

# Development Control Committee

<b>Title</b>	<b>Agenda</b>		
<b>Date</b>	<b>Wednesday 2 March 2022</b>		
<b>Time</b>	<b>10.00 am</b>		
<b>Venue</b>	<b>Conference Chamber West Suffolk House</b> Western Way Bury St Edmunds, IP33 3YU		
<b>Full Members</b>	<p style="text-align: center;"><b>Chair</b> Andrew Smith</p> <p style="text-align: center;"><b>Vice Chairs</b> Mike Chester and Jim Thorndyke</p> <p><b>Conservative Group (10)</b> Carol Bull Ian Houlder Andy Drummond David Roach Susan Glossop Peter Stevens Brian Harvey</p> <p><b>The Independent Group (5)</b> Richard Alecock Roger Dicker John Burns David Palmer Jason Crooks</p> <p><b>Labour Group (1)</b> David Smith</p>		
<b>Substitutes</b>	<p><b>Conservative Group (5)</b> Nick Clarke Sara Mildmay-White John Griffiths David Nettleton James Lay</p> <p><b>The Independent Group (2)</b> Trevor Beckwith Andy Neal</p> <p><b>Labour Group (1)</b> Diane Hind</p>		
<b>Interests – declaration and restriction on participation</b>	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.		
<b>Quorum</b>	Six Members		
<b>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</b>			
<b>Committee administrator</b>	<b>Helen Hardinge</b> - Democratic Services Officer <b>Telephone</b> 01638 719363 <b>Email</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a>		

<b>Venue</b>	<b>Conference Chamber West Suffolk House</b> Western Way, Bury St Edmunds, IP33 3YU
<b>Contact information</b>	Telephone: 01284 763233 Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Website: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a>
<b>Access to agenda and reports before the meeting</b>	The agenda and reports will be available to view at least five clear days before the meeting on our website.
<b>Attendance at meetings</b>	This meeting is being held in person in order to comply with the Local Government Act 1972. Measures have been applied to ensure the health and safety for all persons present at meetings. We may also be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please let Democratic Services know in advance of the meeting so they can endeavour to accommodate you and advise you of the necessary health and safety precautions that apply to the meeting. For further information about the venue, please visit <a href="https://www.westsuffolk.gov.uk/contact-us.cfm">https://www.westsuffolk.gov.uk/contact-us.cfm</a>
<b>Public participation</b>	Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available via the separate link on the agenda's webpage for this meeting.
<b>Accessibility</b>	If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.
<b>Recording of meetings</b>	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded). Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.
<b>Personal information</b>	Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: <a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.

## 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 at Agenda Item 5.

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## **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/alterd, 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.

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## 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 - 6**

To confirm the minutes of the meeting held on 2 February 2022 (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. Public Speaking Protocol**

**7 - 10**

Members are requested to **APPROVE** the attached document "Guide to Having Your Say on Planning Applications" which has been amended to reflect the change recommended by the Constitution Review Group in respect of Ward Members being permitted to act on behalf of, and with the approval of, the Ward Member under the public speaking part of the meeting.

*NB: this item is subject to approval of the constitutional change by Council on 22 February 2022*

**6. Planning Application DC/20/2115/FUL - 26 Angel Hill, Bury St Edmunds**

**11 - 32**

Report No: **DEV/WS/22/005**

Planning Application - a. ground floor retail unit; b. four flats on first and second floor. (Revised submission to DC/18/0068/FUL to allow for amended window details, including for bedroom windows on the rear elevation to be fixed shut, provision of external ventilation grilles, and retention of first floor external maintenance door on the rear elevation). As amended by details received on 22 and 29 November 2021

- 7. Planning Application DC/21/2425/HH - Lodge Farm, 10 Sedge Fen, Lakenheath** **33 - 44**  
Report No: **DEV/WS/22/006**  
Householder planning application - two storey side and single storey rear extension (following demolition of existing)
- 8. Planning Application DC/21/2514/FUL - Playground A, Skate Park, St Johns Close, Mildenhall** **45 - 56**  
Report No: **DEV/WS/22/007**  
Planning application - concrete skate park to replace the existing
- 9. Planning Application DC/21/2261/FUL - Abbey Gardens, Angel Hill, Bury St Edmunds** **57 - 76**  
Report No: **DEV/WS/22/008**  
Planning application - re-configuration of staff compound area; a. three bay garage (following demolition of existing concrete garage); b. drainage and irrigation system; c. water bowser area with hose store and greenhouse; d. tarmac surface and skip and compactor area
- 10. Planning Application DC/22/0276/DE1 - West Suffolk Council, Gym and Library, College Heath Road, Mildenhall** **77 - 88**  
Report No: **DEV/WS/22/009**  
Notification under Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - demolition of district offices, health and library

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# Development Control Committee



**Minutes** of a meeting of the **Development Control Committee** held on **Wednesday 2 February 2022** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

**Chair** Andrew Smith

**Vice Chair** Mike Chester and Jim Thorndyke

John Burns

Jason Crooks

Roger Dicker

Susan Glossop

Ian Houlder

David Palmer

David Roach

David Smith

Peter Stevens

Carol Bull

Brian Harvey

**Substitutes attending for a full member**

SubstitutesPresentShortColNo1  
Of2Rows

SubstitutesPresentShortColNo2Of2Ro  
ws

**In attendance**

Sarah Broughton and

Beccy Hopfensperger

## 208. **Apologies for absence**

Apologies for absence were received from Councillors Richard Alecock and Andy Drummond.

## 209. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Richard Alecock; and Councillor James Lay substituting for Councillor Andy Drummond.

## 210. **Minutes**

The minutes of the meeting held on 5 January 2022 were confirmed as a correct record and signed by the Chair.

## 211. **Declarations of interest**

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

212. **Planning Application DC/21/1142/FUL - All Saints Hotel, The Street, Fornham St Genevieve**

**Planning application - a. change of use of part of golf course for the siting of 15 caravan lodge holiday homes b. associated infrastructure (as amended)**

Planning permission DC/19/1700/FUL for the change of use of land for the stationing of up to 35 holiday let caravans was refused in 2020 and a subsequent appeal dismissed. This application was a re-submission for a significantly reduced scheme for the siting of 15 holiday let caravans, which sought to address the previous refusal reasons and the reasons the Inspector dismissed the appeal.

The application site and large parts of the golf course fell within the parish of Fornham All Saints. The All Saints Hotel and parts of the golf course was within the parish of Fornham St Martin cum St Genevieve. Therefore, both parish councils had been consulted.

The application was referred to the Development Control Committee from the Delegation Panel because both Fornham St Martin cum St Genevieve Parish Council and Bury St Edmunds Town Council had objected, whilst Fornham All Saints Parish Council raised no objections to the application. The Ward Members for The Fornhams and Great Barton Ward and one of the Ward Members of the adjoining Tollgate Ward had all objected to the proposal.

The Senior Planning Officer informed the Committee that following the publication of the agenda and report, an additional letter of objection had been received, together with another letter of support. Both representations had reflected the views already received from other third parties, as summarised in paragraph 40. of the report.

Speakers: Marilyn Sayer (local resident) spoke against the application, expressing her own objections, together with those of other local residents registered to speak, Emma Curwen and Dr Nick Meyers.

Peter Plumb (local resident) spoke in support of the application.

Councillor Beccy Hopfensperger (one of the Ward Members for The Fornhams and Great Barton ward) spoke against the application.

Andrew Kellock (architect); Melissa Jolly (All Saints Hotel Events and Marketing Manager); and Joshua Harris (applicant) all spoke in support for the application, each sharing the three-minute time allocation for this category.

A detailed discussion was held and the majority of Members expressed several concerns with this application, particularly in respect of the potential impact on the visual amenity, character and landscape of the area. It was considered this location in the Lark Valley was a major gateway into Bury St Edmunds and the siting of the proposed lodges would have an adverse impact

on the visual amenity and landscape of this important gateway. The removal of a significant number of trees to allow for the development was considered to have a harmful effect on the character of the landscape.

In addition, concern was expressed whether the proposals constituted development in the open countryside, therefore this, together with a loss of green, open space would potentially contravene relevant planning policies.

Some Members felt the economic benefits of the proposal, which included the creation of a number of jobs, was not considered to sufficiently outweigh the harm to the character of the landscape and the detrimental impact on the visual amenity.

Although this new application proposed a reduction in the number of caravan lodge holiday lets from 35 to 15, some concern remained, although to a much lesser extent than when previously considered, regarding the potential for coalescence and it was therefore imperative that this be resisted so that the two villages of Fornham All Saints and Fornham St Martin cum St Genevieve remained clearly separate and distinct.

Other matters of concern included:

- The potential increase in traffic in connection with the proposed upgrading of the access road for maintenance vehicles off the A1101 including the potential safety implications as this road would be located within a 40 miles per hour restriction zone
- The proposed management of refuse collection from the site
- The proposed management of car parking for the lodges to ensure vehicles did not park elsewhere off-site
- The proposed number of electric vehicle charging points provided for cars and golf buggies.

In response to the above issues, the Committee noted that the Highways Authority had not raised objections, subject to conditions, and other matters had been addressed by the applicant's Design and Access Statement or by condition (or additional conditions could be imposed, as appropriate).

Other Members, however, concurred with the officers' recommendation of approval and considered the development to be acceptable and in accordance with development plan policies and the National Planning Policy Framework.

Policy DM34 – Tourism Development of the Joint Management Policies Document sought to direct larger scale tourism activities and overnight accommodation to the larger urban areas. The policy permitted new tourism facilities, including overnight visitor accommodation such as holiday lodges, static and touring caravans provided that a number of criteria were being satisfied, as set out in the report. These Members agreed that whilst the proposal was located in the countryside, it accorded with the above policy and other relevant policies, and therefore was considered to be acceptable development in the countryside in this case.

These Members also considered the impact on visual amenity and the landscape was minimal and temporary, particularly given the proposed

development's proximity to an industrial area. Recognising the economic benefits for supporting local businesses, the creation of jobs and the promotion of tourism, the location was considered to be appropriate for encouraging tourists that wished to visit Bury St Edmunds and its surrounding area. The proposed landscaping scheme was also considered to be acceptable by these Members, including that the settlement boundaries of Fornham All Saints and Fornham St Martin cum St Genevieve would sufficiently remain separate and distinct.

Before the conclusion of the debate, the Committee was reminded that although the appeal against refusal of the previous application was upheld by the Planning Inspectorate, the Inspector had considered the principle of development was acceptable. The matters of concern raised by the Inspector had been considered by officers to have been sufficiently addressed in this application.

It was moved by Councillor Ian Houlder that the application be approved, as per the officer recommendation. This was duly seconded by Councillor James Lay.

Upon being put to the vote and with 7 voting for the motion, 9 against and no abstentions, the motion was lost.

It was subsequently moved by Councillor Peter Stevens that the application be refused on the grounds of the adverse impact on the visual amenity, character and landscape of the area. This was duly seconded by Councillor David Smith.

Upon being put to the vote and with 9 voting for the motion, 7 against and no abstentions, it was resolved that

#### Decision

Planning permission be **REFUSED** on the grounds of the adverse impact on the visual amenity, character and landscape of the area.

The meeting concluded at 11.20 am

**Signed by:**

## Chair

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## Guide to having a say on planning applications

### 1. Finding out about planning applications

The council:

- writes directly to residential properties adjoining the site
- in certain circumstances a site notice is displayed within the vicinity of the application site.

You can view details of all planning applications on the council's website:

[View or comment on planning applications](#)

You can submit any comments you wish to make about an application through the website.

You normally have 21 days to comment on an application.

### 2. Ways you can take part

- Speak to the planning officer dealing with the application (this is always recommended, and you will find their name with the application).
- Find out whether planning officers will make the decision to approve or refuse (determine) the application using powers delegated to them by councillors, or whether it is to be reported to the Delegation Panel, or to the Development Control Committee for decision.
- Put your comments in writing to the council (preferably by email but can be posted).
- You may also wish to contact your ward councillor(s).
- Details of where to send your comments will be with the application and you will need to refer to the relevant planning application number.

If delegated powers are used by officers or the panel to determine an application (the usual way in which decisions are made), your written comments, along with any others that are submitted will be fully considered in reaching a decision.

If the Development Control Committee will determine the application, you can:

- speak to the committee yourself (see below for more details)
- elect a spokesperson for your group to speak to the committee
- ask your ward councillor to speak on your behalf.

You can find out who your councillor is on the council's website: [Index of councillors](#) page.

If you have sent your comments in writing and the application is going to the Development Control Committee for a decision, we will write to tell you the committee's date and invite you to take part in the meeting.

An agenda which includes the reports written by Planning Officers on each application to be considered by the Development Control Committee is publicly available five

working days before the meeting. This will be available on the council's website [Development Control Committee](#) page.

### **The council supports public speaking at Development Control Committees via a number of methods (A – C below)**

- A. Individuals can attend the meeting in person and address the Committee directly, **or**
- B. A time-limited pre-recorded audio file (in MP3 or .m4a format only) can be submitted which will then be played to the committee under the public speaking part of the meeting, **or**
- C. Submit a written time-limited statement which a Democratic Services Officer will read out to the meeting.

**The pre-recorded file (option B) and submitted statement (option C) must be submitted to Democratic Services by 4pm the day before the meeting.**

**In all cases, registration must be made by 9.00am on the working day before the committee date by telephoning Democratic Services – 01638 719363 or 07595 428481, or by sending an email to [democratic.services@westsuffolk.gov.uk](mailto:democratic.services@westsuffolk.gov.uk).**

### **3. During the committee meeting**

The Planning Officer will give a short presentation outlining the development proposal, key issues and any updated information. Then, when asked to by the Chair, you or your representative will make your verbal statement.

