limited information provided at that time. Further information was subsequently submitted by the applicant and as such the building has been reassessed.
134. The additional information confirms that notable changes to the principal elevation have been undertaken and whilst the building that exists today is not unattractive, the changes have resulted in the removal of key features which have as a result significantly reduced the architectural and historic interest of the building.
135. Based on the additional information provided, the Conservation Officer has advised that the building is no longer considered to be a non-designated heritage asset. As such policy DM16 of the Joint Development Management Policies Document 2015 is not relevant to the determination of this application.

Ecology

136. The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 of the Joint Development Management Policies Document and policy CS2 of the Core Strategy. These policies seek to safeguard protected species and state that measures should be included in the design of all developments for the

protection of biodiversity, the mitigation of any adverse impacts, and enhancements commensurate with the scale of the development.

137. The applicant has submitted a Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA and PRA) (MKA Ecology, March 2020), the Ecological Impact Assessment (MKA Ecology, Nov 2020) and the Ecology Letter Statement (MKA Ecology, March 2021) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.
138. Ecology comments received advise the local planning authority that there is sufficient ecological information to determine the application. In addition, the documents set out acceptable mitigation and compensatory measures in relation to protected and Priority Species particularly bats, bee orchids and Hazel Dormice. This includes the requirement for a European Protected Species Licence for bats. These measures would be secured through planning conditions should the development be permitted.
139. Support is also given to the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.
140. The Suffolk Wildlife Trust has advised that they do not feel the proposals demonstrate measures to constitute biodiversity net gain and recommend the proposals be amended to demonstrate measures that will achieve biodiversity net gain, including planting specifications to outline what species will be used in replacement tree and hedgerow planting. This additional information could be secured through the recommended condition.
141. Public representations have raised concerns over the conflict between the level increases in the drainage strategy and the ability to implement the biodiversity measures on the site. In particular, the increase in levels indicated in the woodland and wildflower areas.
142. The most recent ecology letter statement dated 8th March details how the bund at the edge of the carpark would be constructed without harm to bee orchids in the vicinity, including having a suitably qualified ecologist present immediately prior to the bund being installed to check for the presence of bee orchids within the footprint. These would be carefully moved to a suitable location if required.
143. However, there is a reference to other level increases to the east of the bund on the drainage plan which are not referenced in the ecology information. This specific question was raised with the lead local flood authority and they have advised that the proposed bunds/areas of ground raising are in place to ensure that even if the system failed or was overwhelmed surface water would not leave the site. However, if these were excluded from the design the lead local flood authority would still

accept the scheme as, during the design storm event, there is no flooding experienced either on or off site.

144. Overall, it is considered that the proposed development, as amended, is acceptable in terms of ecology subject to the use of conditions to ensure mitigation, compensation and enhancement measures are secured and implemented through appropriate future management.
145. The development is therefore considered to be in accordance with policies CS1, and CS2 of the St Edmundsbury Core Strategy 2010, policies DM2, DM11, and DM12 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

Drainage and contamination

146. Suffolk County Council have reviewed the application in their capacity as the lead local flood authority (LLFA). Additional information has been provided in response to their initial comments and having reviewed this information the LLFA has confirmed that the proposed surface water drainage scheme is acceptable.
147. Public representations have raised concerns over the adequacy of the drainage scheme, identifying that water would flow off the site onto neighbouring properties.
148. The LLFA has responded to these concerns and has advised that the drainage system proposed by the applicant has been designed to accommodate all surface water runoff originating from the worst-case scenario, including an allowance for climate change over the design life of the building(s).
149. To ensure that every eventuality was covered an 'exceedance flow routes' plan was requested showing where water would travel in the event of an extreme storm event or failure of the system. However, the LLFA has advised that the management and maintenance plan submitted as part of the proposals ensures that the system will be inspected and maintained regularly throughout its lifetime with repairs made where necessary to reduce the risk of a failure/blockage within the system.
150. In terms of contamination, the Environment Officer has reviewed the submitted Preliminary Geoenvironmental Appraisal and is satisfied that the risk from contaminated land is low.
151. Considering the above, and subject to the use of appropriate conditions, the proposals are considered to be acceptable with regard to surface water drainage and pollution and in accordance with policies DM6 and DM14 of the Joint Development Management Policies Document 2015.

Other matters

Air Quality and Sustainability

152. As this is a residential scheme there is no policy requirement for the development to achieve BREEAM excellent or equivalent. However, the development would still be expected to adhere to the principle of

sustainable design and construction and optimise energy efficiency as set out in policy DM7.

153. In this regard, a sustainability and energy statement would be secured through a planning condition to set out the measures incorporated into the proposed building.
154. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions ... and ensure no deterioration to either air or water quality. Paragraph 35 of the NPPF states that 'plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to ... incorporate facilities for charging plug-in and other ultra-low emission Vehicles'.
155. To address this, electric vehicle charge points would be secured by condition to promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35 and Policy DM2 (k) of the Joint Development Management Policies Document.
156. Subject to the use of conditions, it is considered that the development would adhere to the principles of sustainable design and would be in accordance with Development Plan policies and National planning policies.

Designing out crime

157. Suffolk Police have raised concerns about access control to the ground floor lifts, communal areas, apartments and concerns around secure parking, mail delivery, cycle storage.
158. Many of the issues raised relate to the internal design and operation of the building and the site. Some issues relate to the precise nature of proposed details such as boundary treatments and landscaping.
159. It is considered that these issues could be adequately addressed using conditions.

Impact on local infrastructure

160. The NHS has advised that there would be an impact on local healthcare provision as a result of the development, which should be mitigated through a financial contribution. This would be secured through a S106 agreement.
161. Suffolk County Council has also advised that the development would require a contribution to library facilities to improve the outreach provision in the town. This would also be secured by S106.

Planning balance and Conclusion

162. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

163. In this case the proposed care home accords with policy DM13 in terms of its location and the nature of the development proposed. Having determined that the principle of the development is acceptable, the detail of the proposals and the relationship to its surroundings have been assessed, considering relevant planning policies and identifying areas that either accord or conflict with the plan.
164. Harm arising from the development has been identified and this must be weighed against the relevant material considerations weighing in its favour.
165. The benefits associated with the development are a material consideration in this case. These have been identified as economic benefits through employment and investment in construction with associated benefits to the local economy and social benefits through the provision of additional care accommodation. Given the scale and nature of the development proposed and the new employment that it would generate, it is considered that the economic benefits carry significant weight in favour of the scheme. However, the social benefits are limited in this case given that there is not an unmet need for care in the area and therefore carry moderate weight.
166. It is considered that subject to the use of appropriate conditions, the development would accord with development plan policies in relation to sustainability and air quality (DM7 and DM14), ecology and biodiversity (DM11 and DM12), heritage (DM16, DM17 and DM18) and highways (DM2, DM45 and DM46). These factors would therefore be neutral in the planning balance.
167. It is considered that the development would have a significant adverse effect on the character of the area, and that this effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the current building, which currently make a positive contribution to the character of the area. As a result of this, the application would be contrary to policy DM2 and policy CS3. Given the degree of harm identified in terms of the impact on the character of the area, this carries significant weight against the proposal.
168. Harm has also been identified in terms of the impacts on trees and landscape, contrary to policy DM13. Taken together it is considered that the loss of trees and the likely harm to retained trees would amount to a significant adverse effect, carrying significant weight against the development in the planning balance.
169. It is considered that the development would result in some harm on the living conditions of occupiers of neighbouring homes, with regard to levels of privacy and outlook, contrary to policy DM2(g). Given the nature and level of harm and taking into account the degree of separation, moderate weight is afforded to this.
170. Finally, given the inadequate parking provision, lack of suitable cycle storage facilities and inadequate access, the Highways Officer has advised that the proposal would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety and the proposed access arrangement introduces a risk of a severe impact on the safety of

all users. This is contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document and carried significant weight against the scheme.

171. Taking the above into account it is considered that the benefits weighing in favour of the development would be outweighed by the harm identified in respect of character and appearance, trees and landscape, highways impacts and residential amenity and the associated conflicts with those development plan policies. As such, the application should be recommended for refusal.
172. Suffolk County Council and the NHS Clinical Commissioning Group have identified that contributions are required in respect of libraries and local health care respectively, in order to meet the needs of the development. A S106 agreement would be required to secure these contributions and in the absence of such an agreement this would need to form an additional reason for refusal. However, it should be noted that this issue is not determinative in terms of the planning balance and could be addressed through the submission of a suitable legal agreement at the appeal stage, should the applicant wish to do so.

Recommendation:

173. It is recommended that planning permission be **REFUSED** for the following reasons:

Reason 1

The proposed three storey care home would be significantly greater in scale than the surrounding buildings with large areas of hard landscaping. It would appear as an incongruous and intrusive form of development and would have an adverse effect on the character and appearance of the area. This adverse effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the existing building, both of which currently make a positive contribution to the character of the area. The development would therefore be contrary points a, b, d, and j of policy DM2 of the Joint Development Management Policies document and policy CS3 of the Core Strategy.

Reason 2

The size and nature of the proposed building is such that it would create long elevations containing numerous windows, many of which would be in an elevated position. The development would have an oppressive impact on the outlook from the neighbouring properties The Willows and 1 Boyton Woods. The development would also have an adverse effect on the level of private amenity currently enjoyed by the neighbour 1 Boyton Woods through a significant increase in the level of actual and perceived overlooking. The development would therefore be contrary to policy DM2 of the Joint Development Management Policies Document which states proposals should not adversely affect residential amenities of adjacent areas.

Reason 3

There are a number of trees currently on the site, some of which are covered by tree preservation orders. Collectively, these trees contribute to

the landscape setting of Ann Suckling Road and are an important part of its character.

Several trees would be removed to facilitate the development including a group of Silver Birch to the front of the site. The development would also result in harm to the retained Horse chestnut tree(T1) which is an important landscape feature. The feasibility of the tree's short- and long-term retention has not been sufficiently demonstrated, and it is anticipated that it is likely to be subject to significant post development resentment pressure, which would jeopardise its long-term retention. The development would therefore be contrary to policy DM13 of the Joint Development Management Policies Document 2015 as it would result in an unacceptable adverse impact on landscape features.

Reason 4

The application does not provide an adequate number of parking spaces or suitable cycle storage for staff and visitors. As such the development would be likely to lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety. Additionally, the access is below the required 5.5 metres in width and it appears that the layout may conflict with the required visibility splays. As such the access arrangement introduces a risk of a severe impact on the safety of all users. The development is therefore contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document as it fails to deliver a design in accordance with standards that maintains or enhances the safety of the highway network.

Reason 5

The development would give rise to impacts on the local library and local primary healthcare provision in the area and financial contributions are required to mitigate these impacts. A S106 agreement to secure the necessary contributions has not been secured and as such the development does not comply with policy CS14 of the St Edmundsbury Core Strategy which requires all new proposals for development to secure the necessary on and off-site infrastructure required to support the development and to mitigate the impact of it on existing infrastructure.

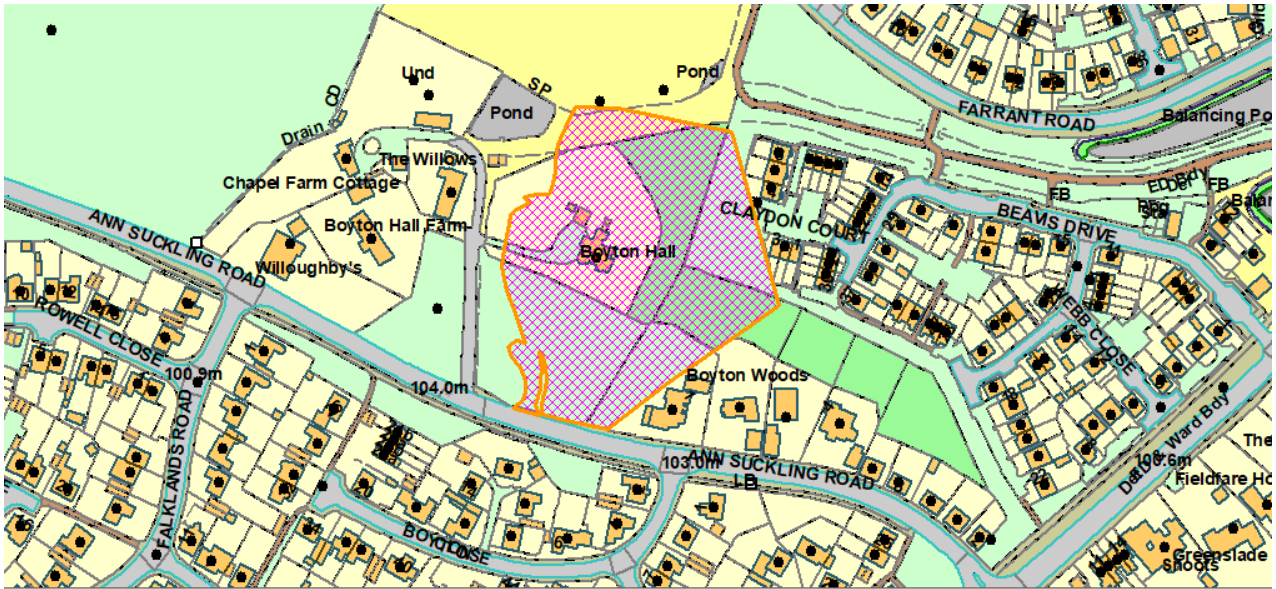
Documents:

174. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/1849/FUL](https://www.stedmundsbury.gov.uk/DC/20/1849/FUL)

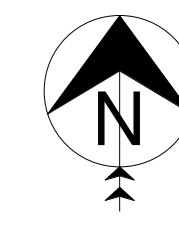
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Boyton Hall



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PROPOSED 3 STOREY 66 BED CARE HOME
 SITE AREA 11229m² (2.77acres)
 BUILDING FOOTPRINT 1150m²
 AMENITY SPACE 9104m²
 24No PARKING SPACES



SITE PLAN
 1 : 200

REV	DATE	DETAILS OF AMENDMENTS	DRAWN
REVISIONS			
ALL MEASUREMENTS IN mm - DO NOT SCALE - IF IN DOUBT ASK			



LNT CONSTRUCTION LTD
 UNIT 2, HELIOS 47
 ISABELLA ROAD
 GARFORTH
 LS25 2DY
 Tel: 0113 385 3858
 Fax: 0113 385 3859

CLIENT
LNT CARE DEVELOPMENTS

SITE
 BOYTON HALL
 HAVERHILL
 CB9 7TA

TITLE
PROPOSED SITE PLAN

SCALE @A0	1 : 200	DATE	15/09/2020 17:33:44
DRAWN	L-JL	DWG NO.	CB9 7TA - A-03

FOR INFORMATION ONLY

CHECKED BY		DATE	
APPROVED BY		DATE	

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Development Control Committee

28 April 2021

Planning Application DC/21/0325/FUL – The Retreat, Plough Hill, Stansfield

Date registered:	3 March 2021	Expiry date:	28 April 2021
Case officer:	Alice Maguire	Recommendation:	Approve application
Parish:	Stansfield	Ward:	Whepstead and Wickhambrook
Proposal:	Planning application - one dwelling with outbuilding		
Site:	The Retreat, Plough Hill, Stansfield		
Applicant:	Mr and Mrs Grant		

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 application and associated matters.

CONTACT CASE OFFICER:

Alice Maguire

Email: alice.maguire@westsuffolk.gov.uk

Telephone: 07904 389982

Background:

This application has received no objections from the Parish Council, however, as the proposal is a departure from the Development Plan, the application must be determined by the Development Control Committee.

Proposal:

1. Planning permission is sought for the construction of one dwelling, with an ancillary outbuilding in the curtilage. The proposed dwelling will be 2 storeys, with a total of 4 bedrooms. The outbuilding will be single storey, and provide a double garage, storage, and a home office.
2. The proposed dwelling will measure 170m² at ground floor and 140m² at first floor (310m² in total). The height will measure 5.400 metres to the eaves, and 9.300 metres to the ridge.
3. There will also be a large parking area for 4 vehicles created off the established access, which will be laid to cobbles/setts at the entrance and first few metres of the driveway, and thereafter set gravel.

Application supporting material:

4.
 - Location Plan
 - Location of Trees
 - Land Survey
 - Conceptual Sketch
 - Tree Survey
 - Biodiversity Checklist
 - Design and Access Statement
 - Land Contamination Questionnaire
 - Land Contamination Report
 - Proposed Materials
 - Proposed Site Layout
 - Proposed Ground Floor Plans
 - Proposed First Floor Plans
 - Proposed Roof Plan
 - Proposed Elevations
 - Proposed Outbuilding floor and roof Plans
 - Proposed Outbuilding Elevations
 - Proposed Landscaping Plan

Site details:

5. The site is located within a small group of dwellings to the north of the main settlement of Stansfield. The site is currently vacant grassland where a former dwelling has been demolished. The site is bounded to the north by existing dwellings, to the west by a road, to the south by a small woodland area and to the east by open countryside. Dwellings in this area are generally characterised as being of traditional appearance and of substantial scale and form, within large plots.

6. Access to the site is existing. The site is outside of the settlement boundary (within designated countryside) and is not within a Conservation Area. There are some listed buildings to the north of the site (Church Cottage, Churchgate House, The Old Rectory and All Saints Church), however the application proposal is not considered to affect their setting.

Planning history:

7.

Reference	Proposal	Status	Decision date
DC/16/0217/FUL	Planning Application - (i) Dwelling with new access and (ii) 2 bay cartlodge with storage	Application Granted	5 May 2016
DCON(A)/16/0217	Application to Discharge Condition 5 (Archaeological investigation) and 8 (Details of access) of DC/16/0217/FUL	Application Granted	8 December 2017
DC/20/1026/VAR	Planning Application - Variation of Condition 3 (approved drawings) of application DC/16/0217/FUL to enable the relocation of dwelling and cart lodge as per drawing no. 4089-01-C	Application Granted	17 August 2020
DC/20/2226/FUL	Planning application - a. One dwelling with new access; b. garage with office and garden store	Application Withdrawn	25 January 2021
E/81/1050/P	Change use from sub post office to sub post office & general store	Application Granted	20 February 1981
E/80/3045/P	Change of use to sub post office	Application Granted	16 October 1980

Consultations:

8. Stansfield Parish Council

No objections to this application.

9. Local Ward Member

No comments received.

10. Public Health and Housing

No comments received.

11. Environment Team

Do not object to the application but make recommendations in relation to contaminated land, air quality and electric vehicle charging points.

12. SCC Highways Authority

Comments received 26th March:

"Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons: The application has not evidenced that a safe access onto the highway would be established. The development is contrary to the NPPF s108b. The principle of this development is acceptable, but plans show the construction of a traditional entrance which extends over highway to the edge of the carriageway, see my red lines in the plan below. This is not acceptable for highway safety and maintenance reasons. The applicant should ascertain the boundary of the highway maintainable at public expense and ensure that no part of the entrance, other than the actual crossover, are located on highway. It is noted that a visibility splay plan has not been submitted but also noted that the access location was approved in an earlier grant, DC/16/0217/FUL. The wings of the access would also be in the access visibility splays but we are satisfied that if the access was redesigned, that a safe access onto the highway can be achieved at this location.

We recommend that a presentation area for waste and recycling collection is indicated. It should not be within the access visibility splays.

Parking and cycle storage are in accordance with Suffolk Guidance for Parking 2019 standards. Below I have provided an extract of our maintainable highway records. It evidences by way of green shading the land that is recorded as highway. No part of the access wall structure will be acceptable on highway land because the Highway Authority would be responsible for future maintenance liability".

Note- The LPA is currently awaiting further comments from the Highways Authority following the submission of amended plans dated 2nd and 7th April 2021. These comments will be included in a late paper.

13. Tree Officer

No objections for the following reason:

"I can confirm that there are no arboricultural matters that would give rise to grounds for an objection. The line of trees along the western boundary is comprised of unremarkable specimens which are to be retained, other than the Cherry marked T006. The trees are considered to be of low/modest public amenity value in the context of the current site use, with an abundance of trees on the opposite side of the road. However, if the proposal were to be granted consent, these would provide valuable screening to the built form which is current open views of the countryside. The indicative planting to the south of the access will, in time, provide further screening although it will require many years of growth before the benefits of which are received. In purely arboricultural terms, the proposal presents the opportunity for a net increase in canopy cover and the many benefits which are associated with which (e.g. eco-system services and carbon sequestration)".

14. Landscape Officer:

Comments not yet received but are expected, these will be included in the late paper.

Representations:

15. None received.

Policy:

16. 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.

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

Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM13 Landscape Features
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM22 Residential Design
- Policy DM46 Parking Standards

Core Strategy 2010:

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS3 - Design and Local Distinctiveness

Rural Vision 2031:

- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing Settlement Boundaries

Other planning policy:

18. National Planning Policy Framework (NPPF)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of Development
- Impact on the character and appearance of the countryside
- Impact on residential amenity
- Highways considerations
- Contamination
- Biodiversity
- Other Matters

Legal context

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The West Suffolk Development Plan comprises the policies set out in the Joint Development Management Policies Document (adopted February 2015), the Core Strategy Development Plan Document (adopted May 2010) and the Rural Vision, as set out above.

21. National planning policies set out in the revised National Planning Policy Framework 2019 are also a key material consideration.

The principle of Development

22. As noted earlier in this report, the application site in question is located outside any defined settlement boundary and as such, the proposal technically comprises development in the countryside from a land use perspective.

23. The National Planning Policy Framework (2019) sets out clearly in paragraph 79 that Local Planning Authorities should avoid granting planning permission for residential development in the countryside unless material considerations indicate otherwise. This position is further reflected in local planning policies (CS1, CS4, DM5 and DM27), which state that planning permission for residential development in the countryside will typically not be supported unless there are valid and material reasons for doing so.

24. Proposals for residential development outside of defined settlement boundaries are ultimately more carefully considered as it is incumbent upon the Local Planning Authority (LPA) to ensure that areas which are designated as countryside are protected from unsustainable and inappropriate development. Accordingly, where material planning considerations indicate that proposals in the countryside are unacceptable due to conflict with the development plan, they should be refused.