The Chair has the discretion to vary procedures as necessary to assist the conduct of the meeting.

Order of registered speakers at meetings (three minutes per category) – either attending to verbally address the committee or via submitted written or audio statement:

- 1. Objector to the application
- 2. Supporter of the application (not applicant or agent)
- 3. Town or parish council
- 4. Ward member (an adjacent Ward Member may act on behalf of and with the approval of the Ward Member), and
- 5. Applicant or agent.

The committee will then discuss the application and make a decision.

### **4. Speaking at the committee meeting**

If more than one person is registered to speak within a category (1-5 above), they will be advised to come to an agreement about sharing the time allocated, three minutes, between themselves. If, however, there are so many persons wishing to speak that the time cannot be reasonably apportioned between them they will be asked to choose a spokesperson amongst themselves to represent their views.



The Committee Administrator will draw up a programme of speakers and the Committee Chair will call the names when it is time to speak. Visual material or handouts are not permitted to be circulated by registered speakers.

## **5. What you can speak about**

You should explain the effect the development would have on you. Your comments should be relevant to planning issues, which could include the following:

- residential amenity
- highway safety and traffic
- noise
- disturbance
- nuisance
- design
- appearance
- layout
- character of the area
- historic buildings
- trees
- planning policy (local plan)
- Government guidance.

Committee or delegated decisions cannot take into account non-planning issues such as private property rights, loss of a view, effect on property value, developers' motives, and so on. The wider public interest needs to be taken into account in planning decisions, along with national and local planning policies.

Do not:

- make statements of a personal or slanderous nature which could result in legal action against you
- be abusive
- interrupt other speakers, or the committee debate.

**The arrangements above for speaking only apply when an application is on the agenda of the Development Control Committee.**

The arrangements do not apply to:

- formal consultees, such as Suffolk County Council, English Heritage, the Ramblers Association, and so on
- applications dealt with under delegated powers or through the Delegation Panel
- legal and enforcement issues
- information, policy and performance reports.

You can view the detailed decision notice on the council's [Online planning application system](#)

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## **Development Control Committee**

### **2 March 2022**

#### **Planning Application DC/20/2115/FUL – 26 Angel Hill, Bury St Edmunds**

**Date registered:** 26 February 2021      **Expiry date:** 4 March 2022

**Case officer:** Dave Beighton      **Recommendation:** Approve application

**Parish:** Bury St Edmunds Town Council      **Ward:** Abbeygate

**Proposal:** Planning Application - a. ground floor retail unit; b. four flats on first and second floor. (Revised submission to DC/18/0068/FUL to allow for amended window details, including for bedroom windows on the rear elevation to be fixed shut, provision of external ventilation grilles, and retention of first floor external maintenance door on the rear elevation). As amended by details received on 22 and 29 November 2021.

**Site:** 26 Angel Hill, Bury St Edmunds, IP33 1UZ

**Applicant:** Mr Julian Thake

**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:**

Dave Beighton

Email: [dave.beighton@westsuffolk.gov.uk](mailto:dave.beighton@westsuffolk.gov.uk)

Telephone: 01638 719470

## **Background:**

**The application is referred to Development Control Committee following consideration by the Delegation Panel. The application was referred to the Delegation Panel following a request from Councillor Jo Rayner as Ward Member (Abbeygate).**

**Planning permission was originally granted in 2019 for a ground floor retail unit and 4 no. first and second floor flats above following the demolition of an existing shop on the site that was destroyed in a fire. Both the shop and the residential units have been completed and are understood to be occupied. Openable windows have been installed to the bedrooms of the flats, contrary to a condition on the original permission requiring them to be fixed shut for noise mitigation purposes. A first-floor external door has also been installed without planning permission.**

**Permission has previously been sought for the retention of the door under application DC/19/2189/VAR, which was refused on 8 April 2020. No appeal was lodged against that refusal.**

**The Town Council raise no objection and the application is recommended for approval.**

## **Proposal:**

1. Planning permission was initially sought for the development as built, seeking to retain the unauthorised openable bedroom windows and first floor door.
2. Extended negotiations have since taken place and amended plans have been secured which show the fixing shut of the rear facing bedroom windows, in order to protect the internal noise environment within the properties. It has not been considered necessary to require the fixing shut of bathroom or living room windows, and neither is it considered necessary to require the fixing shut of the windows on the front elevation of the building facing Angel Hill. The requirement to fix shut the windows arises from the proximity of the site to The One Bull public house, and to ensure that an acceptable noise environment is provided within the bedrooms, and to ensure that The One Bull is not then subject to further restrictions on its operation. There are bedroom windows on the front elevation, but the significant issue from a noise perspective is noise from the adjoining The One Bull public house, which affects the rear facing windows, not these to the front.
3. The consequence of the fixing shut of these windows is that this element of the proposal is now identical to that previously approved, with the difference therefore being the provision of the first floor access door to the flat roofed area.

## **Site details:**

4. The site is located between The One Bull public house and Crescent House on Angel Hill in the Town Centre of Bury St Edmunds and was previously occupied by a cycle sales and repair shop. Both The One Bull and Crescent House are Grade II listed buildings and the properties opposite the site are also listed. The site backs onto the Abbey Gardens, with the adjacent precinct wall being Grade I listed and forming part of the Bury St Edmund's Abbey

Scheduled Monument. The Abbey Gardens is also a Grade II listed Historic Park and Garden, a site of Nature Conservation Interest, and is designated as Recreational Open Space within the local plan. The site is within the Town Centre Conservation Area which is subject to an Article 4 Direction, and is also within the defined Housing Settlement Boundary for Bury St Edmunds.

**Planning history:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision date</b>
DC/18/0068/FUL	Planning Application - (i) Ground floor retail unit; (ii) 4 no. flats on first and second floor (following demolition of existing building). As amended by plans and documents received on 14 August 2018 removing garden areas.	Application Granted	11 February 2019
DCON(A)/18/0068	Application to Discharge Conditions 3 (Archaeological investigation), 4 (Archaeological reporting), 5 (Foundation design) and 6 (Piling) of DC/18/0068/FUL.	Application Granted	16 September 2019
DC/19/0739/ADV	Application for Advertisement Consent - Replacement signage - 1no. non-illuminated fascia sign	Application Granted	8 August 2019
DCON(B)/18/0068	Application to Discharge Conditions 11 (Materials) and 13 (Door details) of Planning Permission DC/18/0068/FUL.	Application Granted	16 September 2019
DC/19/2189/VAR	Planning Application - Variation of Conditions 2 and 9 of Planning Permission DC/18/0068/FUL (for a ground floor retail unit and 4 no. flats on first and second floor following demolition of existing building) to allow revisions to internal layout of bin store and provision of 1 no. external door at first	Application Refused	8 April 2020

	floor level for maintenance use only.		
DCON(A)/19/0739	Application to Discharge Condition 3 (Submission of material samples) of DC/19/0739/ADV	Application Granted	12 August 2020

**Consultations:**

5. The application has been subject to a reconsultation following the receipt of amended plans that detailed the fixing shut of the windows. Where subsequent responses have been received from the same consultee this is indicated below.

6. Town Council  
No objection based on information received subject to Conservation Area issues and Article 4 issues.

The Town Council restated these comments in relation to the revision consultation.

7. Public Health and Housing  
The concerns originally raised regarding the potential adverse impact from noise of existing established sources, particularly as those noise sources are more likely to occur late at night, remains. The original recommendations to have those bedrooms that are more likely to be affected, designed with fixed windows and other forms of ventilation provided still stand.

However it is vital that in such circumstances the dwellings can be shown to comply with Approved Document F of the building regulations, to ensure these rooms are adequately ventilated. It is not suitable to have background ventilators only as the source of fresh air. They will need to place some mechanical system into the dwellings and these can be acoustically treated and designed so as not to allow noise from the external into the rooms or for there to be any mechanical plant noise likely to disturb the residents inside when it is being used or for impacts externally, for other neighbouring occupiers. We assume that fire precautions with fixed windows were considered as appropriate at application stage, if this is not the case this must be considered to ensure adequate means of escape.

Revised Comments – 30 December 2021 - It is noted that provision for mechanical ventilation has been made for the dwellings as per our recommendations on the 7th of April 2021. I recommend that prior to occupation, written confirmation that the mechanical ventilation units have been acoustically treated and designed so as not to allow noise from the external into the rooms or for there to be any mechanical plant noise likely to disturb the residents inside when it is being used or for impacts externally, for other neighbouring occupiers be submitted for approval to the planning authority.

8. Conservation Officer  
This application includes the retention of opening windows for ventilation. This would create conflict with the neighbouring pub due to noise, which is why fixed windows were originally approved. The retro-fitting of acoustic trickle

vents may be an acceptable solution and I would have no objection to these being fitted.

A new door has been installed to enable access to the flat roofed section of the building and is located very close to the rooflight of the pub. This arrangement was previously refused permission because of the adverse impact access to the roof area would have on the amenity of the neighbouring property. Unless the door can be properly secured and its use limited strictly for maintenance purposes to avoid any adverse impact to overcome these concerns, I would not support the retention of this door.

The original development was designed to take account of the pub use of the neighbouring listed building so the two could comfortably co-exist. This continues to be necessary and I would not support changes which could potentially adversely affect the viability of the listed building.

Revised Comments – 16 December 2021

This application is for the provision of windows which are fixed shut and the installation of ventilation grilles on the rear elevation, together with the retention of the maintenance door on the first floor. The window details have also been amended.

The window details submitted are diagrammatic and do not provide a sufficient level of detail as required by the condition on the planning approval. In particular, the depth of the external meeting rail and beading/putty profile are not provided. Drawn details of the new windows, as specified by the condition, are therefore required.

I have no objection to the other aspects of the application, providing access to the flat roofed area can be successfully prevented.

Further Comments – 12 January 2022

Thank you for your message and photos of the windows installed in the flats above Cycle King. I have also been and looked at them and confirm that they are acceptable.

9. Historic England  
No comments.

Revised Consultation – 9 December 2021

Thank you for your letter of 7 December 2021 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

- 10.Environment & Transport – Highways

No comments regarding the window and door revisions being sought. Reference is made to revising the bin storage condition however the nature of the change is unclear. It is important that bin storage is provided as it reduces the prospect of bins being stored on the highway. This facility should be available before first occupation.

11. Suffolk Fire and Rescue Service

Advisory comments provided regarding access and firefighting facilities. No additional water supply for firefighting purposes is required in respect of this planning application. Recommend consideration is given to provision of automatic fire sprinkler system.

12. Environment Team

No comments.

13. Strategy and Enabling Officer, Housing

No comments.

14. Waste Management Operations Manager

No comments.

**Representations:**

15. A letter of objection has been received from Evolution Planning on behalf of the One Bull public house, making the following summarised comments:

- Acoustic safeguards are essential as the One Bull is a large and busy pub with a licence to operate into the early morning and a licence to hold live music events. Noise from pub will disturb flats and appropriate mitigation is needed.
- Securing the roof and bin store is important to stop residents accessing the roof and using it as a recreation space, which has already occurred. Use of the roof in this way would have an adverse impact in terms of overlooking the roof garden of the One Bull and also an adverse impact on the Abbey Gardens.
- The noise report referred to in the application is inadequate.
- Enclosed bin store is important to stop smells from bins reaching the pub via the nearby rooflight.

16. Ward Councillor – Jo Rayner

Please can I lodge my objection to the most recent application for the cycle king building.

In my opinion nothing has changed since this was considered under the initial application during which access to the roof and opening windows were refused.

There is evidence that the roof area was in fact used during the most recent snow fall when residents were having snowballs fights on the roof. This means the door was not locked and therefore this mitigation is not reliable. The residents of the One Bull have the right to privacy in their home and as such the roof access should continue to be refused. To have built the door after it was not approved and not appealed I believe was not an oversight but an attempt to flout the planning process and should not be rewarded with a retrospective planning application but in fact the original application should be enforced.



The One Bull is an operational pub, with associated pub noise. For many years this local business has operated with no detriment to the community in fact provides benefit to the community as an employer to a number of local people. However residential properties in such close proximity to the pub will inevitably cause friction in the future if mitigations are not put in place now. As such and very sensibly the original planning application takes account of this and ensures the windows should remain closed and positive ventilation to be installed. This is not uncommon or unreasonable.

Given the scale and financial benefit from this development I believe it is reasonable for the developer to be expected to take sensible actions to ensure the new development works in its surroundings and should adhere to the planning application that was granted and not be allowed to apply for retrospective planning for elements that were not approved (but installed anyway) in the initial process.

I am supportive of sensible and sustainable development in the town and I am positive about the improvement this development has made to the street scene but this cannot come at the detriment of existing residents and put businesses at risk. There must be a way for both to work together in harmony and I believe it is to enforce the original planning decision and reject this retrospective application.

**Policy:**

17. 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.

18. 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:

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS4 - Settlement Hierarchy and Identity

Core Strategy Policy CS5 - Affordable Housing

Core Strategy Policy CS7 - Sustainable Transport

Core Strategy Policy CS9 - Employment and the Local Economy

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

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Vision Policy BV2 - Housing Development within Bury St Edmunds

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM7 Sustainable Design and Construction

Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Policy DM15 Listed Buildings

Policy DM17 Conservation Areas

Policy DM20 Archaeology

Policy DM22 Residential Design

Policy DM35 Proposals for main town centre uses

Policy DM38 Shop Fronts and Advertisements

Policy DM46 Parking Standards

### **Other planning policy:**

#### 19. National Planning Policy Framework (NPPF)

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

- Planning Practice Guidance
- West Suffolk Shop Front and Advertisement Design Guidance (2015)
- Bury St Edmunds Town Centre Masterplan (2017)
- Bury St Edmunds Town Centre Conservation Area Appraisal and Management Plan (2007)
- Suffolk Guidance for Parking (2019)

**Officer comment:**

20. The issue to be considered in the determination of the application is:
- Principle of Development
21. The changes to the previously approved scheme sought to be regularised by this application solely concern the windows serving the bedrooms of the flats approved and the bin store area on the first floor of the development including the introduction of an external door in this location. It should be noted that the proposals have been revised to include the fixing shut of the windows to the bedrooms on the rear elevation of the building. This is consistent with the detail previously approved.

**Non-compliance with condition requiring bedroom windows to be fixed shut:**

22. Condition 2 of planning permission DC/18/0068/FUL lists the plans and documents approved under that permission for this mixed-use development. The approved plans include drawing number F982/08 which shows a typical window elevation for the first-floor front and rear windows, with second floor windows being similar with a reduced upper sash. Where windows serve the bedrooms of the flats, condition 10 requires these to be fixed shut with acoustic vents, provided in accordance with details that shall first have been submitted to and approved in writing by the LPA.
23. The condition was imposed to ensure that future residents of the flats would not be subjected to unacceptable levels of noise from the neighbouring public house, which is a Grade II listed building. In the absence of appropriate mitigation, it was determined that the development would not provide an adequate standard of amenity for occupants as a result of noise impacts. This in turn would have the potential to harm the operation of the adjacent established public house as a result of noise complaints. No details were submitted pursuant to condition 10, and the windows installed for the bedrooms of the flats are openable windows. The windows, whilst being acceptable visually, have not been fixed shut and do not have acoustic vents, and the flats are now occupied. The fixing shut of the windows itself is relatively straightforward, but the installation of the acoustic vents to both the affected bedrooms will require works to the exterior of the building to install the necessary pipework, ducting, and vents.
24. Policy DM2 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015) states that proposals for all development should not adversely affect residential amenity and paragraph 127 of the NPPF requires planning decisions to ensure that developments create places with a high standard of amenity for existing and future users. Policy DM2 further states that proposals should not site sensitive development where its users would be significantly and adversely affected by noise from existing sources unless adequate and appropriate mitigation can be implemented.
25. The site is within a sensitive location in terms of heritage assets, being within the Conservation Area, between The One Bull public house and Crescent House which are both Grade II listed buildings, and with the Abbey Gardens (a Scheduled Monument) and its Grade I listed precinct wall located directly

behind. These designated heritage assets are afforded a high degree of protection under the NPPF and Policies DM15, DM17 and DM20. There is also a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings and their settings and to preserving or enhancing the character or appearance of conservation areas. Policy DM15 requires developments affecting the setting of a listed building, as is the case here, to have regard to the present and future economic viability or function of the listed building.

26. Application DC/18/0068/FUL was accompanied by a Noise Assessment to evaluate whether future occupiers of the flats would be exposed to unacceptable levels of noise from the pub, which in turn could foreseeably lead to complaints that may as a direct consequence affect the operation of this established business. This was a key point in terms of ensuring that the listed pub remains in its optimal viable use as a designated heritage asset. The Noise Assessment and supplementary information provided was the subject of extensive discussions between officers and Public Health and Housing officers as the Council's technical advisors on noise matters.
27. Officers noted that the assessments submitted assumed the windows and rooflight of the neighbouring pub would be closed. Restrictions cannot however be placed upon The One Bull via an application on this site regarding the opening of its windows and rooflights. Officers therefore held further discussions with Public Health and Housing to clarify their position based on a 'worst case' scenario. These discussions confirmed the following:
- The calculations based on noise from the pub going through the pub walls and through the proposed flat walls indicated that the predicted noise levels in the flats would be acceptable.
  - The calculations based on the windows at the front of the pub being closed, the rooflight being closed, and the flat windows being closed with trickle vents open indicated that the predicted noise levels in the flats would be acceptable.
  - The calculations based on the above scenario but with the pub's rooflight open indicated that whilst the noise levels in the flats would increase, they would remain at an acceptable level.
  - In the event that the pub windows and rooflight are closed but the proposed flat windows are open, the noise levels in the flats became borderline acceptable (25-35 dB LAeq).
  - If the pub windows and the flat windows were both open, the noise levels in the flats were likely to be unacceptable.
28. Following on from the above, it was agreed with the agent that the bedroom windows to the proposed flats were to be fixed shut with acoustic vents provided to ensure that the noise levels within the flats would be at an acceptable level. It was highlighted to the agent at that time that this would need to be taken into account by the developer when subsequently seeking approval for the development under the Building Regulations. Officers' discussions with the Council's Building Control Team indicated that there was no reason why the scheme could not be designed to comply with the Building Regulations whilst having some fixed shut windows. Building Control officers advised that a mechanical ventilation system may be required and the means of fire escape would need to be appropriately designed, but this was not anticipated to be an issue that would preclude the development being successfully delivered.

29. The Public Health and Housing Team has been consulted on this current application, which originally sought to retain the openable bedroom windows, and have again reviewed the Noise Assessments previously provided under application DC/18/0068/FUL. The concerns originally raised regarding the potential adverse impact from noise from the adjacent The One Bull public house remain, particularly as the noise sources are more likely to occur late at night. The Public Health and Housing Team's original recommendation to have the bedrooms designed with fixed windows and other forms of ventilation provided still therefore stands. As outlined above, this application cannot impose restrictions on the opening of windows and other openings at the adjacent premises, and if the windows to the public house and to the adjacent flats are both open the noise levels in the flats are likely to be at an unacceptable level. In addition to the harm this would cause to the amenities of the residents of the flats, this noise issue would foreseeably in turn also adversely impact the operation of the public house as a result of noise complaints and a subsequent restriction on business operations through Environmental protection legislation.
30. Following extended further negotiation the applicant has provided details of the windows that are now proposed to be installed, including detailing those which are to be fixed shut and how otherwise the bedrooms will be mechanically ventilated. The method of mechanical ventilation involves a modest external grille / vent to the affected room. These are small in scale and are not visually prominent within the otherwise generously scaled rear elevation. They are considered acceptable therefore having regard to Policies DM2 and DM17 relating to their effect on the character of the building, and the wider area, including the Conservation Area, as well as their effects upon the setting of nearby Listed Buildings.
31. The Public Health and Housing Team highlight the importance of ensuring the bedrooms of the flats are adequately ventilated by other means, as required under the Building Regulations. This will be achieved by the provision of a mechanical system. Systems can be acoustically treated and designed so as not to allow noise from the external source into the rooms, or for there to be any mechanical plant noise likely to disturb the residents inside when it is being used, or external impacts for neighbouring occupiers.
32. As such, officers are satisfied that there are readily achievable solutions available to provide the residents of the flats with appropriately ventilated accommodation that will not be subjected to unacceptable noise impacts from events at the adjacent established public house. This is subject to the imposition of a condition that requires the implementation of the fixing shut and the mechanical ventilation within a period of three months following the grant of planning permission.

**Changes to the bin store including provision of first-floor external door:**

33. The bin store is located on the first floor of the building and serves all four flats, three of which are on the first floor and the fourth being on the second floor. The bin store itself has been reduced in size, with a corridor introduced between the store and the communal hallway for the flats. An external door has also been added between the communal corridor and the flat roof to the rear of the flats to provide access to the roof for maintenance.

34. The overall footprint of the building is unchanged as a result of the proposals and the door will not be visible within the street scene. The reduced bin store can also accommodate the same number of bins as before. As such the main consideration is the impact of the changes made on the amenities of neighbouring properties.
35. Policy DM2 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015) states that proposals for all development should not adversely affect the amenities of adjacent areas. The One Bull public house to the immediate east of the site has associated residential accommodation at first floor level including a private roof garden, and this is the sole domestic property affected by the proposals. Adjacent to the site to the west is Crescent House, the nearest part of which (No. 27 Angel Hill) has a restaurant at ground floor level. The first and second floors directly above the restaurant are understood to be commercial offices.
36. The scheme originally proposed under application DC/18/0068/FUL for the development included a roof garden at first floor level for the proposed flats. This raised a number of concerns including the impact on the adjacent flat at the One Bull. The proposed roof garden was at a higher level relative to the neighbouring roof garden, resulting in an unacceptable degree of overlooking of this private area. This was subsequently removed from the scheme, as were the associated accesses to the flat roofed area from the proposed flats. A revision was also made to the internal layout of the second floor flat to move the living areas further away from the shared boundary with The One Bull, and a privacy screen was added near the eastern boundary of the site to further reduce overlooking of its garden from the first-floor flats. Following these amendments to the scheme and careful consideration of the impacts upon the neighbouring property, planning permission was granted for the redevelopment of the site.
37. The amendments now proposed introduce an external door on the east elevation of the building at first floor level, in close proximity to the boundary with the neighbouring property and providing access onto the large expanse of flat roof immediately behind the first-floor flats. As outlined above, this is an area that was originally proposed to serve as garden areas to the flats but was omitted due to the materially harmful impact that would arise from its use by residents on The One Bull's private rear garden which sits at a lower level.
38. Given the relationship between the site and the adjacent property outlined above, the potential impact of the door upon the privacy of the neighbouring occupiers has been carefully considered. The door provides access from a communal part of the flats to the large flat roofed area behind the building and adjacent to The One Bull flat. The communal corridor and bin store will be used by all the occupants of the flats on a regular basis. For the reasons outlined above, the use of the flat roofed area for amenity purposes would result in significant harm to the occupants of the neighbouring flat given the lower level of their garden.
39. The Supporting Statement submitted with the application states that the door is required for maintenance purposes and is locked when not in use for such purposes. The door is also marked with a sign reading 'No admittance Authorised personnel only' and it is stated that there is an alarm linked to the

retail unit below. The Statement suggests that access to the flat roof area except for building maintenance purposes can be adequately controlled by condition, with any breach of such reported to the Authority by third parties and acted upon if necessary by the taking of enforcement action.

40.

41. It is accepted at this point that the need for some form of roof access is, on reflection, reasonable, noting the location of the roof and the lack of ready access otherwise due to surrounding buildings and the Abbey Gardens wall. It is also accepted that access through the roof itself from the ground floor unit would be problematic. It would affect the space internally and might otherwise be difficult to access through what would in effect be a loft type access arrangement.

42. Flat roofs by their very nature do from time to time require maintenance, not least in a location such as this to clear leaves, for example from nearby trees in the Abbey Gardens, or to repair the roof covering and guttering. Without the ability to access this readily from a door such as this then obvious access challenges do otherwise arise. So, very much as a matter of balance, the officer view is that approval, albeit with carefully worded conditions is appropriate.

43. It is also material to the consideration of this proposal that the previously approved and currently implemented permission does not currently include any restriction of the use of the flat roof. Whilst it is not formal garden area, and whilst no formal resident access exists, there are openable first floor rear windows within the bathroom and living room that would, in theory, and if a resident was so inclined, allow someone to access the flat roofed area through that window. Doing so, and thereafter using the flat roof, for example for leisure purposes, would not technically be a breach of planning control. It is noted and accepted that the likelihood of such happening is perhaps at the lower end of the scale given the awkwardness of using a window otherwise to access this space, but the potential for such use does nonetheless exist. This current application therefore does in theory offer an opportunity for further consideration to be given to restricting this possibility, and that is a factor that further weighs in support.

44. Accepting the need therefore for some form of access, consideration must be given to how roof access could otherwise be controlled, and in further discussions with Legal and Enforcement officers it is considered that a condition as so drafted below would be reasonable and enforceable. Any such breach would be readily apparent noting the strict requirement for any presence on the roof to be part of a maintenance function. The remedy would be a Breach of Condition Notice, against which there is no right of appeal. As explained, this would also have the added benefit of preventing access to the roof otherwise through openable windows, which however unlikely, is still possible and at present would not be a breach of planning control. On this basis the following condition is recommended:

*There shall be no access to the first floor flat roof area, apart from for the purposes of essential building maintenance.*

*Reason: To prevent overlooking of and nuisance to the adjoining property, in accordance with policy DM2.*

45. Officers have carefully considered whether any additional controls could be imposed, for example, requiring the door to be locked, or otherwise linked to an alarm, but the imposition of such controls may be difficult to enforce and monitor, and noting in any event that it is the presence of people on the flat roof area that needs to be controlled, not the opening or otherwise of the door.
46. Officers' considered view therefore, reflecting on the current position plus the benefits of restricting access to the roof through the openable windows, is that to maintain a refusal on the grounds of adverse amenity impact from the door would be very unlikely to withstand the scrutiny of an appeal.
47. With the issue of the windows now otherwise having been addressed officers are satisfied that approval is reasonable.