25. Policy DM5 states that areas designated as countryside will be protected from unsustainable development. A new or extended building will be permitted, in accordance with other policies within the plan. Where it is for (inter alia) small scale residential development of a small undeveloped plot, in accordance with

policy DM27 or the replacement of an existing dwelling on a one for one basis in accordance with DM5, where it can be demonstrated that: i. the proposed replacement dwelling respects the scale and floor area of the existing dwelling, and, ii. the curtilage of the development is only greater than the curtilage of the existing dwelling where it can be justified with reference to Policy DM25.

26. In line with policy RV3 of the Rural Vision 2031, policy CS4 of the former SEBC Core Strategy confirms and clarifies that proposals for residential development should be directed towards the sustainable settlements and, where possible, away from the open countryside. This is further bolstered by policy CS1 which dictates that in villages and small settlements not identified for a specific level of growth in the Spatial Strategy, including the open countryside, residential development will only be permitted where:
- A. There are no suitable sites available inside the limits of a defined settlement boundary;
 - B. It is an affordable housing scheme for local needs in accordance with Policy CS9;
 - C. It involves the appropriate re-use of a rural building;
 - D. It provides a site for gypsy and travellers or travelling show people which complies with the Gypsies and Travellers policy in Policy CS8.
 - E. It is a replacement of an existing dwelling;
 - F. It is a dwelling required in association with existing rural enterprises which complies with the requirements of national guidance in relation to new dwelling houses in the countryside
27. In this instance, the proposal is for 1 dwelling and an outbuilding, beyond the settlement boundary. It is not considered to meet the requirements of any of the points above as the dwelling that was on site has since been demolished. However, there is an extant planning permission on this site for a replacement dwelling (DC/16/0217/FUL) and this application is considered to be a material consideration which justifies the setting aside of the relevant local plan policies referenced above.
28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Act 1990 acknowledge that, the LPA may grant planning permission for development which does not strictly accord with the development plan, if material planning considerations indicate otherwise.
29. This is relevant in the context to this proposal, due to its location outside of the settlement boundary. The site's planning history is pertinent to this point, given the planning permission which was granted in 2016 along with the permission granted in 2020 (DC/20/1026/VAR) to vary condition 3 (approved plans) of DC/16/0217/FUL. This variation enabled the relocation of the dwelling and cartlodge. These permissions are extant (through the demolition of the former dwelling on site and the implementation of the access).
30. The extant 2016 permission was considered against policy DM5, whereby it was concluded in the officer delegated report that the proposed dwelling was

a scale more reflective of the other traditional properties in the area whilst still respecting the ground floor area of what was the existing dwelling and overall being in accordance with policy DM5. The officer's delegated report states that the existing dwelling was not in-keeping with other, more traditional properties in the area in terms of its scale and form. The proposed dwelling was of a scale that was more reflective of other traditional properties in the area and was considered to make better use of the plot. The overall floor space of the original dwelling (which was single storey) was 140 square metres and the floor space of the approved dwelling (which was two storey) in 2016 was 278 square metres. An increase in size to the original dwelling could also have been achieved through alterations and extensions done under permitted development which is a material consideration. The overall floor space for the proposed dwelling under this application is 310 square metres, which shows an increase from the last proposal. It is however considered that this increase does not lead to any significant material impacts and the majority of this increase is at ground floor. The overall height has increased by 0.333 metres which is still considered acceptable in the context of this site.

31. Whilst this proposal does not meet the requirements of Policy DM5 (given that it is no longer a replacement dwelling as the dwelling has already been demolished), nor policy DM27, there is a material fallback from the approved and extant 2016 application on the site. The principle of a dwelling on the site is therefore considered acceptable and can be justified in this case.

Impact on the character and appearance of the countryside

32. Policy DM2 states that proposals for all development should recognise and address key features and characteristics, maintain or create a sense of place, not involve the loss of important open spaces, and produce designs which respect the character, scale, density and massing of the locality. This is bolstered by Policy DM22 which states that all residential development should employ designs specific to the scheme, which respond to and are based on an analysis of the existing area and utilise characteristics of the locality to create buildings that have a strong sense of place and distinctiveness, using appropriate materials.
33. The proposed dwelling is a two storey, oak framed dwelling. The dwelling is of a traditional appearance appropriate within the rural setting. The dwelling utilises a material palette of soft red brick plinth, render, black stained timber weatherboarding, and clay pantiles. The proposed outbuilding is also considered to be of an appropriate design and scale appearing respectful to the scale of the dwelling and wider area.
34. A submitted landscaping scheme (Drawing No. 6468 Rev B) shows how the proposals will be screened from the public realm, with extensive planting along the western boundary where views would be most prominent. There are already existing boundary treatments formed by a mature hedgerow, which will remain and be interplanted with native specimens to thicken them and promote biodiversity.
35. In comparison to the 2016 extant permission, the design of this earlier proposal was also traditional with a material palette of brick, timber panels and clay pantiles. The fenestration was simple vertical casements, with the building set back from the road behind existing vegetation. The landscaping details remain mostly unchanged and are acceptable.

36. Overall, the design and appearance of the dwelling and outbuilding now proposed is considered to be respectful of the setting of the area by utilising similar materials and retain a traditional appearance which would be considered suitable in the context of the rural setting, reflecting the character of the surrounding area. The proposal is therefore considered to accord with policies DM2 and DM22 in this respect.

Impact on neighbour amenity

37. Policy DM2 states that proposals for all development should not adversely impact residential amenity, nor the amenities of the locality. It states that there should be no adverse impacts by virtue of loss of light, overlooking, overbearing, noise, smell, pollution, and other general disturbances.

38. There is an ample separation distance to the neighbouring dwelling to the north, and taking into account intervening landscape features and buildings, the proposal is not considered to adversely impact upon residential amenity.

39. In comparison to the 2016 extant permission, the design and layout has been amended. Given that the only residential property that could be impacted by the development is to the north of the site, this part of the assessment is focussed on the changes in design to the northern elevation of the dwelling. There will be more windows introduced on this elevation at first floor level to allow more light into the dwelling. These windows will serve the landing, an en-suite to bedroom 3, and a high level window to bedroom 3. It is considered that given the rooms that these windows will serve combined with the height of the window on the north-eastern side of the property, that adverse impacts from overlooking will not arise. There still remains a large separation distance and sufficient screening provided, therefore it is not considered that any additional impacts will arise as a result of the amendments. The proposal is therefore considered to accord with Policy DM2 in this regard.

Highways considerations

40. Policy DM2 states that proposals for all development should produce designs that are in accordance with standards that maintain or enhance the safety of the highway network.

41. The 2016 application proposed a new access, and it was concluded that whilst the new access was sub-standard, it would provide a visibility of approximately 59 metres in both directions which was a significant improvement to the former situation, whereby the access was achieved to the north of the site. The Highways Authority had no objections to this new access subject to conditions which have since been discharged. The new access was then implemented in accordance with the approved details.

42. This application does not propose a new access and the principle of such has already been established and implemented on site. Concern has however been raised by the Highways Authority due to the plans showing the construction of a traditional entrance which extends beyond the crossover to the edge of the carriageway, and visibility splays have not been submitted with this application. The Highways Authority comments received on 26th

March 2021 also recommend that a presentation area for waste and recycling is indicated, as well as a revised access plan showing the visibility splays.

43. No concern is raised in relation to vehicular parking provision at the site, which is considered to meet the minimum requirements set out by the Suffolk Highways Authority guidance document. The proposal is considered to comply with policy DM46 in this respect.
44. The applicant has submitted additional supporting information to address the concerns raised which was received by the LPA on the 2 and 7 April 2021. The Highways Authority have been re-consulted and the LPA are awaiting additional comments. These will be reported in a late paper.

Contamination

45. Based on the submitted information, it is considered that the risk from contaminated land at this site is low. The Environment Team have however provided advice notes for the applicant to follow if, during development, contamination is encountered which was not previously identified.

Ecology

46. The Natural Environment and Rural Communities Act 2006 gives a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, for the purpose of conserving biodiversity. This proposal does not involve the demolition of any buildings but the construction of a dwelling and outbuilding on land which was formally of residential use.
47. Policy DM12 requires all new development to include enhancement for biodiversity commensurate with the scale of the development. The submitted biodiversity checklist states that no ecology issues were raised during the previous applications and that there has been no material changes to the site since the approved and extant scheme, and this status still remains. There is therefore no requirement for a biodiversity assessment. Biodiversity enhancements can be secured by condition. The proposal is therefore considered to comply with policy DM12.

Other Matters

48. Paragraph 105 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of "infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points)."
49. St Edmundsbury Core Strategy Policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to

either air or water quality. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge all in new dwellings. A condition is therefore recommended below which requests that an electric vehicle charging point is installed.

50. DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in relation to water consumption. Therefore, a condition is recommended to ensure that either water consumption is no more than 110 litres per day (including external water use), or no water fittings exceeds the values set out in table 1 of policy DM7.

Conclusion and planning balance:

51. In conclusion, the proposal does not comply with the relevant development plan policies of settlement restraint. This is because the proposed dwelling is in the countryside and no longer forms a replacement dwelling (the former dwelling on the site has already been demolished), nor is the dwelling within a cluster of 10 or more existing dwellings which form an infill adjacent to or fronting a highway. However, the weight to be attached to the policy conflict with policies CS1, CS4, DM5 and DM27 is considered to be significantly limited. This is due to the significant material consideration of the extant planning permission for a replacement dwelling, which, as a material fall back, is considered sufficient to justify a departure from the Development plan in this case.

52. Subject to Highways confirming the access details as amended are acceptable, the development is acceptable in all other respects. The proposed dwelling and outbuilding are considered to appear traditional in their design and in keeping with the verdant, rural appearance of the area, in accordance with policies DM2 and DM22. The scale has been moderately increased from that previously approved to allow more floorspace however this is still considered to respect the character of the area and the former dwelling on the site. The application is therefore recommended for approval.

Recommendation:

- 53 It is recommended that planning permission be **APPROVED** subject to the following conditions:

1. Time Limit – Detailed

The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

- Proposed Elevations – LTD160.009 – 17.02.2021
- Proposed Elevations – LTD160.010 – 17.02.2021
- Location of trees – 8311-D-AIA - 17.02.2021
- Location Plan - LTD160.001 - 17.02.2021
- Proposed block plan – LTD160.014 – 17.02.2021
- Proposed Ground Floor Plan – LTD160.004 – 17.02.2021
- Proposed First Floor Plan – LTS160.005 – 17.02.2021
- Proposed Roof Plan – LTD160.006 – 17.02.2021
- Proposed Elevations – LTD160.008 – 17.02.2021
- Proposed Elevations – LTD160.007 – 17.02.2021
- Proposed Elevations – LTD160.012 – 17.02.2021
- Proposed Roof Plan – LTD160.006 – 17.02.2021
- Proposed Landscaping Plan with Visibility Splays – 6468 Rev C – 13.04.2021
- Proposed Site Layout Landscaping – LTD160.003 B – 13.04.2021

Reason: To define the scope and extent of this permission.

3. Materials detailed on plans

The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plans dated 17.02.2021.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

4. Construction Hours

Demolition or construction works shall not take place outside 18:00 hours to 08:00; hours Mondays to Fridays and 13:00; hours to 08:00; hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework.

5. Electric Vehicle Charging Point

Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

6. Water Consumption

The dwelling(s) hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

7. Biodiversity enhancements

Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

8. Soft Landscaping – Minor

All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

9. Boundary treatments

No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of

hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

10. Arboricultural Method Statement

Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- a. Measures for the protection of those trees and hedges on the application site that are to be retained,
- b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

11. Landscape Management Plan

No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Note – Highways conditions to be confirmed within the late paper.

Documents:

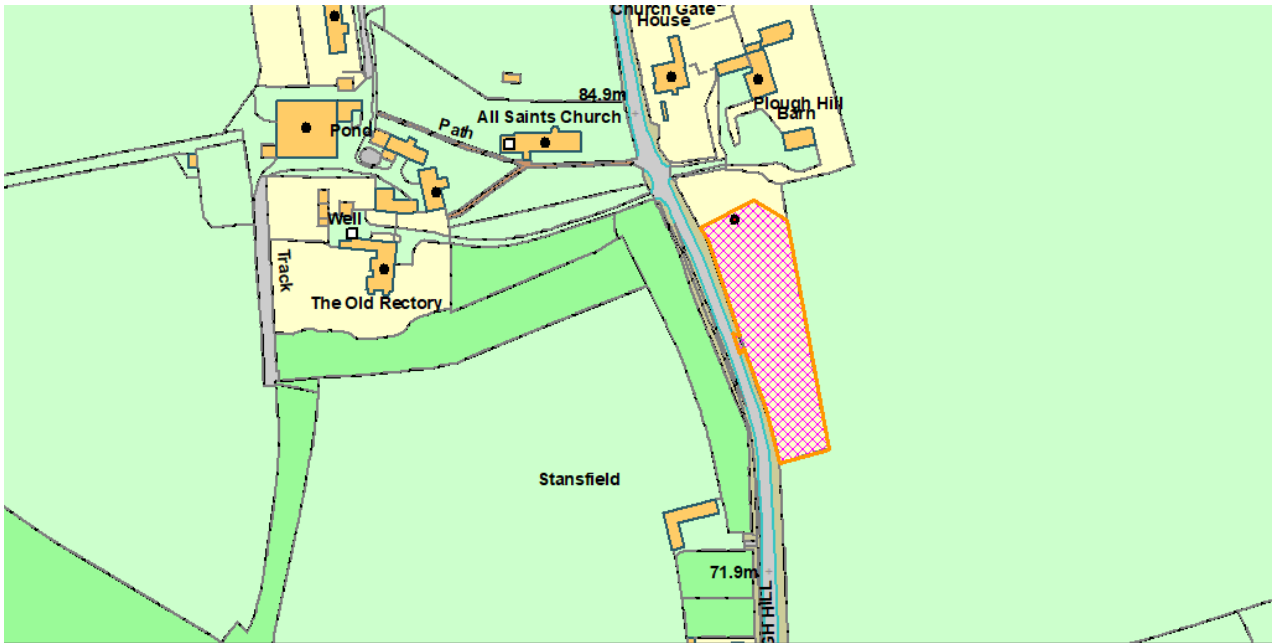
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: [DC/21/0325/FUL | Planning application - one dwelling with outbuilding | The Retreat Plough Hill Stansfield CO10 8LT \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/DC/21/0325/FUL)

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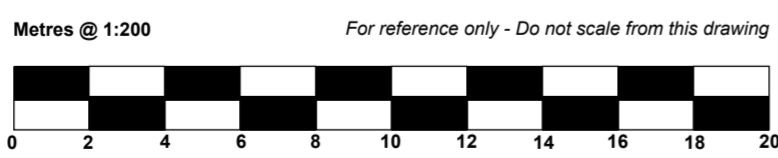
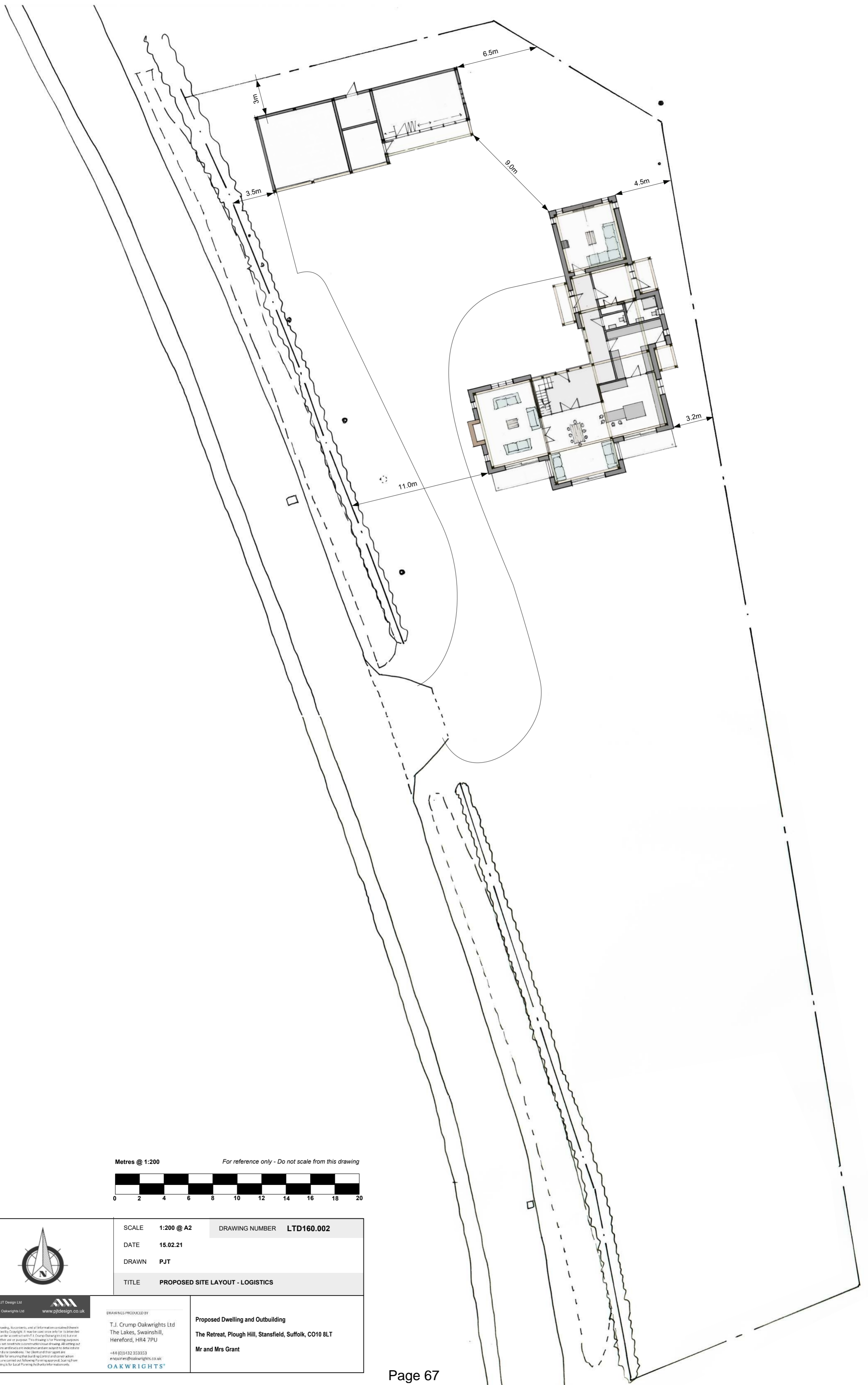
DC/21/0325/FUL



The Retreat Plough Hill Stansfield



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	SCALE 1:200 @ A2	DRAWING NUMBER LTD160.002
	DATE 15.02.21	
	DRAWN PJT	
	TITLE PROPOSED SITE LAYOUT - LOGISTICS	
Designed by PJT Design Ltd For T.J. Crump Oakwrights Ltd www.pjtdesign.co.uk	DRAWINGS PRODUCED BY T.J. Crump Oakwrights Ltd The Lakes, Swainshill, Hereford, HR4 7PU +44 (0)1432 553553 enquiries@oakwrights.co.uk OAKWRIGHTS	Proposed Dwelling and Outbuilding The Retreat, Plough Hill, Stansfield, Suffolk, CO10 8LT Mr and Mrs Grant

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Development Control Committee

28 April 2021

Planning Application DC/20/2047/ADV – Advertising Board, 98 High Street, Newmarket

Date registered:	23 November 2020	Expiry date:	18 January 2021 (EOT 11 May 2021)
Case officer:	Savannah Cobbold	Recommendation:	Refuse application
Parish:	Newmarket Town Council	Ward:	Newmarket East
Proposal:	Application for advertisement consent - two internally illuminated digital totem signs with static BID map to replace existing signage		
Site:	Advertising Board, 98 High Street, Newmarket		
Applicant:	Paul Brown		

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 application and associated matters.

CONTACT CASE OFFICER:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 07971 534117

Background:

1. The application was presented to the Delegation Panel on 23 March 2021 following support from the Town Council, conflicting with the Officer recommendation of 'minded to refuse'. It was concluded by the Panel that the application should be taken before the Development Control Committee, given the support from Ward Members and neighbouring premises.

Proposal:

2. The application seeks advertisement consent for two internally illuminated digital totem signs, with a static 'BID' (Business Improvement District) map in order to replace the existing static and non illuminated signage boards.
3. The proposed signage will incorporate digital totem signs which will display changing visuals. These would come from businesses, for example an event at the museum, sale at a specific shop and also the 'Love Newmarket' loyalty app.
4. The proposed signage will sit in the same location as the existing signage, albeit slightly taller.

Application supporting material:

- Application form
- Photographs
- Location plan
- Existing and proposed signage elevations
- Advertisement statement
- Manufacturer's specifications
- Additional highway information

Site details:

5. The site consists of two locations along High Street in Newmarket. The first sign, labelled sign A on the location plan sits at the entrance of Wellington Street, opposite the pelican crossing. The second sign, sign B on the location plan, is located at the upper end of High Street, near the clocktower roundabout and towards the entrance of Rous Road.
6. The entirety of High Street is located within the wider Newmarket conservation area

Planning history:

7. F/2010/0450/ADN - Display of 1 non-illuminated advertisement sign (to advertise shops on Rous Road) - Granted 2 August 2010.
8. F/2010/0451/AND - Display of 1 non-illuminated advertisement sign (to advertise shops in Wellington Street) - Granted 2 August 2010.

Consultations:

Suffolk County Council Highways Authority

9. 23 December 2020 – holding objection; required clarification regarding highway safety in terms of the brightness of the signs and the location close to the crossing. Further information was submitted on 18 January 2021.

10.27 January 2021 – satisfied that highway concerns have been addressed.

Conservation Officer

11. Objects to the scheme for the following summarised reason

The proposed development to include illuminated digital totems will fail to accord with policies DM17, failing to either preserve or enhance the character or appearance of the conservation area, and DM38 and the shopfront and advertisement design guide where proposals should accord with policy DM17. Consequently the proposed development will cause harm to the significance of a designated heritage asset.

Representations:

Newmarket Town Council

12. Support the application - Noting that the application is in line with Newmarket Neighbourhood Plan objective F – to create a vibrant and attractive town centre. It was agreed that the new signage would enhance information available to visitors to the town and agreed to fully support the proposals.

Ward Members

Councillors Rachel Hood and Robert Nobbs fully support this application stating that along with almost every High Street throughout the country, it is a very difficult time. The existing signage has been in place for a number of years and is often out of date, the proposed seems an ideal replacement.