**Consideration of Conditions:**

48. Noting that this is a resubmission of the entire application, but also respecting that the works have largely been completed, consideration must be given to the need, or not, for conditions to be re-imposed.
49. The proposal has elements of operational development that have not yet been implemented, and it is therefore necessary to reimpose the three year time period for the implementation of these.
50. Applications have been made, and approved, for the discharge of the following conditions on the original DC/18/0068/FUL permission –
- 3 (Archaeological investigation),
  - 4 (Archaeological reporting),
  - 5 (Foundation design)
  - 6 (Piling) of DC/18/0068/FUL
  - 11 (Materials)
  - 13 (Door details)
51. Details of the archaeological investigation and the post investigation reporting have been satisfactorily submitted, and no further conditional control in this regard is needed. Likewise, the details of the foundation design and piling details have been agreed, and the building has been completed.
52. Furthermore, details of the external materials and the details of external door have been submitted and agreed and have been implemented. The requirement to meet the enhanced water efficiency measures within the Building Regulations will have been complied with at the construction stage.
53. Conditional control of these matter is therefore no longer needed.
54. Further conditions related to the potential for contamination to be found at the site, and in relation to the hours of construction. Noting the circumstances of this site no conditions in either regard are therefore required.
55. Conditional control was previously required to ensure the provision of bin storage areas for both the residential and the retail elements of the site, as well as in relation to cycle storage and the provision of the first floor glazed



screen to protect the amenity of the neighbouring garden areas. These are reimposed.

56. Finally, as discussed above, conditional control is needed to restrict access to the flat roofed area, and also to ensure that the changes to the windows and the provision of the mechanical ventilation are provided within three months from the date of approval.

### **Conclusion:**

57. The development has introduced noise sensitive development in close proximity to an established Grade II listed public house. The mitigation measures previously secured by condition to ensure that occupants of the flats are not subjected to unacceptable levels of noise, and that the provision of residential accommodation in this location does not adversely affect the present and future economic viability and function of the neighbouring listed pub, are now shown to be provided.

58. The introduction of a door at first floor level noting the benefit of being able to now restrict all access to the roof (albeit respecting that access could now be so restricted even if the door were to be removed), is considered to be reasonable, noting the acknowledged requirement for access to the roof for routine maintenance purposes. The use of a condition is considered a reasonable and effective way to ensure that the amenities of nearby dwellings is adequately protected.

59. With the inclusion of mitigation and a further condition, the proposals are now considered to be compliant with Policy DM2(h), Policy DM14, Policy DM15(i) and paragraph 130 of the NPPF.

### **Recommendation:**

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

1. The development hereby permitted shall be begun not 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 (approved plans and documents to be listed).

2140-M-01 P1  
F982/01 A  
F982/03C  
F982/04 C  
F982/08  
F982/10 A  
F982/14 K  
F982/20 B  
MEVDC2  
C/23410/T01

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

3. The installed cycle storage shown on drawing nos. F982/10 A and F/982/14 K shall be retained thereafter as installed.

Reason: To protect the amenity of the area and to ensure that refuse and recycling bins are not stored on the highway causing obstruction and dangers for other users.

4. Within three months of the date of this permission the rear windows serving the bedrooms of flat 2 and flat 3 shall be fixed shut with acoustic vents provided in accordance with the submitted details. The windows and acoustic vents shall thereafter be retained as so installed. At no time shall the bedroom windows for flat 2 or flat 3 be opened.

Reason: To protect the amenity of future occupants in respect of noise levels.

5. The installed cycle storage shown on drawing nos. F982/10 A and F/982/14 K shall be retained thereafter as installed.

Reason: To ensure that sufficient space for cycle storage is provided and maintained.

6. The ground floor bin storage area for the retail unit shown on drawing F982/14 Revision K shall be provided and thereafter retained.

Reason: In the interests of providing sufficient space for the storage of bins, in the interests of amenity and highway safety.

7. There shall be no occupation of any of the flats hereby permitted unless and until the glazed screen shown on drawings F982/04C and F982/15 M has been provided in accordance with the details shown on these drawings, with a finished height at least one metre taller than the parapet wall between the application site and The One Bull Public House. Thereafter, the screen shall be retained as so installed.

Reason: in the interests of the residential amenities of nearby dwellings in accordance with the provisions of Policy DM2 of the Joint Development Management Policies Local Plan.

8. The dwelling(s) hereby approved shall not be occupied unless and 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.

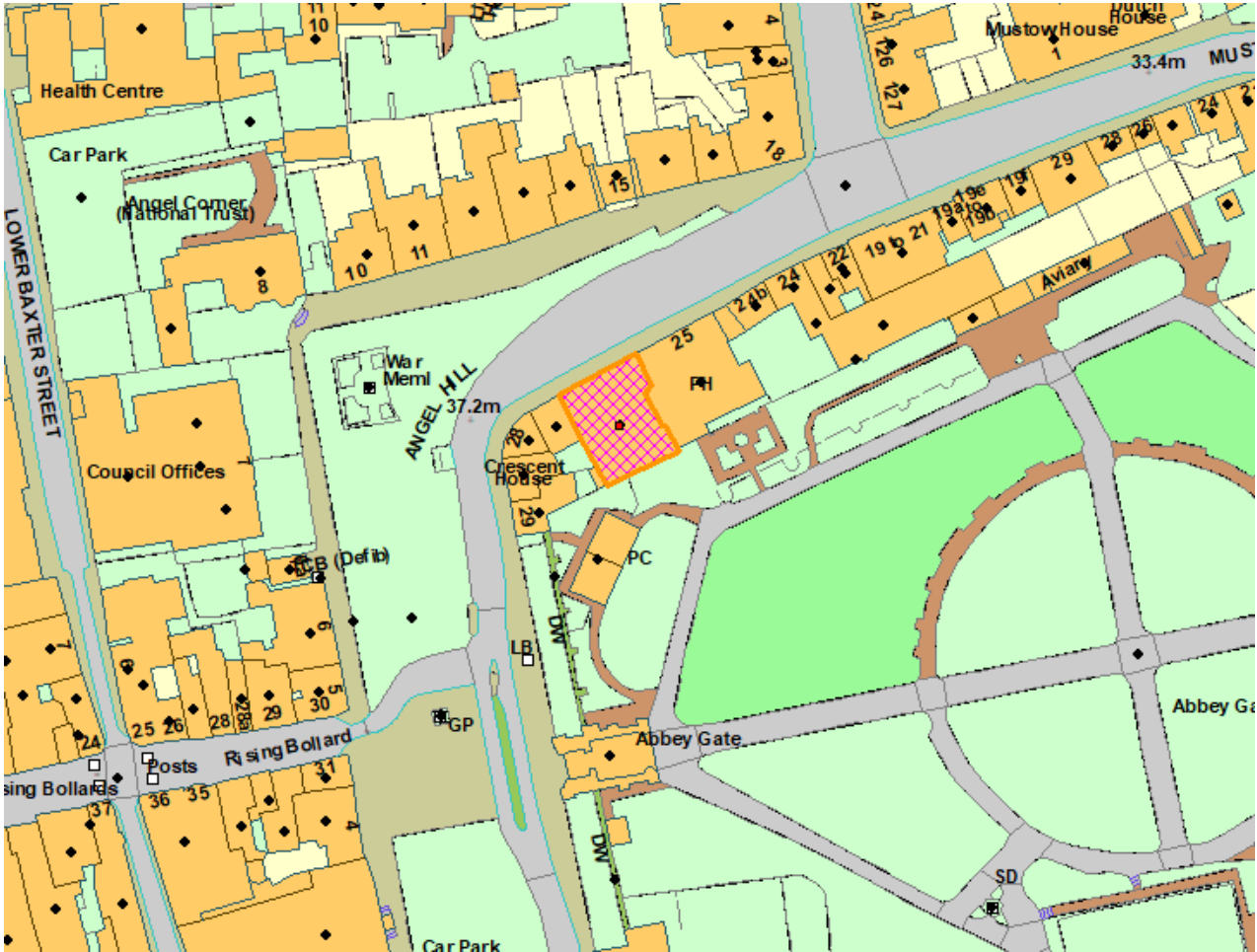
Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The higher standards 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.

**Documents:**

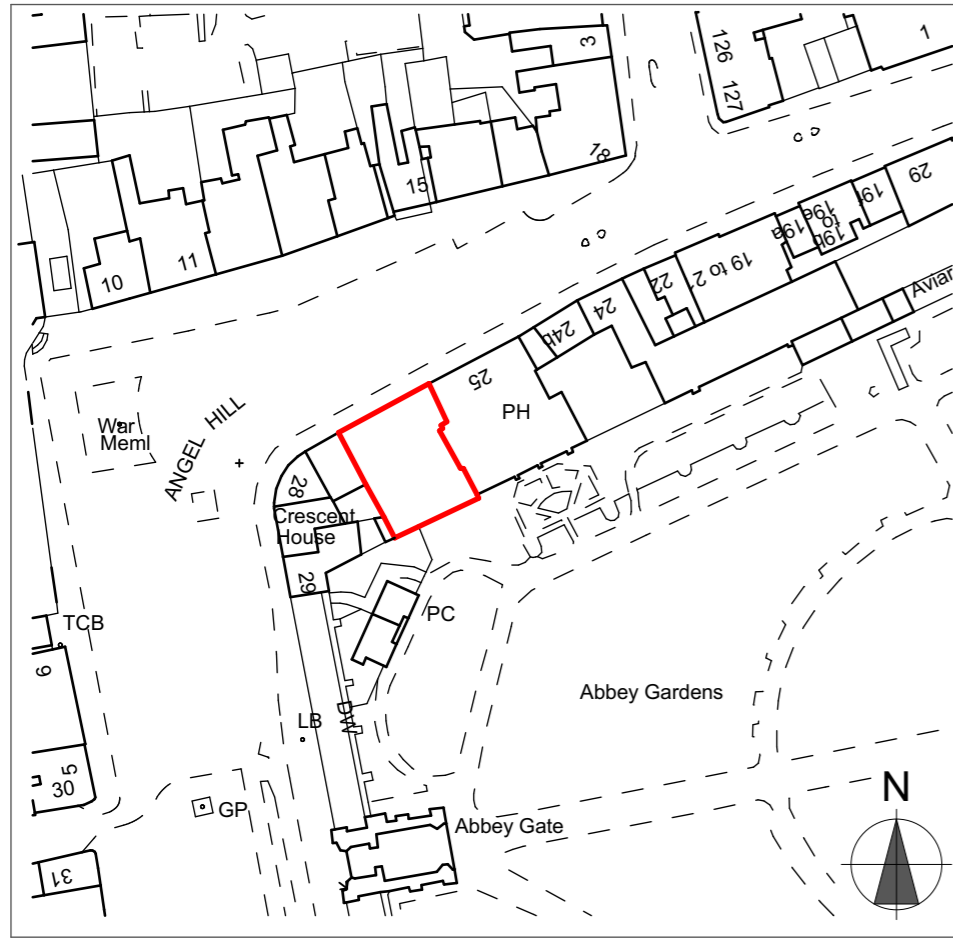
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/2115/FUL](#)

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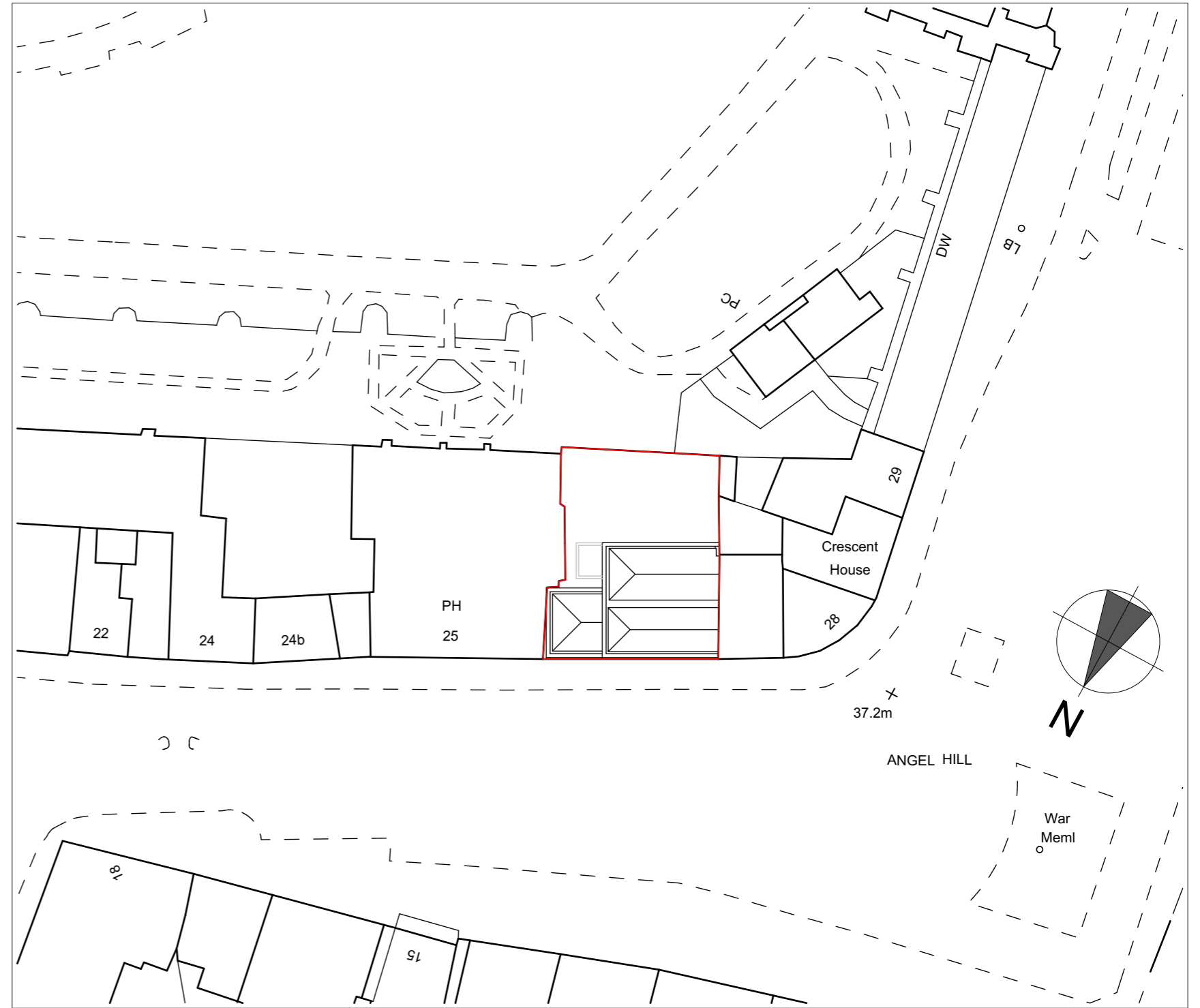
DC/20/2115/FUL  
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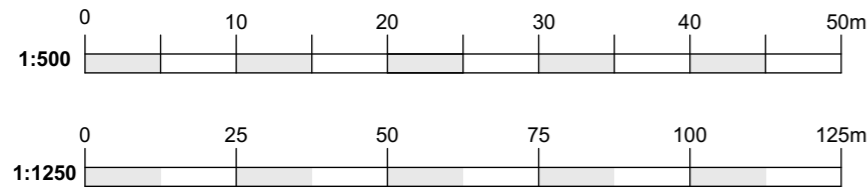
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LOCATION PLAN 1:1250



SITE PLAN 1:500



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Date	Rev	Description
02.04.2019	A	Planning issue
12.01.2017	-	Planning issue

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Drawing title:	<b>SITE LOCATION PLAN</b>
Project:	PROPOSED 1ST & 2ND FLOOR EXTENSIONS
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Note	All Scales relate to A3 paper size - (Do not print at fit to page)

Client:	<b>PCM GROUP</b>
Drawn by:	<b>J. Atkinson</b>
Drawing No.	Revision
<b>F982/01</b>	<b>A</b>



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## **Development Control Committee 2 March 2022**

### **Planning Application DC/21/2425/HH – Lodge Farm, 10 Sedge Fen, Lakenheath**

<b>Date registered:</b>	13 December 2021	<b>Expiry date:</b>	7 February 2022
<b>Case officer:</b>	Tamara Benford-Brown	<b>Recommendation:</b>	Refuse application
<b>Parish:</b>	Lakenheath	<b>Ward:</b>	Lakenheath
<b>Proposal:</b>	Householder planning application - two storey side and single storey rear extension (following demolition of existing)		
<b>Site:</b>	Lodge Farm, 10 Sedge Fen, Lakenheath		
<b>Applicant:</b>	Mr and Mrs J A Kinge		

**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:**

Tamara Benford-Brown

Email: [tamara.benford-brown@westsuffolk.gov.uk](mailto:tamara.benford-brown@westsuffolk.gov.uk)

Telephone: 07733 077878

## Background:

**This application is presented to the Development Control Committee following consideration at Delegation Panel on the 8 February 2022. It was presented to the Delegation Panel due to the support from the Parish Council. The application is recommended for REFUSAL.**

## Proposal:

1. Planning permission is sought for a two-storey side and single storey rear extension. The proposed two storey side extension will measure approx. 6.1m deep, 6m in width, 4.8m to the eaves and has an overall ridge height of 7.3m. The side extension will create a new extended kitchen and garden room at ground floor and master bedroom with two en-suites and dressing room at first floor. The proposed single storey rear extension will measure approx. 5.7m deep, 2.3m in width, 2.3m to the eaves and have an overall height of 4.2m. This element of the proposal is intended to create a rear utility space with downstairs bathroom.
2. This application is a resubmission of a previously granted application (DC/21/1134/HH) where the same dimensions as above were submitted and then amended. The amended plans reduced the height of the proposal by 300mm, and the depth was reduced by 500mm. These amended dimensions were deemed acceptable by the Local Planning Authority (LPA) to achieve the subservience required in accordance with policy DM24 and the application was granted on the 24 August 2021.

## Site details:

3. The dwelling in question is within Sedge Fen, a remote area north-west of Lakenheath. The dwelling is detached and fronts Station Road, there are a few residential properties in close proximity to the dwelling. The dwelling is not within the settlement boundary of the area and therefore the development is considered to be within the countryside for planning policy purposes.

## Planning history:

4.

Reference	Proposal	Status	Decision date
DC/14/1639/HH	Householder Planning Application - Two storey rear extension to form garden room and bedroom	Application Granted	10 November 2014
DC/21/1134/HH	Householder planning application - two storey side and single storey rear extension (following demolition of existing). As amended by plans received 11 August 2021.	Application Granted	24 August 2021

## Consultations:

**5. Parish Council:**

Lakenheath Parish Council are in support of this application.

**6. Ward Councillor:**

No formal comments received.

**7. Natural England:**

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application.

**8. Public Health and Housing:**

The Public Health and Housing Team have reviewed the supporting information and would recommend the following conditions in the interest of nearby residents:

- Construction Hours

No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

- Noise & Dust

The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the Control of Pollution Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise on construction and demolition sites are contained in BS5228: 2009 Noise and Vibration Control on Construction and Open Sites.

**Representations:**

9. None received.

**Policy:**

10. 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 Council.

11. 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:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage

Policy DM46 Parking Standards

Core Strategy Policy CS5 - Design quality and local distinctiveness

**Other planning policy:**

12. National Planning Policy Framework (NPPF)

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

**Officer comment:**

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

- Principle of Development
- Impact on Character and Appearance of Surrounding Area
- Impact on Neighbouring Amenity
- Impact on the Countryside
- Parking Considerations

**Principle of Development**

14. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.

15. In addition, within the countryside, proposed extensions are required to demonstrate that they are subordinate in scale and proportion to the original dwelling. This is a judgement that is considered in more detail in the following sections.
16. In the case of this application, the proposed works involve construction of a two storey side extension and single storey rear extension following the demolition of the existing side elevation of the dwelling. The property has a curtilage that is large enough to accommodate the extensions without over development occurring. Therefore, the principle of the proposal is considered acceptable.

### **Impact on Character and Appearance of Surrounding Area**

17. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based. It also states that they should maintain or create a sense of place, preserve or enhance the setting of conservation areas and 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.
18. In addition, policy DM24 requires extensions to residential dwellings to respect the character, scale and design of the existing dwelling, and the character and appearance of the immediate and surrounding area. For dwellings in the countryside, which this site is situated in, policy DM24 also requires extensions to be subordinate in scale and proportion to the original dwelling. These support the general provisions relating to such within policy DM2, as well as the provisions of good design set out within the NPPF.
19. The site of Lodge Farm benefits from a large residential curtilage which is able to accommodate a degree of expansion as outlined above. Sedge Fen has a varied character, with different sizes and designs of dwellings. The application form notes that the materials intended to be used for the extensions shall match the existing dwelling; consisting of render for the walls and slate tiles for the roofing which is considered appropriate. Furthermore, the proposed single storey rear extension, to create a utility space, is of a scale that is considered to respect that of the host dwelling. Therefore, it is considered that the proposed rear extension would not have an adverse impact on the character or appearance of the host dwelling and is acceptable.

Despite the large curtilage and materials intended for the proposal, the scale of the two-storey extension is not subordinate to the existing dwelling – as required by policy DM24. The proposals dimensions for the depth and width are comparable to that of the host dwelling and will create a large addition to the north facing elevation of the property. There are no other extensions of this size within the immediate area or along the road leading up to Lodge Farm. As such although the amenity impacts would be minimal, as discussed below, the impact on the surrounding area as designated countryside would not comply with policy DM24.

20. Under the original submission (DC/21/1134/HH) amendments were secured in response to similar concerns of subordination raised by Officers. A reduction in the height of the roof by 300mm and depth by 500mm was deemed

acceptable by the LPA and the application was approved and can still be implemented, achieving a very similar extent of accommodation.

21. The proposed two storey extension does not respect the character or appearance of the host dwelling or the surrounding area, particularly given the countryside location and the scale not being subordinate and therefore does not comply with policies DM2 or DM24.

### **Impact on Neighbouring Amenity**

22. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity.
23. In the case of Lodge Farm, there are no immediate neighbours within the vicinity of the curtilage. The remote character of Sedge Fen does result in minimal impact on amenity due to the spacious nature of development within the area. Both extension proposals will be visible from the public domain and face the main road which runs through Sedge Fen. No neighbour representations have been made objecting to the proposals and there will not be any adverse impacts to residential amenity.
24. The proposal is therefore considered to accord with policy DM2 and DM24 in relation to impact on neighbouring amenity.

### **Impact on the Countryside**

25. Sedge Fen is located north-west of the Lakenheath settlement boundary, approx. 3-4 miles and it consists of few dwellings scattered along a main central road. Lodge Farm is situated at the end of the central road which runs through Sedge Fen. There is little development and few residential dwellings and the use of this area within the countryside is predominantly for farming purposes. As the proposal is for a householder application, it is unlikely that there will be any adverse impacts to the wider countryside surroundings. Any concerns have been evaluated in the context of policy DM24 as set out above.

### **Parking Considerations**

26. The application does involve increasing the number of bedrooms for the dwelling. However, the site maintains sufficient parking within the plot to accommodate three vehicles for a four-bedroom dwelling. The driveway and curtilage of Lodge Farm allows for parking and turning in accordance with Policy DM46 so therefore is acceptable.

### **Conclusion:**

27. In conclusion, the principle and detail of the development taken as a whole is considered to be unacceptable and fails to comply with the relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

28. It is recommended that planning permission be **REFUSED** for the following reason:

1. The proposed two storey extension on the side elevation of the property

would be visible from the public domain and as such consideration must be given to the proposal and its impact on the character and appearance of the host dwelling and the surrounding area, in accordance with the requirements of policies DM2 and DM24. Whilst the proposal uses matching materials in the design, the dimensions of the proposal are to the same scale as the existing dwelling, particularly the ridge height. Furthermore, due to the location of Lodge Farm being situated in designated countryside, the proposed extension would not appear as a suitably designed and subservient addition to the host dwelling, contrary to policy DM24 of the Joint Development Management Policies Document 2015 and by the provisions of the NPPF in relation to good design.

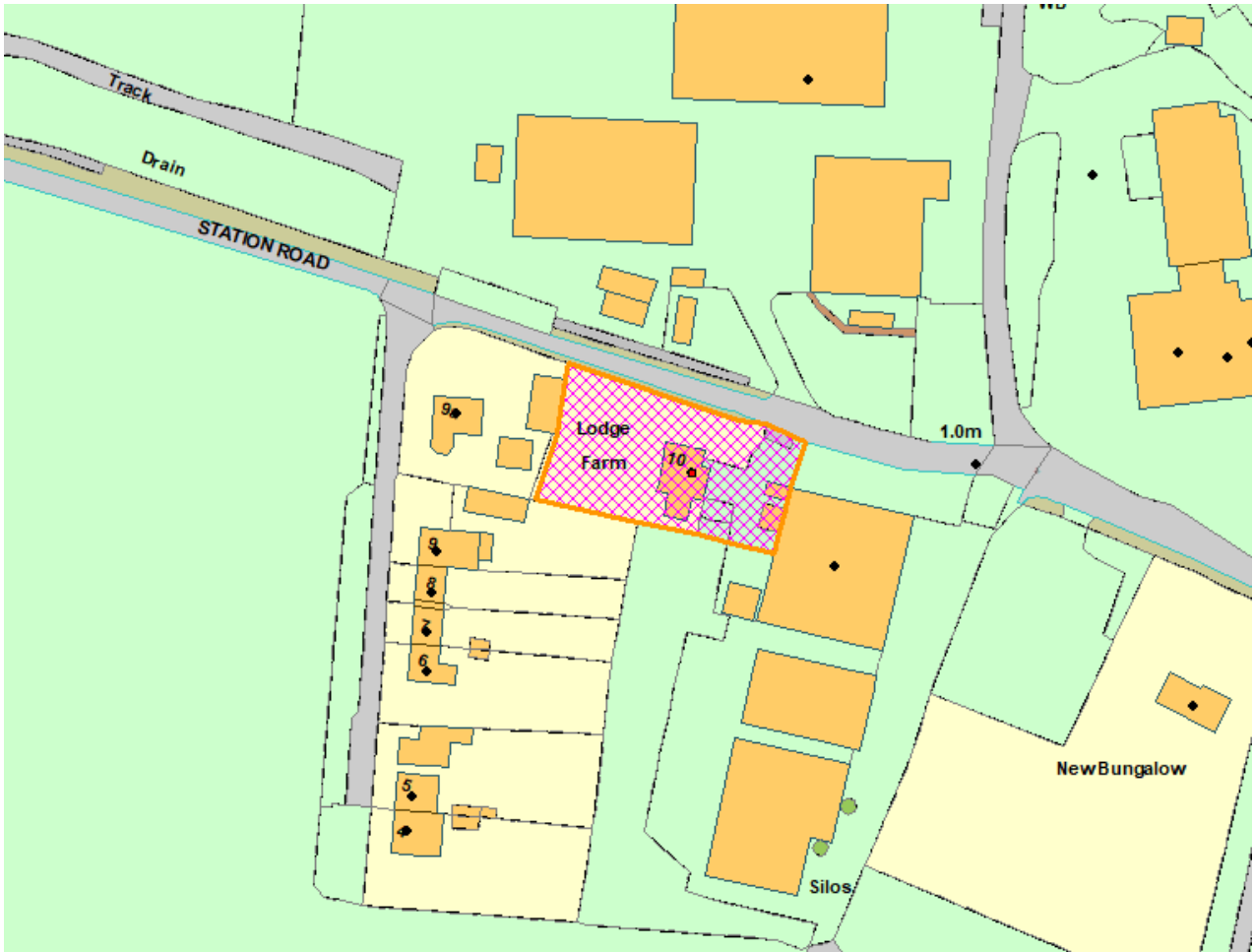
**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2425/HH](https://www.dorsetcouncil.gov.uk/online-applications/DC/21/2425/HH)