Neighbours

13. Nine letters of support have been received, offering general support for the proposal.

Policy:

14. 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 Forest Heath District Council.

15. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

16. Policy DM1 Presumption in Favour of Sustainable Development
Policy DM2 Creating Places – Development Principles and Local Distinctiveness
Policy DM17 Conservation Areas
Policy DM38 Shop Fronts and Advertisements
FCS5 Design Quality

West Suffolk Shopfront and Advertisement Design Guide – February 2015

Other planning policy:

17. National Planning Policy Framework (NPPF)

18. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of Development
- Public safety/amenity
- Other matters

Principle of Development

20. The proposed advertisements have been assessed in line with the National Planning Policy Framework (2019) paragraph 132 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process (known as the Advertisement Regulations) within the planning system controls the display of advertisements which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

21. The application seeks advertisement consent for two internally illuminated digital totem signs, including a static BID map to replace existing signage.

22. The application site itself proposes two locations – one sign near Wellington Street and the other near the entrance of Rous Road along High Street. The entirety of High Street is located within the conservation area for Newmarket.
23. The advertisement regulations set out factors relevant to amenity as including the general characteristics of the locality including the presence of any features of historical, architectural, cultural or similar interest.
24. The advertisements proposed are providing information to the public but Officers are not satisfied that any benefits to the locality of providing these advertisements could be categorised as an amenity benefit, insofar as the advertisement regulations is concerned. Any benefit arising from the provision of these advertisements being displayed in this manner is not therefore a factor which should be considered as weighing in favour of the proposal.
25. There is also the potential for some economic benefit to arise from the display of these advertisements, noting their function and their interactive nature. However, such an economic benefit is considered by officers to be coincidental and is not considered determinative in the assessment that is required to be made.
26. However, under Regulation 3(1) the authority, in exercising its powers, is required to take into account:
 - a) the provisions of the development plan (but only so far as they are material (but noting that the S38(6) duty to consider proposals in accordance with the development plan does not apply)
 - b) any other relevant factors.
27. Having carefully assessed this matter, and the relevance of these provisions, officers are of the view that to consider wider matters than the effects on amenity and public safety would not be appropriate, as directed by the Advertisement Regulations.
28. The proposed signs are prominently located in the heart of Newmarket's conservation area and as a result regard to policies DM17 and DM38, as well as to the West Suffolk Shopfront and Advertisement Design Guide (February 2015), is required together with relevant paragraphs of the NPPF.
29. The proposed development is for the replacement of two totem signs with two digital totem signs with static 'BID' map on rear. Both signs are to be internally illuminated, intermittently.
30. Policy DM17 advises that internally illuminated signs and externally lit signs will not normally be granted consent within a conservation area. New advertisements must also be of a high standard of design which respects the character of the Conservation Area and the building to which they relate. Standardised shop fronts, unsympathetic 'house' signs, projecting box signs, internally illuminated signs and externally lit signs will not normally be granted consent. Where it can be demonstrated that premises rely principally on trading after dark externally illuminated signs sympathetic to the character of the building and the surrounding area may be permissible.

31. Given the existing streetlights and access to mobile phones there would appear to be little justification for an illuminated advertisement board in such a sensitive location, proving contrary to Policy DM17
32. The preamble to Policy DM38 advises particular care will be necessary in the main shopping areas which contain listed buildings and are located either partly or wholly within conservation areas. Where the advertisement falls in a conservation area it will need to have regard to policy DM17. It goes on to advise that applicants will be expected to have close regard to advice and guidance available the most relevant in this instance being the shopfront and advertisement design guide, where proposals for illumination should comply with other relevant policies, DM17 and DM38.
33. The Shopfront and Advertisement Design Guide further explains the limited occasions when illumination will be permitted, and in what format. The proposed intermitted digital display does not meet any of the provisions otherwise supported by the Design Guide.
34. Located within the conservation area which benefits from a further number of both designated and non-designated heritage assets the proposed development has the potential to affect the significance of a number of these.
35. As set out in the NPPF, heritage assets should be conserved in a way that is appropriate to their significance. Heritage assets include an extensive range of features that include archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.
36. The Planning (Listed Buildings and Conservation Areas) Act 1990 under section 72 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
37. DM17 states that proposals within Conservation Areas should preserve or enhance the character or appearance of the conservation area, or its setting, views into, through and out of the area and be of an appropriate scale, form, massing and design.
38. Paragraph 189 of the NPPF requires the applicant to describe the significance of any heritage assets affected including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. No such assessment has been undertaken by the applicant other than that we are advised that the surrounding area is characterised by a variety of commercial and retail premises located at ground floor level as would be expected within most high streets serving a town centre irrespective of whether or not located within a conservation area. Irrespective of the absence of such an assessment, the advertisement statement provided by the applicant concludes that the proposed development will '...not detract from the appearance of the surrounding area of the town centre or conservation area'.

39. The applicant was advised that potentially more suitable locations for this type of signage would be within a car park, or otherwise a less sensitive location outside of the conservation area. Further to this, no further justification has been given by the applicant.
40. The proposal to include internally illuminated intermittently displaying digital totem signage will fail to accord with policy DM17, failing to either preserve or enhance the character or appearance of the conservation area, and also with policy DM38 and the shopfront and advertisement design guide where proposals should accord with policy DM17. The provision in particular of an illuminated digital display will prove intrusive and jarring in this context, proving contrary to the provisions of DM17 and DM38. Consequently the proposed development will cause harm to the significance of a designated heritage asset.
41. Given an objection from the conservation officer in regard to the impact upon the conservation area and heritage assets, the scheme is not considered acceptable in principle.

Public safety/amenity

42. Policy DM38 seeks to ensure that new advertisement proposals do not adversely affect the amenity and public safety.
43. In this case, the highways authority raised concern regarding the proposed signage, particularly the replacement sign A, Wellington Street. This sign is located in close proximity to a traffic light operated pedestrian crossing with zig-zag carriageway markings. The height of the signs above the footway will be in line with a driver's eye height. Concern was raised that this sign could distract drivers at this potentially high-risk spot, even more so at night time. Concern was also raised regarding the brightness of the sign at 2500 candela per square metre.
44. Further information was submitted by the applicant on 18 January 2021 addressing these comments.
45. The screen brightness will vary with varying levels of ambient lighting. The screens are at their brightest when ambient lighting is very bright to enable to the user to see the screen. The brightness of the screen will drop to 450-600CDM during darker hours. It is proposed that static unlit map will face oncoming traffic to minimise distraction to drivers and the signs will operate between 9am and 4pm ensuring that the signs will not be on during darker hours to ensure the safety of drivers. Such could be conditioned if the recommendation were otherwise for approval.
46. The highway authority notes the variability of the screen brightness as well as the positioning of the sign, with the unlit aspect facing oncoming traffic. In a response dated 27 January, it was confirmed that highway safety concerns have been addressed.
47. The proposed signage is considered acceptable in terms of residential amenity impacts given the location of the proposed signs. These are to be located on High Street where the area is characterised by various retail premises; the signage is considered not to affect the amenity of residents or the area.

48. In conclusion, the public safety/amenity impacts are considered satisfactory.

Conclusion:

49. Paragraph 193 of the NPPF requires great weight to be given to the designated heritage asset's conservation and any harm to significance of a designated heritage asset should require clear and convincing justification. Where the 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.

50. The public benefits of the proposed signage are acknowledged, not least in informing and advising visitors to Newmarket, with associated economic benefits as a consequence. However, this is an application for advertisement consent and, as discussed above, the regulations require assessment only in relation to amenity and public safety.

51. Regardless, any public benefits could in any event also be achieved from more traditional signs, or by siting them in less sensitive locations, such as within a public car park or outside public transport stations, which seem more logical in any event noting they are intended to advise visitors when arriving to the town for the first time.

52. Overall therefore, the heritage harm to the conservation area and designated and non-designated heritage assets is considered to be significant.

Recommendation:

53. It is recommended that Advertisement Consent be **REFUSED** for the following reason:

1. The application seeks advertisement consent for two internally illuminated digital totem signs, including a static Business Improvement District map to replace existing signage.

Both signs are located within the conservation area for Newmarket, which benefits from a further number of designated and non-designated heritage assets the proposed development has the potential to affect the significance of a number of these.

Paragraph 189 of the NPPF requires the applicant to describe the significance of any heritage assets affected including any contribution made by their setting. No such assessment has been undertaken other than that we are advised that the surrounding area is characterised by a variety of commercial and retail premises located at ground floor level as would be expected within most high streets serving a town centre irrespective of whether or not located within a conservation area.

Policy DM17 advises internally illuminated signs and externally lit signs will not normally be granted consent within a conservation area.

The preamble to Policy DM38 advises particular care will be necessary in the main shopping areas which contain listed buildings and are located either partly or wholly within conservation areas. DM38 goes on to advise that applicants will be expected to have close regard to advice and guidance available the most relevant in this instance being the shopfront and advertisement design guide, where proposals for illumination should comply with other relevant policies, DM17 and DM38.

The proposed development to include internally illuminated intermittent digital totems will fail to accord with polices DM17, failing to either preserve or enhance the character or appearance of the conservation area, and DM38 and the shopfront and advertisement design guide where proposals should accord with policy DM17. Given the existing streetlights and access to mobile phones there would appear to be little justification for an illuminated advertisement board in such a sensitive location. The provision in particular of an illuminated digital display will prove intrusive and jarring in this context, proving contrary to the provisions of DM17 and DM38. Consequently the proposed development will cause harm to the significance of a designated heritage asset.

Documents:

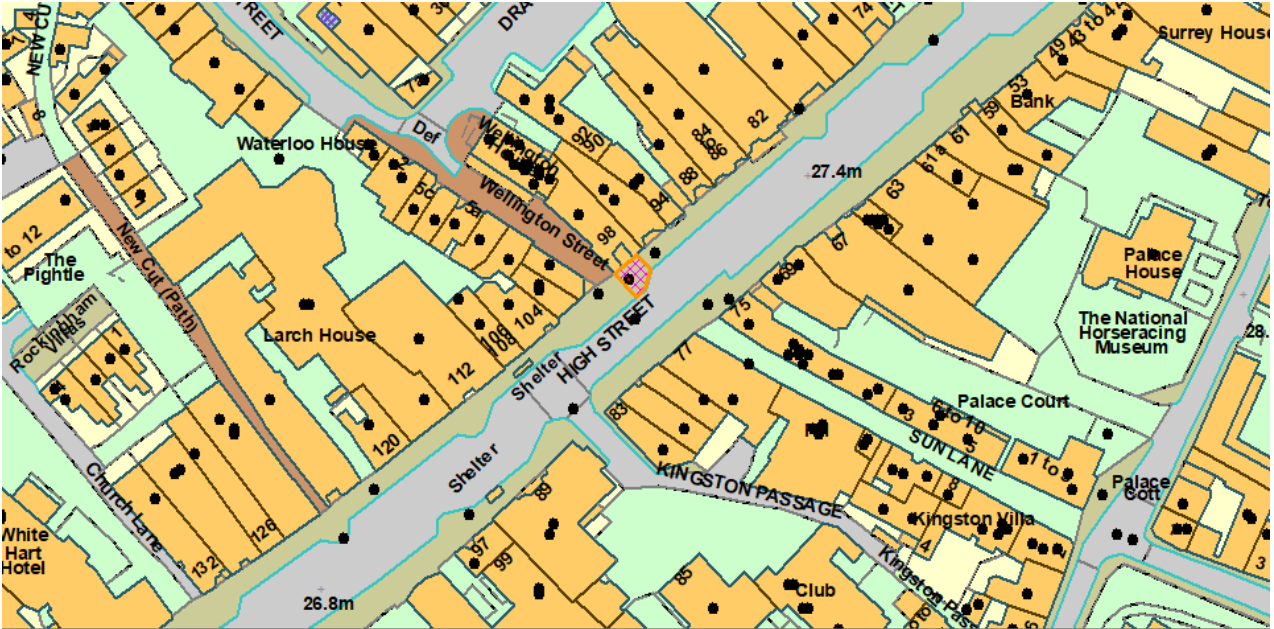
54. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/2047/ADV](#)

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DC/21/2047/ADV



98 High Street Newmarket



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Sign A

Sign B



LOCATION PLAN



Client: **Love Newmarket BID**

Project: Digital Signage
High Street, Newmarket

Title: LOCATION PLAN

Scale: 1:1250 @ A3

Stage: PLANNING

Date: 11.11.2020

Drawing No: **N001-000** Rev: -

daltonmuscatt architects

9, Rathmore Road, Cambridge CB1 7AB
T: 01223 515146
E: info@dmaarchitects.co.uk

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Development Control Committee

28 April 2021

Planning Application DC/21/0528/FUL – Haverhill House, Lower Downs Slade, Haverhill

Date registered: 23 March 2021 **Expiry date:** 18 May 2021

Case officer: Savannah Cobbold **Recommendation:** Approve Application

Parish: Haverhill Town Council **Ward:** Haverhill Central

Proposal: Planning application - a. external wall insulation to all elevations with coloured render finish b. replacement fenestration to the south east, north east and north west elevations c. replace one window on south west elevation

Site: Haverhill House, Lower Downs Slade, Haverhill

Applicant: c/o Agent

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 application and associated matters.

CONTACT CASE OFFICER:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 07971 534117

Background:

1. The application is referred to Development Control Committee as West Suffolk Council is the applicant.

Proposal:

2. The application seeks planning permission for external wall insulation to all elevations of Haverhill House and replacement fenestration on all elevations.

Application supporting material:

- Location and block plan
- Existing elevations
- Proposed elevations
- Covering letter
- Application form
- Flood risk questionnaire

Site details:

3. The application site is located within the settlement boundary for Haverhill. The site comprises a large building which currently accommodates an office use for public sector uses including citizens advice. The site whilst outside of the conservation area, borders this and therefore wider views will be visible from the conservation area of Haverhill.

Planning history:

4. No relevant planning history.

Consultations:**Conservation Officer**

5. No objections.

Representations:**Haverhill Town Council**

6. The Town Council provide a neutral stance.

Neighbours

7. At the time of writing this report, the consultation period is ongoing and therefore there is still opportunity for representations to be submitted. This matter will be updated in the late papers or verbally at the meeting, as appropriate.

Policy:

8. 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.

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

Vision Policy HV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM7 Sustainable Design and Construction

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM17 Conservation Areas

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

10. National Planning Policy Framework (NPPF)

11. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of development
- Impact on residential amenity
- Impact on street scene/character of the area
- Impact on conservation area

Principle of development

13. The application seeks planning permission for external wall insulation to all elevations of Haverhill House with a rendered finish. It also seeks planning permission for replacement fenestration. The proposal will increase the thermal insulation value of the external fabric of Haverhill House in line with policy DM8 which supports proposals for the generation or recovery of low carbon or renewable energy. Given the location of the building, this is not considered to impact the wider landscape.
14. Policy DM7 deals with sustainable design and construction and states that proposals will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques. The proposal seeks to improve the insulation value of Haverhill House and which is therefore readily supported by this policy.
15. Development will need to be in accordance with policy DM2 and is generally acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity, highway safety or important trees within the street scene. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.

Impact on residential amenity

16. The proposed development is not considered to adversely impact upon the residential amenity of occupants of nearby properties given the location of the building. The building is located within the town centre boundary for Haverhill, at the end of Queens Street. Buildings within this area are predominantly of a commercial nature with a dentist and barbers located towards the north of the building and a phone repair shop towards the south east. A public house sits on the opposite side of the road, towards the north east of the building and directly opposite. 1-4 Lower Downs Slade is also listed as commercial offices and studios. Whilst number 5 Francis Close is the closest residential dwelling to the site, this is located approximately 14 metres from the site. Noting the nature of the works this is considered to be a satisfactory distance, with a walkway/road separating these. Furthermore, the boundary of this neighbouring dwelling is marked by a boundary fence.
17. The proposal is for external changes only, including rendering the building and replacing the fenestration; no additional structures are being proposed. Given this and the nature of the proposal, no harm is considered to arise upon the residential amenity of occupants of nearby dwellings.

Impact on street scene/character of the area

18. The building itself is large in scale and therefore views are readily achieved from the wider area, including Wrattling Road, Withersfield Road and Queens Street. Whilst the proposal is changing the external appearance of the building, the building holds no real architectural merit, and the works are considered to improve the visual aesthetic attributed to the building by

updating the appearance and replacing the windows. The area is characterised by various units and premises, some listed; all vary in appearance. No harm is considered to arise upon the street scene as a result of this proposal.

19. Whilst the plans show the colour of the render to be used, white/cream, the plans do not show the colour of the windows. This however is detailed within the application to be dark blue and therefore, a condition has been added to ensure compliance with materials shown on the proposed elevations and application form.

Impact on conservation area

20. The conservation area boundary runs directly along the north east and north west elevation, placing Haverhill House directly outside of the conservation area. The LPA has a statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 and policy DM17 states that proposals for development within, adjacent to or visible from a conservation area should preserve or enhance the character and appearance of the conservation area. The existing building is widely visible from the conservation area which areas along Withersfield Road and Queens Street are contained within.

21. The proposed development is not located on a building which is listed nor located within the conservation area, however it is adjacent to the boundary of such. The proposed development relates to a modern building of no historic interest from a conservation point of view and the proposed works will not adversely affect the character or appearance of the conservation area. No objections are offered by the conservation officer.

Conclusion:

22. 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.

Recommendation:

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

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Drawing No.	Plan type	Date received
10918 10	Existing elevations	11 March 2021
10918 11 A	Proposed elevations	11 March 2021

10918 12

Location and block
plan
Application form

11 March 2021

11 March 2021

Reason: To define the scope and extent of this permission.

3. The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan / drawing No.(s) – application form and proposed elevations.

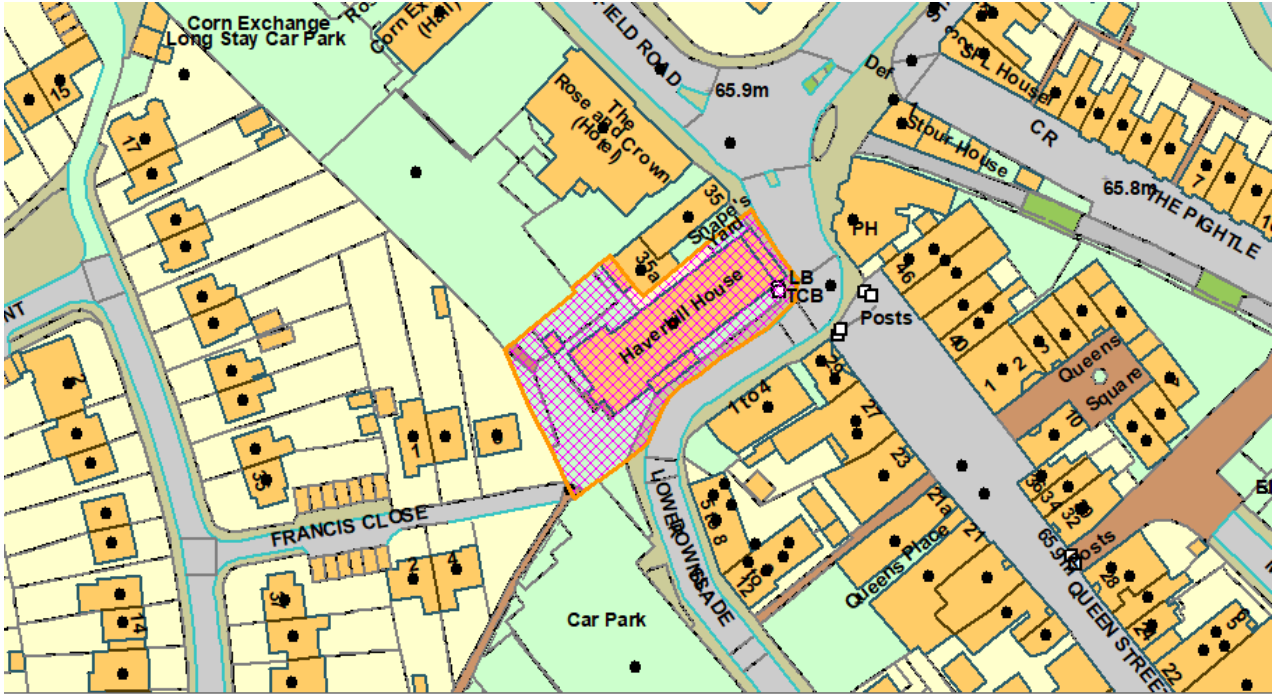
Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