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DC/21/2425/HH  
Lodge Farm, 10 Sedge Fen, Lakenheath, IP27 9LQ

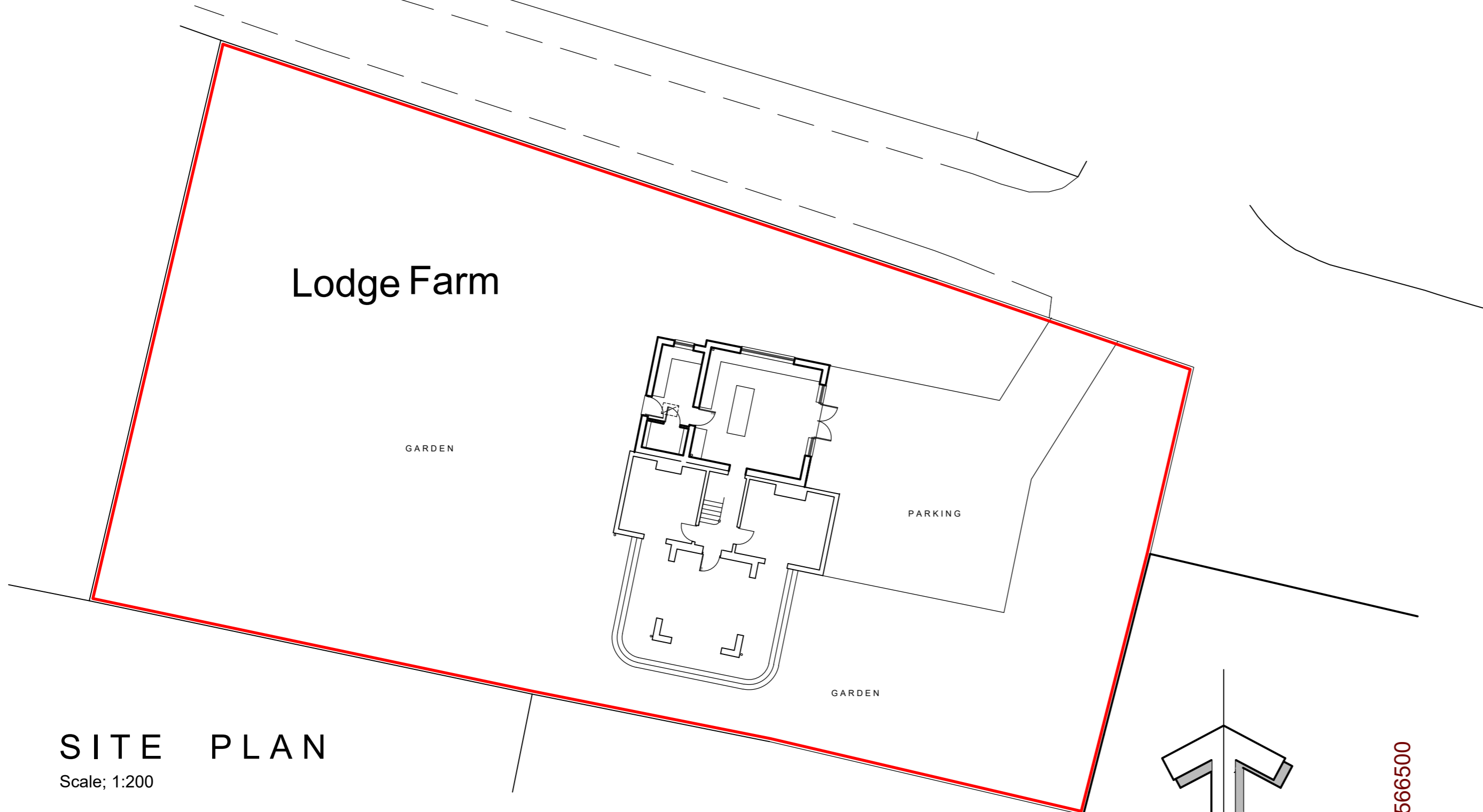


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# Lodge Farm

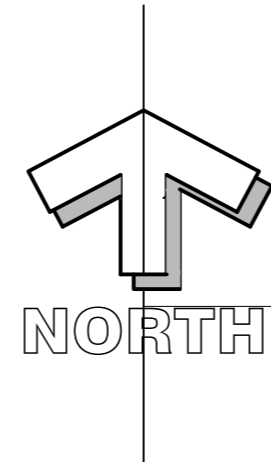


## SITE PLAN

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REPRODUCED FROM THE 1:2500 ORDNANCE SURVEY MAP WITH THE PERMISSION OF ORDNANCE SURVEY ON BEHALF OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE.

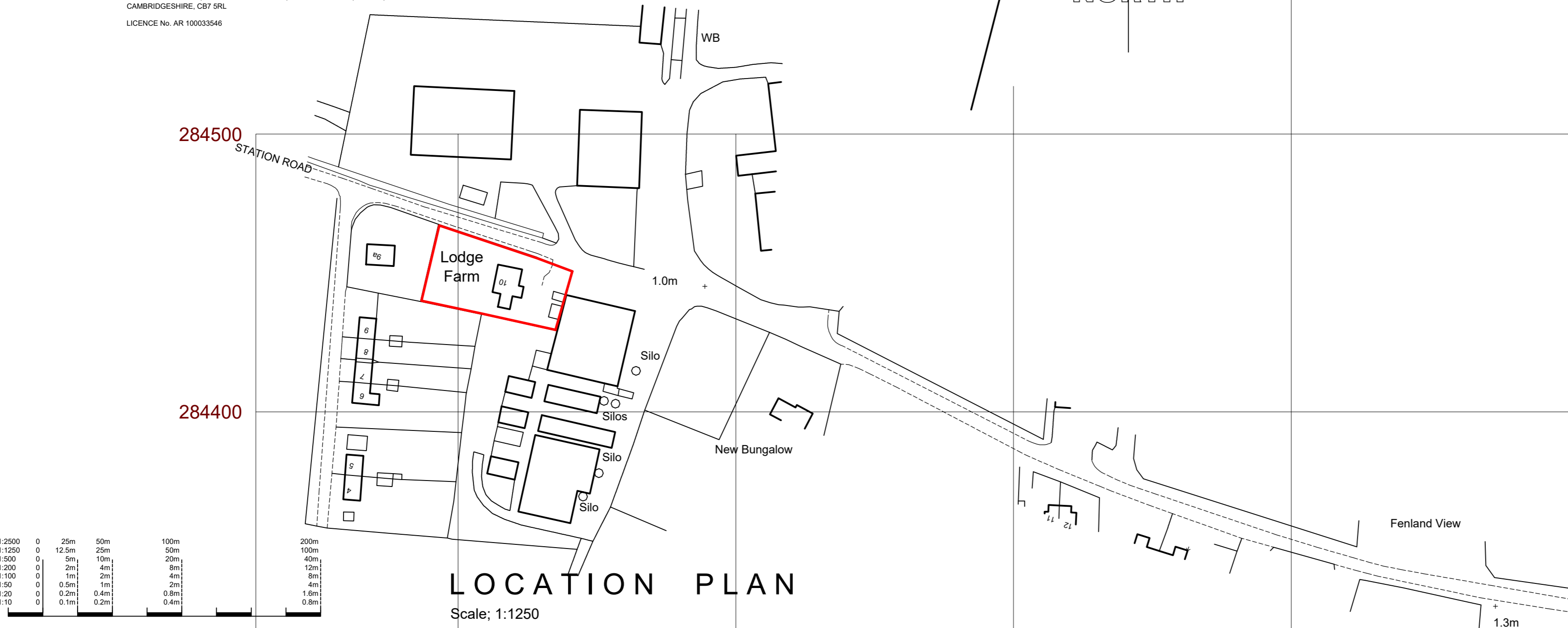
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Page 43



## LOCATION PLAN

Scale: 1:1250

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Revision	Notes	Date	Drawn	Chkd
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MR & MRS J. A. KINGE				
Project				
PROPOSED TWO STOREY EXTENSION				
Address				
LODGE FARM 10 SEDGE FEN ROAD SEDGE FEN LAKENHEATH SUFFOLK IP27 9LQ				
Drawing				
SITE & LOCATION PLAN				
Drawing No.				Revision
20 : 063 - 1				-
Scale	Paper Size	Drawn	Checked	
1 : 200	A2	APF		
 <b>andrewfleetmciat</b> charteredarchitecturaltechnologist				
6 Regent Place, Soham, Ely, Cambridgeshire, CB7 5RL Tel: (01353) 720651 w: www.andrewfleet.co.uk e: mail@andrewfleet.co.uk				

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## **Development Control Committee 2 March 2022**

### **Planning Application DC/21/2514/FUL – Playground A, Skate Park, St Johns Close, Mildenhall**

<b>Date registered:</b>	29 December 2021	<b>Expiry date:</b>	23 February 2022 EOT 03 March 2022
<b>Case officer:</b>	Jo-Anne Rasmussen	<b>Recommendation:</b>	Approve application
<b>Parish:</b>	Mildenhall	<b>Ward:</b>	Mildenhall Great Heath
<b>Proposal:</b>	Planning application - concrete skate park to replace the existing		
<b>Site:</b>	Playground A, Skate Park, St Johns Close, Mildenhall		
<b>Applicant:</b>	Mr Damien Parker		

**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:**

Jo-Anne Rasmussen

Email: [Jo-Anne.Rasmussen@westsuffolk.gov.uk](mailto:Jo-Anne.Rasmussen@westsuffolk.gov.uk)

Telephone: 01284 757609

**Background:**

1. The application is before committee because the applicant is West Suffolk Council. No objections have been raised to the scheme and the recommendation is one of approval.

**Proposal:**

2. The application seeks permission for the construction of a 226 square metre concrete skate park, which will replace the existing facility adjacent.
3. The application includes the removal of the existing skate park, which is currently in a state of disrepair. The applicant has confirmed it is beyond economic repair and has been patched up for a number of years to keep it in use.

**Site details:**

4. To the north of the site is the recreation ground and footpaths. Beyond this is a community centre. To the south of the site is open recreation ground, currently used as a football pitch. To the east of the site is a tree lined footpath and beyond this is a church. To the west of the site is open recreation ground, with MUGA pitches to the north west. The nearest residential property is approximately 100m away from the proposed development.

**Planning history:**

5. None

**Consultations:**

6. Public Health and Housing – no objection

Natural England – refer to standing advice

Suffolk County Council Highways – no objection subject to a condition to secure cycle stands

**Representations:**

7. No comments received.

**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 Forest Heath District Council.

9. 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:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM10 Impact of Development on sites of biodiversity and Geodiversity importance

Policy DM11 Protected species

Policy DM12 Mitigation, Enhancements, Management and monitoring of biodiversity.

Policy DM13 Landscape Features

Policy DM41 Community Facilities and Services

Policy DM42 Open Space, Sport and Recreation Facilities

Policy DM46 Parking Standards

Core Strategy Policy CS1 - Spatial Strategy

Core Strategy Policy CS2 – Natural Environment

Core Strategy Policy CS5 - Design quality and local distinctiveness

**Other planning policy:**

10. National Planning Policy Framework (NPPF)

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

11. Suffolk Parking Guidance document, 2019

**Officer comment:**

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

- Principle of Development
- Impact on amenity
- Impact on the character of the area
- Ecology Matters
- Impact on Highway Safety

**Principle of the Development**

13. Policy DM42 states that proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities will be permitted subject to compliance with other policies in this and other adopted local plans. Any replacement provision should take account of the needs of the settlement where the development is taking place and the current standards of open space and sports facility provision adopted by the Council.
14. Policy DM41 states that the provision and enhancement of community facilities and services will be permitted where they contribute to the quality of community life and the maintenance of sustainable communities.
15. Policy DM43 states that planning applications for new leisure or cultural facilities or improvements and extension to existing facilities, will be permitted provided that the proposals are connected to and associated with existing facilities or located at a site that relates well to a settlement that can be easily accessed, that there would be no unacceptable impacts on the character, appearance or amenities of the area, the design is of an acceptable standard, and that vehicle access and parking is provided to an appropriate standard.
16. Paragraphs 98-103 of the National Planning Policy Framework (2021) refers to open space and recreation. Paragraphs 98-99 in particular are most relevant to this application. Para. 98 states that there should be access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Para. 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
  - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
17. This application is for a new skate park which will replace the existing facility. The reason for this is because the existing facility is now beyond economic repair. The works will not involve the loss of a sports facility and will in fact enhance the existing facility by being of a better quality, in line with paragraph 99 of the NPPF.
18. Overall, the principle of the replacement skate park is considered to be in compliance with the relevant planning policies and is acceptable in principle.

### **Impact on amenity**

19. Policy DM2 seeks to ensure that proposals for all development should not adversely affect residential amenity, nor the amenities of adjacent areas by reason of noise, smell, vibration, overshadowing, loss of light or noise.
20. The skate park will be located on the St Johns Close recreational area, which is an open, public grassed area currently used for recreational and sports purposes. There still remains a suitable separation distance from residential



properties, and it is not considered that any additional amenity impacts will arise as a result of the replacement skatepark.

21. Given the separation distance from residential properties, no adverse noise impacts are considered to arise. The proposed use is also suitable within its context, where noise to a degree would be expected.
22. Given the nature of the proposed development, no overlooking or overshadowing impacts will arise. The proposal is therefore considered to comply with policy DM2.

### **Impact on the Character of the Area**

23. Policy DM2 also states that proposals for all development should, as appropriate, recognise and address the key features and characteristics of an area, maintain or create a sense of place, and do not involve the loss of important open, green spaces which contribute towards the character of an area.
24. Policy DM13 states that 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.
25. The proposal includes the loss of an area of open green space and replaces it with a sports / recreational facility which will be open for public use. The former site will then be reinstated back to a grassed area of open space. As a result, minimal loss of open space will arise given that there is an existing facility.
26. The site is not considered to be of any considerable wildlife value however does provide amenity value and a sense of openness within an otherwise built up, suburban area.
27. The proposal is not considered to be visually intrusive given the design with re-profiled grassed areas to the top of the raised areas of the skate park. The proposal is not considered to cause any detrimental impacts to the character or appearance of the wider area.

### **Ecology Matters**

28. As required by the National Planning Policy Framework (2021) at paragraphs 8c, 170 and 179 the LPA have a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12.
29. The National Planning Policy Framework (2021) indicates that when determining planning applications, local planning authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 179). This is underpinned by Paragraph 8 of the Framework, which details the three overarching objectives that the planning system should try to achieve, and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment.

30. In this instance, the site is within an established recreational open space, with the site being laid to grass and as such, a formal ecology report is not necessary. No valued or protected landscapes or habitats will be affected by the proposal, which is not considered to be at odds with the above identified policies.

31. Whilst the application site is located within the SSSI impact risk zone, due to the nature of the proposal it is not considered to have an adverse impact upon the SSSI.

### **Impact on Highway Safety**

32. Policy DM46 states that all proposals should be required to provide appropriately designed and sited car and cycle parking, plus make provision for emergency, delivery and service vehicles.

33. There is an existing car park which serves the nearby community centre and shop and no additional vehicular parking spaces are required as a result of this proposal.

34. Paragraph 3.2 of the Suffolk Parking Guidance document states that cycle parking should be incorporated into the design of all new developments. The Highways Authority note that the scheme does not include any cycle hoops at the skate park, and to be consistent with the Suffolk Parking Guidance it is recommended that an appropriate number of cycle hoops are provided in close proximity to the facility, which has been recommended and can be secured by condition.

35. Overall the Highways Authority do not wish to restrict the grant of permission and no adverse impacts to highways safety are considered to arise as a result of the development. The proposal is therefore considered to comply with policy DM46.

### **Conclusion:**

36. 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:**

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

- 1 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 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reference number	Plan type	Date received
(-)	Location plan	24 December 2021
583-S01-02	Construction Details	24 December 2021
583-P01-01 A	Proposed block plan	24 December 2021

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

- 3 The hours of site preparation and construction activities, including deliveries to the site and the removal of excavated materials and waste from the site shall be limited to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No site preparation or construction activities shall take place at the development site on Sundays, Bank or Public Holidays.

Reason: to protect the amenity of occupiers of properties in the vicinity.

- 4 Following completion of the development hereby approved, the existing skatepark, as show on drawing 583-P01-01 A shall be removed and the land be reinstated to grass, within 26 weeks of completion of the skate park hereby approved.

Reason: To ensure removal of the existing facility and the continued use of the area for recreational purposes.

- 5 Before the development is commenced, details of the areas to be provided for the locking of cycles shall be submitted 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 and used for no other purpose.

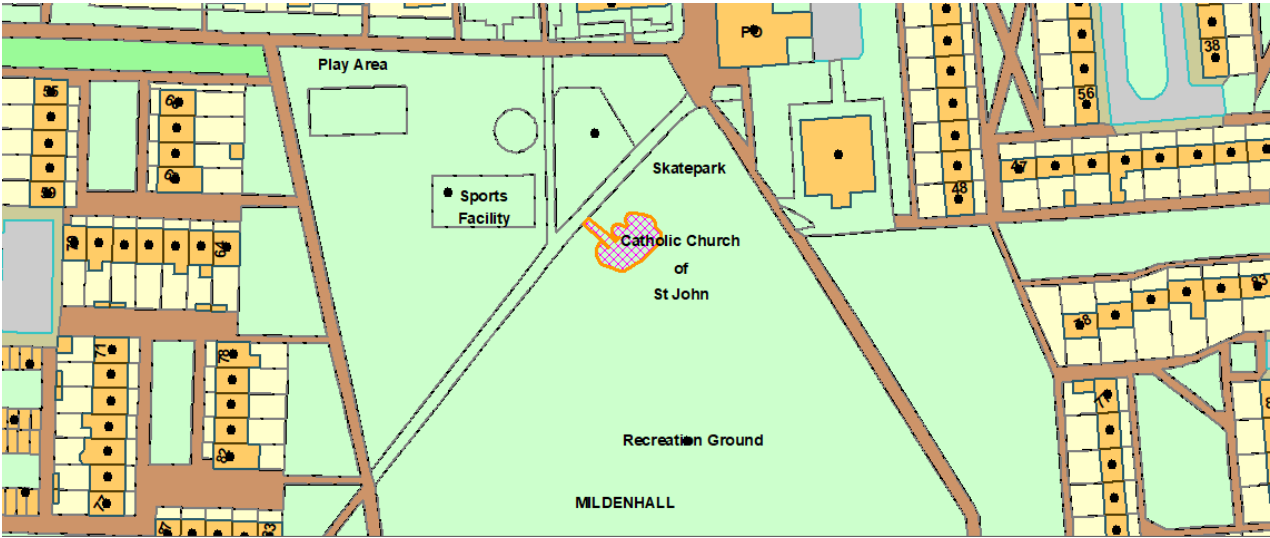
Reason: To ensure the provision and long term maintenance of adequate on-site cycle locking facilities.

#### **Documents:**

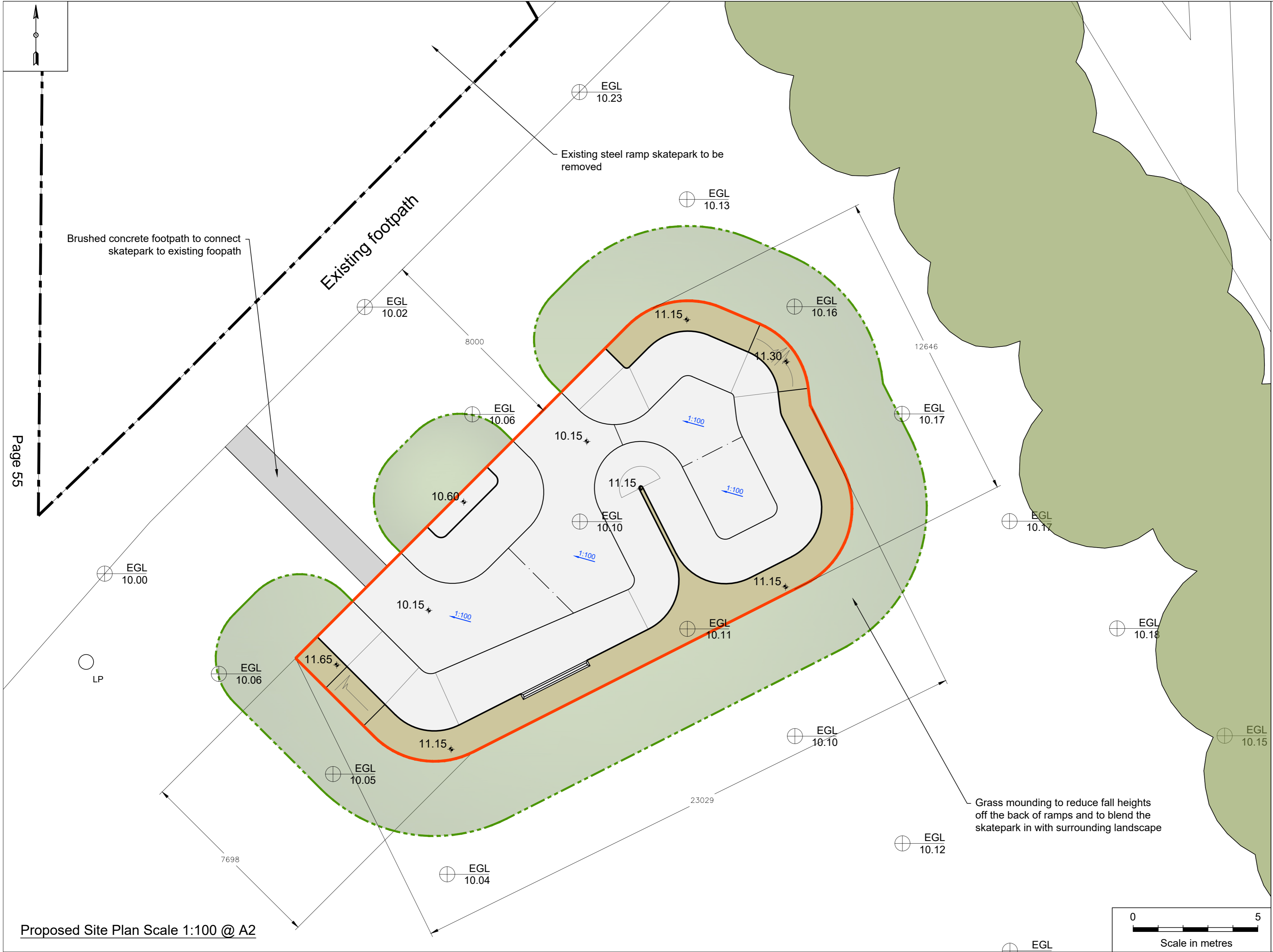
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2514/FUL](https://www.dorsetcouncil.gov.uk/DC/21/2514/FUL)

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DC/21/2514/FUL  
Skate Park St Johns Mildenhall



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- Legend**
- New concrete skatepark extent
  - - - Bottom of landscaped mound. Generally 1:3 grade
  - - - Existing fencing
  - 1:100 Drainage via slab fall
  - ⊕ Proposed finished slab level
  - Existing trees

- Notes**
- All dimensions are in millimetres unless otherwise stated.
  - Finished slab levels (fsl) are based upon existing ground levels.
  - All calculations and specifications are pending site investigation.

A	Amended for Planning	09/12/21
Rev	Note	Date

**Project**  
St John's Rec. Ground Skatepark

**Site Address**  
St John's Cl, Mildenhall  
Bury Saint Edmunds  
IP28 7NX

**Client**  
West Suffolk Council



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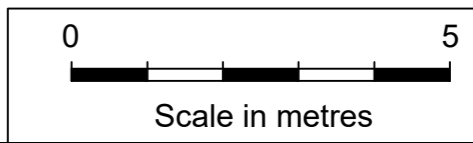
**Title**  
Proposed Site Plan

Scale As Shown		Size A2	
Date 10/09/21	Drn DW	Ckd -	Sgd -

**Status**  
PLANNING

Drawing no. 583-P01-01	Rev A
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Proposed Site Plan Scale 1:100 @ A2



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## Development Control Committee 2 March 2022

### Planning Application DC/21/2261/FUL – Abbey Gardens, Angel Hill, Bury St Edmunds

**Date registered:** 2 December 2021      **Expiry date:** 27 January 2022  
EOT 05 March 2022

**Case officer:** Connor Vince      **Recommendation:** Approve application

**Parish:** Bury St Edmunds Town Council      **Ward:** Abbeygate

**Proposal:** Planning application - re-configuration of staff compound area; a. three bay garage (following demolition of existing concrete garage); b. drainage and irrigation system; c. water bowser area with hose store and greenhouse; d. tarmac surface and skip and compactor area

**Site:** Abbey Gardens, Angel Hill, Bury St Edmunds

**Applicant:** West Suffolk Council (Colin Wright)

**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](mailto:connor.vince@westsuffolk.gov.uk)

Telephone: 07866 913717

## **Background:**

**This application is before the Development Control Committee as it is an application having been submitted by West Suffolk Council's Property Services department.**

## **Proposal:**

1. Planning permission is sought for the re-configuration of staff compound area within the Abbey Gardens complex. This includes:
  - A three bay garage (following demolition of existing concrete garage)
  - The installation of a drainage and irrigation system
  - The construction of a water bowser area with hose store and greenhouse
  - To tarmac the surface
  - The creation of a skip and compactor area
  
2. For clarity, the building referred to as the 'Mess Room' does not form part of the application, despite the submitted plans and supporting statements referring to it. The indicated works to the Mess Room require planning consent and also have ecological implications, which will be discussed in subsequent sections of this report.

## **Application supporting material:**

- Application Form
- Existing Photographs
- 3D Views
- Location Plan
- Surface Water Drainage
- Existing Site Layout
- Proposed Site Layout
- Cartlodge – Proposed Elevations
- Roof Plan
- Bat Roost Assessment
- Bat Survey
- Biodiversity Checklist
- Design & Access Statement
- Flood Risk Assessment
- Planning Statement
- Greenhouse
- Standpipe Details
- Hose Store Elevations
- Efford Bed Design
- Garage Elevation and Details
- Garage Layout
- Gate Details

## **Site details:**

3. The application site lies within the Abbey Gardens site which is a scheduled ancient monument pursuant to the Ancient Monuments Act 1953. The site is also located within the Bury St Edmunds Conservation Area.

4. The proposal relates to a small section of the Abbey Gardens site which is located to the immediate south of the Garden's boundary wall, adjacent to the Aviary.

**Planning history:**

5.