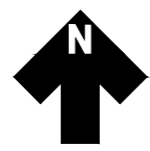
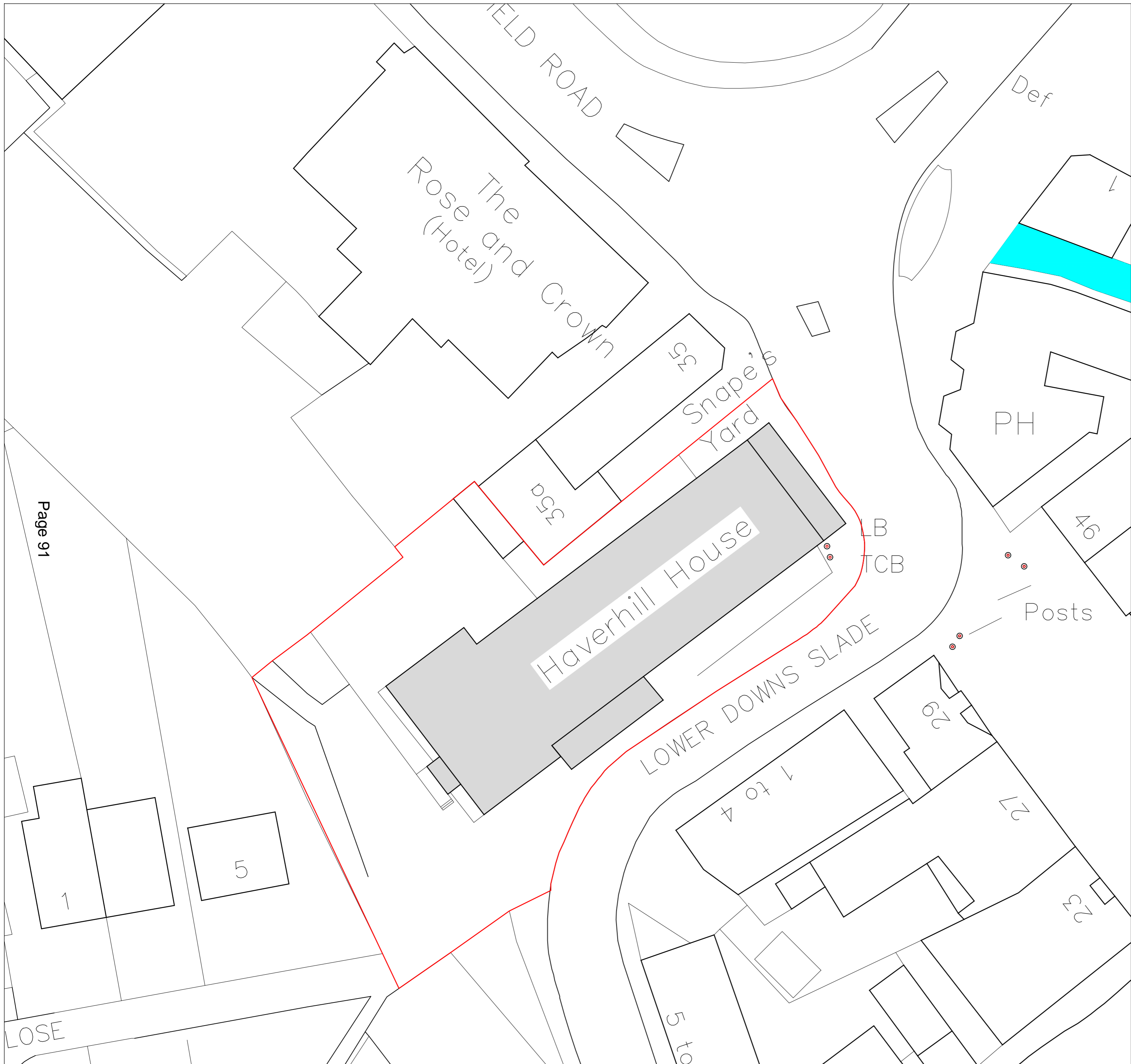
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0528/FUL](#)



Haverhill House Lower Downs Slade Haverhill



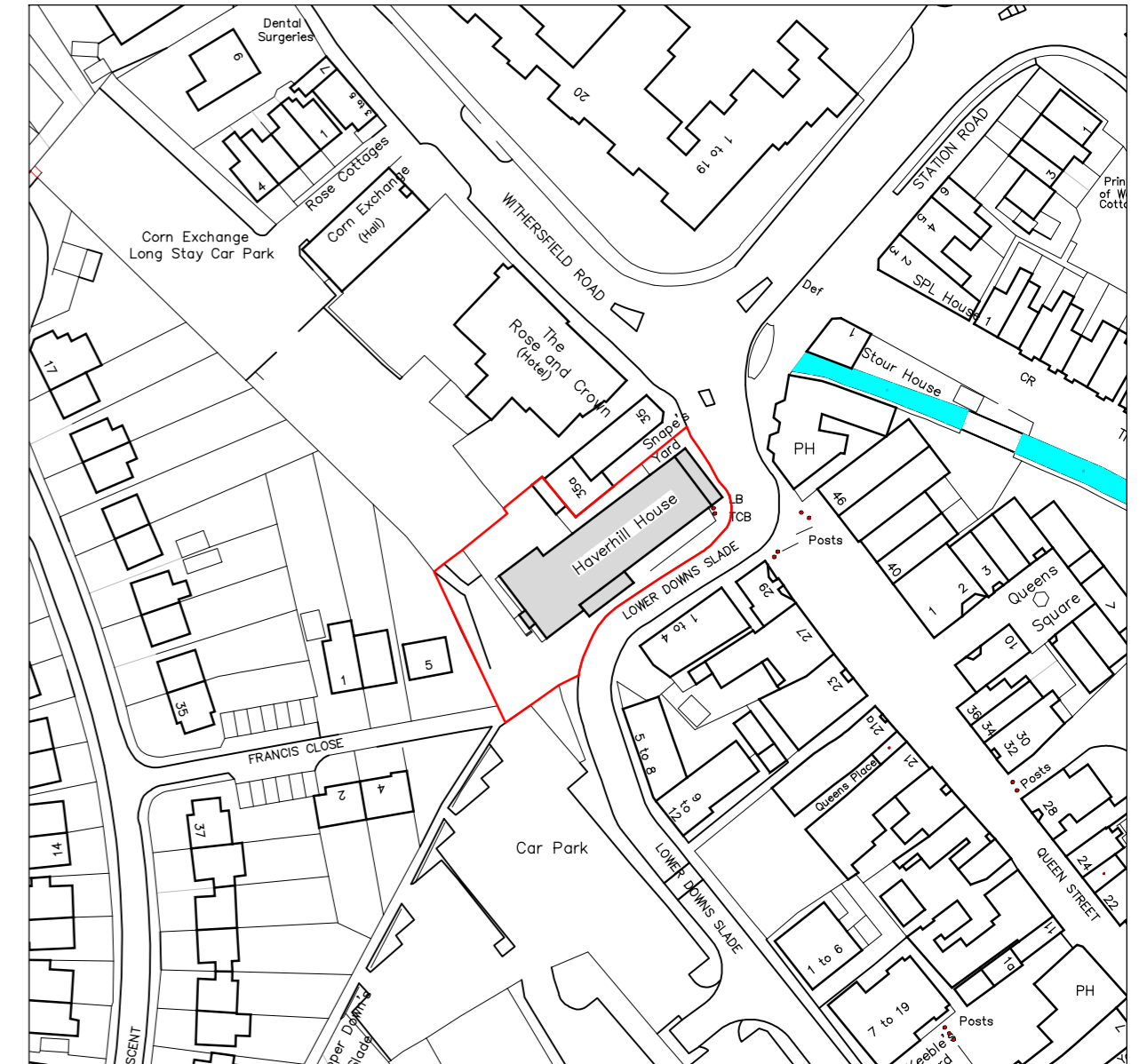
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Location Plan
Scale 1:1250

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Site Plan
Scale 1:250

West Suffolk Council

West Suffolk Property Services
West Suffolk House
Western Way,
Bury St. Edmunds
Suffolk. IP33 3YU
Tel: 01284 763233
Web: <https://www.westsuffolk.gov.uk>
E-Mail: property.services@westsuffolk.gov.uk

Project:
**Haverhill House, Lower Down Slade,
Haverhill
Window and Insulation Installation**

Site and Location Plan

Scale: 1:1250 and 1:250	Drawing Size: A2
Date: February 2021	Drawn By: DG Appr By:
File No.: 10918	Revision: 12

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Development Control Committee

28 April 2021

Planning Application DC/21/0527/FUL – Bus Station, St Andrews Street North, Bury St Edmunds

Date registered:	23 March 2021	Expiry date:	18 May 2021
Case officer:	Connor Vince	Recommendation:	Approve Application
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate
Proposal:	Planning application - Installation of one air source heat pump including siting of external unit adjacent to North elevation		
Site:	Bus Station, St Andrews Street North, Bury St Edmunds		
Applicant:	c/o Agent		

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 application and associated matters.

CONTACT CASE OFFICER:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 07866 913717

Background:

1. The application is referred to Development Control Committee as West Suffolk Council is the applicant.

Proposal:

2. The application seeks planning permission for the installation of one air source heat pump, including the siting of an external unit adjacent to the northern elevation.

Application supporting material:

- Location and block plan
- Existing and proposed elevations and floor plans
- Covering letter
- Heat pump information

Site details:

3. The application site is located within the Bury St. Edmunds Town Centre and settlement boundary. The site comprises of the main Bury St. Edmunds Bus Station Hub and includes bus terminals. The main bus station building accommodates a shop and the information point of the bus station.
4. The site is outside the Conservation Area, the boundary of which runs along the southern edge of the bus station site. The unit to be installed is located on the northern elevation of the bus station building, facing away from the Conservation Area and shielded from views by the bus station building itself.

Planning history:

Reference	Proposal	Status	Decision date
DC/16/0564/FUL	Planning Application - Change of use of vacant space (formerly part of bus station waiting area and information desk) to A1 or A2 (each use in the alternative).	Application Granted	9 May 2016

Consultations:

Bury St. Edmunds Town Council

5. At the time of writing this report, the consultation period is ongoing and therefore comments have not yet been received from the Town Council. This matter will be updated in the late papers or verbally at the meeting, as appropriate.

Public Health & Housing

6. Public Health and Housing have no objection to this proposal.

Representations:

7. At the time of writing this report, the consultation period is ongoing and any additional comments will be updated through late papers or orally at the committee meeting.

Policy:

8. 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.
9. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS10 - Retail, Leisure, Cultural and Office Provision

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM7 Sustainable Design and Construction

Policy DM8 Low and Zero Carbon Energy Generation

Policy DM17 Conservation Areas

NPPF 2019

Other planning policy:

10. National Planning Policy Framework (NPPF)
11. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of development
- Impact on street scene/character of the area
- Impact on conservation area
- Other matters

Principle of Development

13.The application seeks planning permission for the installation of one air source heat pump, including the siting of an external unit adjacent to the northern elevation. The proposed development is intended to decrease the 'at source' carbon emissions associated with heating Bury St Edmunds Bus Station while also providing a more energy efficient way of doing so.

14.The external unit measures 1.345 metres in height, 0.900 metres in width and 0.320 metres in depth and will be enclosed in caging for security and safety purposes.

15.Development will need to be in accordance with policy DM2 and is considered generally to be acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity, highway safety or has no adverse impact on the adjacent Conservation area. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.

16.Policy DM7 deals with sustainable design and construction and states that proposals will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques. Policy DM8 also confirms that all proposals for the generation or recovery of low carbon or renewable energy will be encouraged. The installation of an air source heat pump is intended to decrease the 'at source' carbon emissions associated with the heating of the bus station and the proposal is therefore considered to comply with the provisions of both policies DM7 and DM8.

Impact on street scene/character of the area

17.The proposed development is to be situated at the Bury St. Edmunds Bus Station, which is situated within the defined Bury St. Edmunds Town Centre. Views of the bus station main building and hub are readily achieved from St. Andrews Street North to the east of the site. Whilst the proposal is changing the external appearance of the northern elevation of the main bus station building, the addition of an external unit, given its relatively modest scale, is not considered to give rise to any adverse

impacts on the appearance of the wider area and street scene. The area is characterised by various different buildings, scales and uses and no harm is considered to arise as a result of this modest proposal.

Impact on Conservation Area

18. Although the site is not situated within a conservation area, the Bury St. Edmunds Town Centre conservation area boundary borders the southern boundary of the site. The LPA has a statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 and policy DM17 states that proposals for development within, adjacent to or visible from a conservation area should preserve or enhance the character and appearance of the conservation area.
19. The proposed development will be located on the northern elevation of the main hub building and will not be readily visible from the aforementioned conservation area. Therefore, the proposed works will not adversely affect the character or appearance of the conservation area and is therefore in compliance with the provisions of Policy DM17.

Other Matters

20. There are no trees likely to be affected by the proposal. The site is not located in close proximity to any residential dwellings, and any noise associated with the operation of the unit is not considered to give rise to any adverse amenity effects. No objection to the proposal has been made by Public Health and Housing.

Conclusion:

21. 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.

Recommendation:

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

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Drawing No.	Plan type	Date received
TL-4530-21-2	Location and Block Plans	10 March 2021
TL-4530-21-1 A	Existing and Proposed Elevations & Floor Plans	23 March 2021

Heat Pump
Information
Application form

10 March 2021

10 March 2021

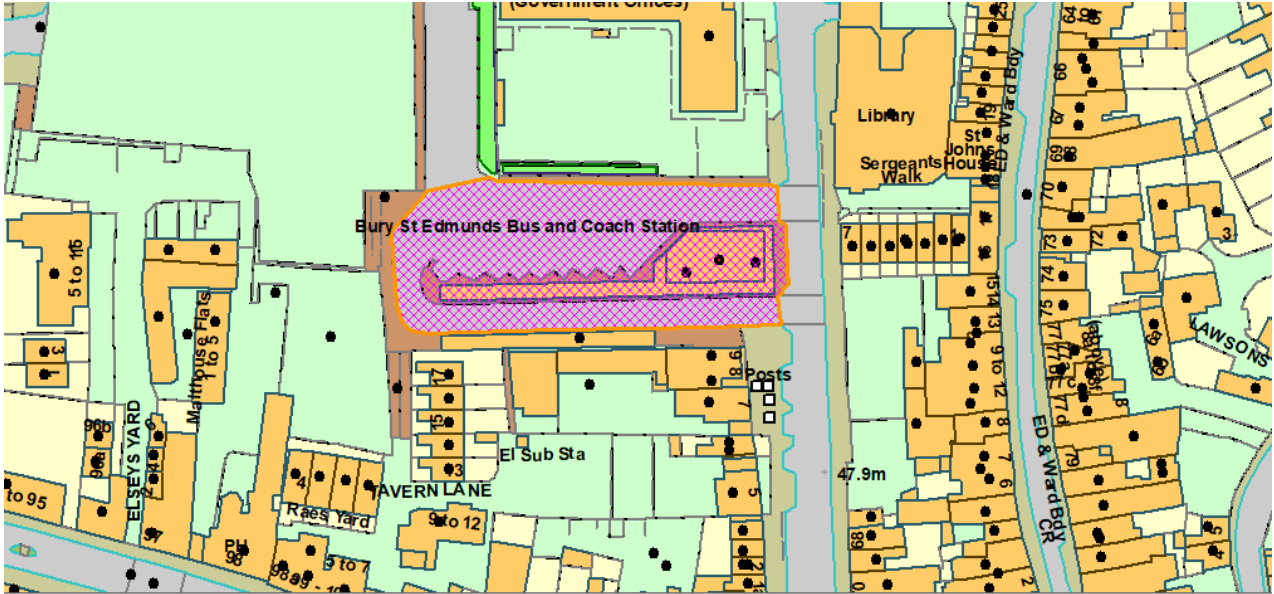
Reason: To define the scope and extent of this permission.

Documents:

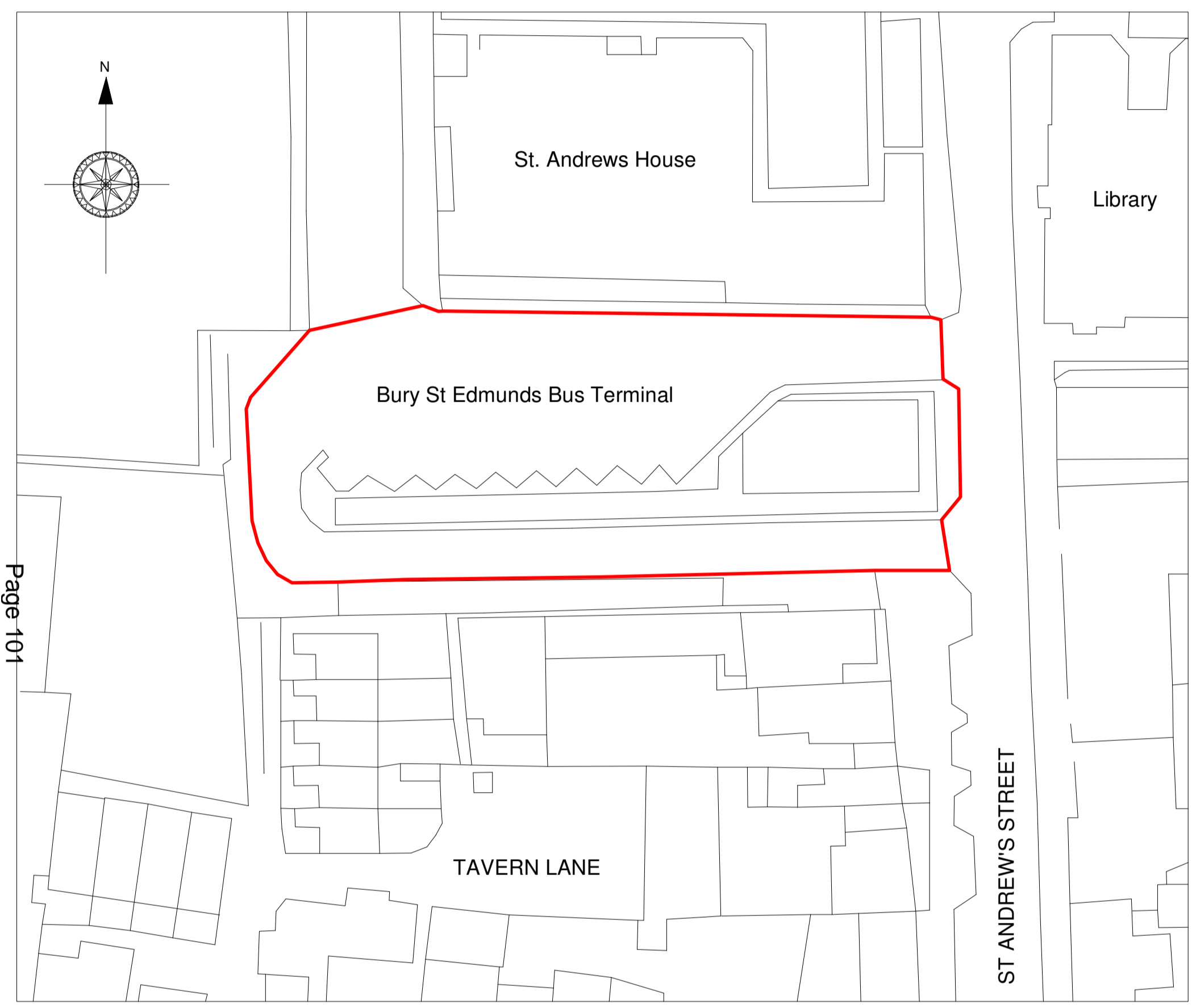
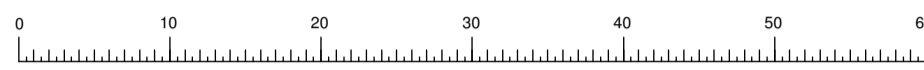
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0527/FUL](#)



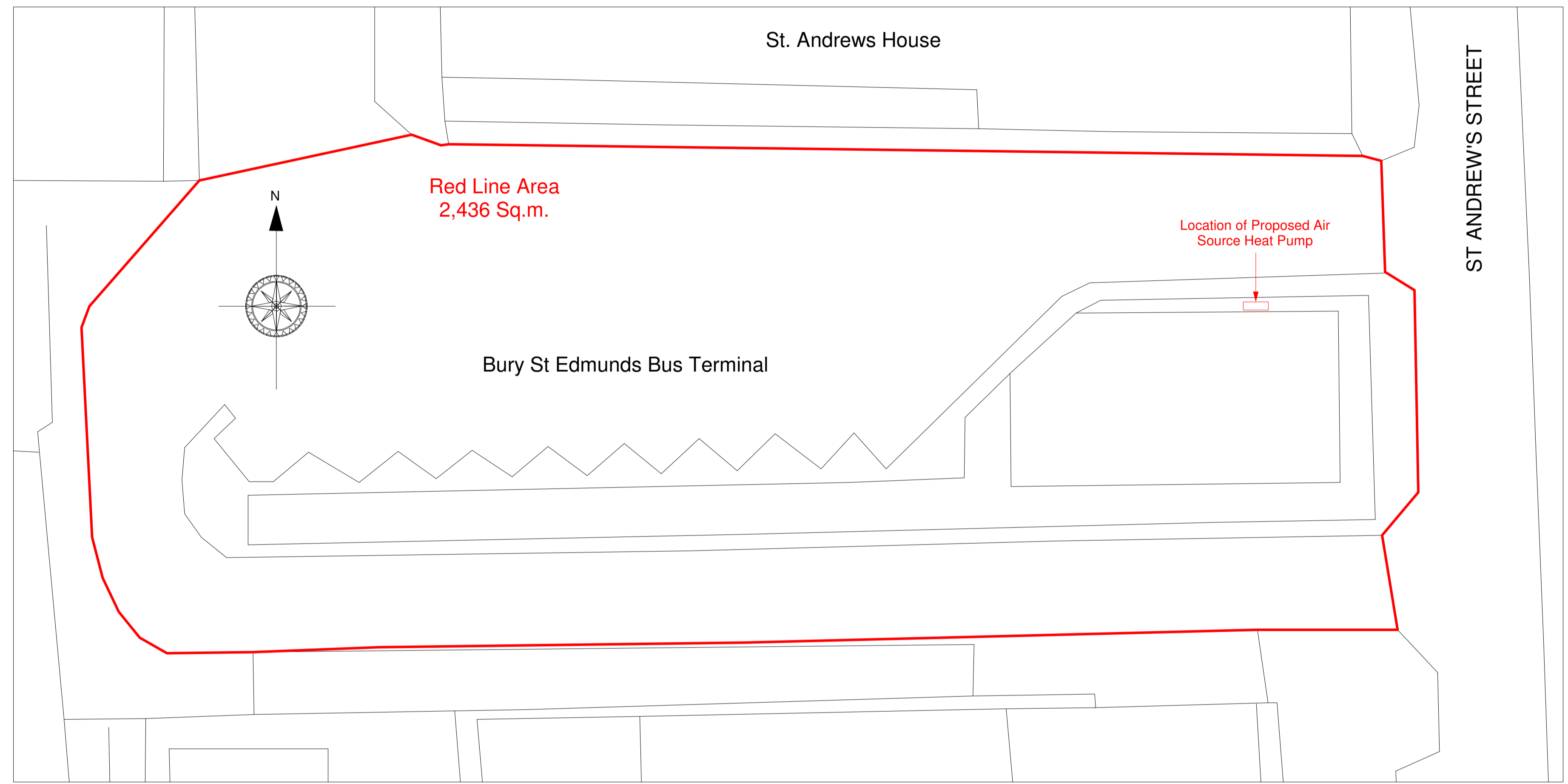
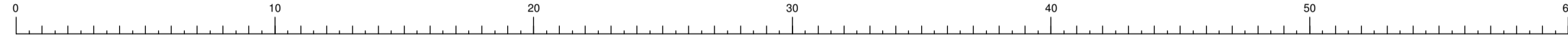
Bus Station St Andrews Street North Bury St Edmunds



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Location Plan 1:500 @ A1



Site Plan 1:200 @ A1

BURY ST. EDMUNDS BUS TERMINAL, SUFFOLK, IP33 1TZ

SITE & LOCATION PLANS

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