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision date</b>
DC/14/1864/TCA	Trees in a Conservation Area Notification - 2no Sycamore (7 and 8 on plan) Reduce height by 1.5metres and lateral spread by 1m back to the line of the natural crown shape. 1no Maple (27 on plan) Reduce lateral spread on the north side by 1metre, on the east side by 0.5 metre on South side by 1metre, west and north west side by 1metre. Reduce height on the southern side by 1metre.	Application Withdrawn	3 November 2014
DC/18/2523/FUL	Planning Application - Installation of new plant sales retail building (A1 use) including removal of existing timber frame gardener's store and part of existing aviary	Application Granted	01 April 2019

**Consultations:**

**6. Bury St. Edmunds Town Council:**

- "No objection based on information received, subject to Conservation Area issues and Article 4 issues."

**7. Historic England:**

- We recognise this has always been a working area of the park. It provides a valuable supporting function and is vital to the parks maintenance team for supporting the gardening and visitor operation.
- In term of impact the overall footprint of the new development and overall redevelopment of this small area of the park would have a relatively modest impact on the setting of the designated assets and may provide a minor element of enhancement through consolidation of existing facilities and providing a more wholistic approach to the 'back of house' area.

- We note in the Heritage Statement that is applied with the application that attempts have been made to reduce the level and depth impacts of the new scheme to avoid disturbing buried archaeological deposits and this is welcomed. There is however still an unknown element relating to archaeological deposits as to what survives in this area and at what depth. This potential impact therefore does needs to be mitigated.
- This is clearly an important area for the continued operation of the park and garden and its maintenance function we therefore support the proposal to consolidate and refresh this area.
- We recognise the potential for harm but recognise this is likely to be less than substantial in relation to the impact of the proposal on the significance of the designated assets through changes to their setting.
- The heritage statement is however erroneous in terms of the description of additional permission, in particular where it says
- '... it is intended that the excavations for the new garage substructure will not exceed 300 mm below existing ground level. As per Historic England guidance, this is the depth allowed for day-to-day gardening operations at the Abbey Gardens, without the requirement for an Archaeological assessment or field evaluation.'
- The works do not constitute an extension of existing horticultural operations as that is primarily to allow for the continuation of existing planting and these works represent new works (new structures, new pipes, planting beds and so on) in term of the 1979 Act.
- We therefore accept there would likely be some localised archaeological impacts, but we believe these would be mitigated best through a programme of archaeological works. If you are minded to grant planning permission in this case then an archaeological condition on the application would be appropriate as mitigation.
- The applicant does however note and accepts the requirement for Scheduled Monument, Consent and we would therefore anticipate a consent application in due course.
- Historic England supports the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200, 202 and 206.
- In determining this application, you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

#### **8. Conservation Officer:**

- This application is for improvements within the gardeners' compound situated in the Abbey Gardens. The compound is located in a discrete corner of the gardens and largely screened from public view by the enclosing fencing and gates. In addition to providing better and safer facilities for the gardeners, the proposals would visually improve the area

and include measures to protect the historic precinct wall which forms the north boundary of the compound.

- Accordingly, I have no objection to this application. A considerable amount of detail has been submitted with the application so no conservation conditions are required.

#### **9. Ecology:**

- We have reviewed both the Bat Roost Assessment report and Bat Surveys report (both Aspen Ecology, Oct 2021) for this application and note that the Mess Room does not form part of this application.
- We note that the bat roost assessment identified that the garage/machine store does not provide any bat roost potential so would support its demolition without any further bat surveys.
- We are satisfied that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- Should any lighting for security reasons be required, we recommend that a condition for a wildlife sensitive lighting scheme is secured by a condition of any consent to avoid impacts on the known bat roost in the Abbey Walls. We note however that there are no details of any biodiversity enhancements to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). We therefore recommend that details of reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout such as bird, bat and insect boxes to be secured by a condition of any consent.
- This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

#### **10. Landscape comments:**

- The proposed site is located within the grounds of Abbey Gardens, a registered heritage Park and Garden in the centre of Bury St Edmunds. Within Abbey Gardens, the proposed site is located on the northern boundary, adjacent to the historic Abbey wall and formal gardens. The proposal retains the current land use as a staff maintenance compound used for the general maintenance, waste collection, mess facilities and storage within Abbey Gardens, but proposes the reconfiguration of the compound area within the existing perimeter.
- Given its context within Abbey Gardens, the proposal is subject to Policy DM19: Development Affecting Parks and Gardens of Special Historic or Design Interest of the West Suffolk Joint Development Management Policies Document (2015): Proposals for development which affect the character, setting, or views into and/or out of parks and gardens of special

historic or design interest and their settings must not have a detrimental impact upon:

- a. the overall design and layout;
  - b. features, both built and natural, which form an integral part of the design and layout; and
  - c. views into, through, or out of the park or garden, particularly those which are an integral part of the design.
- In line with Policy DM19, the proposal seeks to retain the layout and appearance of the existing compound within the reconfigured design. Materials are selected based on the existing buildings and fencing within the compound, in addition to marginally raising the height of the close board fence to accommodate the increase in built infrastructure visible within the compound.
  - Whilst the site is located within the grounds, the mature tree belt that runs between the formal gardens and the proposed compound provides substantial screening from much of Abbey Gardens. The location and existing screening from within Abbey Gardens reduces the overall visual impact of the proposal. We do however note the proposed close boarded fence is higher than the existing. For visual amenity purposes and to be sympathetic to the character of the registered Garden we ask that other boundary treatments such as brick walls are explored.
  - The submitted existing photographs suggest that a number of mature trees are present within the vicinity of the proposed site. We therefore seek clarifications as to whether tree works will need to be undertaken to accommodate the proposals.

#### **11. Suffolk County Council as Local Highway Authority:**

- Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.

#### **12. Suffolk Archaeology:**

- The proposed development lies within the Scheduled Monument of the medieval abbey of Bury St Edmunds. It will therefore require Scheduled Monument consent, which is administered by Historic England on behalf of the Secretary of State.
- We note from the submission that the scheme has been designed to minimise impacts as far as possible, but will still involve some excavation within the Abbey precinct. We also note Historic England advice that the application relates to a working area of the park, that the harm may be considered less than substantial in relation to the impact of the proposal on the significance of the designated assets, and a recommendation that any consent should be subject to conditions to secure a programme of works.
- Therefore, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of planning conditions to secure record and advanced understanding of the significance of any heritage asset before it is damaged or destroyed.

## **Representations:**

13. No third-party representations received.

## **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 St Edmundsbury Borough Council.

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:

### **SEBC Core Strategy 2010**

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

### **Bury Vision 2031 document**

- Vision Policy BV1 - Presumption in Favour of Sustainable Development

### **Joint Development Management Policies Document 2015**

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM17 Conservation Areas
- Policy DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest
- Policy DM20 Archaeology
- Policy DM46 Parking Standards

### **Other planning policy:**

National Planning Policy Framework (NPPF) 2021

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were

adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

### **Officer comment:**

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

- Principle of Development
- Design, Form and Scale & Resulting Impact of the Proposal upon Heritage Assets
- Impact on Residential Amenity
- Ecological implications
- Arboricultural Implications
- Archaeological Implications
- Other Matters

### **Principle of Development**

16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for St Edmundsbury comprises the Core Strategy, the three Vision 2031 Area Action Plans and the Joint Development Management Policies Document. Policies set out within the NPPF and the presumption in favour of sustainable development contained at its heart are also material considerations.

17. 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 and highway safety. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.

18. The principle of development in this location is therefore something the LPA are able to support, subject to other material planning considerations which, in this instance, are predominantly related to the impact of the proposal upon Abbey Gardens and the Bury St Edmunds Conservation Area.

### **Design, Form and Scale and Resulting Impact of the Proposal upon Heritage Assets**

19. The proposal under determination involves the demolition of the existing concrete garage within the staff compound, as well as re-configuration and general improvement to the site. The compound is located in a discrete corner of the wider Abbey Gardens and largely screened from public view by the enclosing fencing and gates, adjacent to The Aviary.

20. The proposal includes the addition of tarmac and gravel over the existing hard surfacing area, with outlined walking routes. A designated skip (three spaces) and compacting area will be situated on the north-eastern edge of the application site. The existing concrete garage on the north-western edge of the



site is to be demolished and replaced with a brick and timber, 3-bay garage with a pitched roof form approximately 1 metre east of the sales building adjacent to the site. The greenhouse is to be relocated to the south-eastern edge of the site with hose store within this designated water bowser area. Lastly, the installation of a drainage and irrigation system is proposed on the south-western edge of the site. The Mess Room does not form part of this application.

21. The application site lies within the Bury St Edmunds Conservation area and Abbey Gardens is a scheduled monument in its own right. Accordingly, the impact upon these heritage assets must be considered fully as per the statutory duty placed on the LPA by paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

22. In policy terms the National Planning Policy Framework identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 7, 8, 10 and 11). The core planning principles of the NPPF are observed in paragraphs 8 and 11 which propose a presumption in favour of sustainable development. This includes the need to conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life for this and future generations as set out in Chapter 16.

23. At paragraph 199 the NPPF goes on to require planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be, and that 'this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 200 also recognises that the significance of an asset can be harmed from development within the setting of an asset, and that 'any harm or loss should require clear and convincing justification'. It is also recognised in the NPPF (paragraph 201) that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

24. As confirmed by Historic England and the Conservation Officer, this specific area of the Abbey Gardens has traditionally been a working area of the park. It provides a valuable supporting function and is vital to the parks maintenance team for supporting the gardening and visitor operation.

25. The overall footprint of the development and subsequent redevelopment of this works area of the park is considered to have a relatively modest impact on the setting of the designated assets and may provide a minor element of enhancement through consolidation of existing facilities whilst providing a more holistic approach to the 'back of house' area.

26. As confirmed within the submitted Heritage Statement, attempts have been made to by the applicant to reduce the level and depth impacts of the new scheme to avoid disturbing buried archaeological deposits, an approach welcomed by Historic England in particular. All matters relating to Archaeological deposits are discussed below. However, Historic England supports the application on heritage grounds and consider that the application meets the requirements of the NPPF, in particular paragraph numbers 200, 202 and 206.

27. The proposal is therefore able to meet the requirements of policies DM17, DM19 and DM20.

### **Impact on Residential Amenity**

28. Whilst the proposed development is located within the confines of Abbey Gardens, there are residential properties to the North of the application site, beyond the Abbey wall. Accordingly, given the thrust of policy DM2, the potential impact of the proposal upon existing residential amenity must be considered.

29. In this instance, the proposed works will not be visible from within the residential properties and the proposed re-configuration and improvement works to the compound are not considered to engender any adverse implications that the LPA would otherwise seek to resist. Given the enclosed nature of the application site and the extent to which the use will assimilate into the existing Abbey Gardens site, the proposal is not judged to give rise to an unacceptable impact with respect to residential amenity.

### **Ecological Implications**

30. As required by the National Planning Policy Framework (2021) at paragraphs 8c, 174 and 179 the LPA have a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. At a local level, this is exhibited through policies CS2, CS3, DM10, DM11 and DM12.

31. Policy DM11 states that development will not be permitted unless suitable satisfactory measures are in place to reduce the disturbance to protected species and either maintain the population on site or provide alternative suitable accommodation. Section 40 of the Natural Environment and Rural Communities Act 2006 requires that public authorities (which explicitly include the Local Planning Authority) must have regard to the purpose of conserving biodiversity.

32. Policy DM12 seeks to ensure that, where there are impacts to biodiversity, development appropriately avoids, mitigates or compensates for those impacts. The policy requires that all development proposals promote ecological growth and enhancement.

33. The National Planning Policy Framework (2021) indicates that when determining planning applications, local planning authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 180). This is underpinned by Paragraph 8 of the NPPF, which details the three overarching objectives that the planning system should try to achieve and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment.

34. It is not anticipated that the proposal would have a harmful impact on biodiversity interests in this case. Nonetheless, noting the need to secure biodiversity enhancements in any scheme, a condition which requires the submission of basic ecological enhancement measures is recommended.

35. The submitted Bat Survey notes that the bat roost assessment identified that the garage/machine store does not provide any bat roost potential and so would support its demolition without any further bat surveys.

36. The LPA and Ecology consultant are satisfied that there is sufficient ecological information available for determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

37. A condition requiring the submission of biodiversity enhancement measures has therefore been imposed. These biodiversity enhancements have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 20121

38. As the Mess Room does not form part of this application, no further surveys are required in this instance prior to determination. The applicant has been made aware of the need for further survey work to the Mess Room in advance of any future planning application.

### **Arboricultural Implications**

39. Policy DM13 states 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.

40. The proposed site is located within the grounds of Abbey Gardens, a registered heritage Park and Garden in the centre of Bury St Edmunds. Given its context within Abbey Gardens, the proposal is subject to Policy DM19, as previously mentioned.

41. Policy DM19 states: Proposals for development which affect the character, setting, or views into and/or out of parks and gardens of special historic or design interest and their settings must not have a detrimental impact upon:

- a. the overall design and layout;
- b. features, both built and natural, which form an integral part of the design and layout; and
- c. views into, through, or out of the park or garden, particularly those which are an integral part of the design.

42. In line with Policy DM19, the proposal seeks to retain the layout and appearance of the existing compound within the reconfigured design. Materials are selected based on the existing buildings and fencing within the compound, in addition to marginally raising the height of the close board fence to accommodate the increase in built infrastructure visible within the compound.

43. A mature tree belt runs between the formal gardens and the proposed compound provides substantial screening from much of Abbey Gardens. The location and existing screening from within Abbey Gardens reduces the overall visual impact of the proposal.

44. In response to the comments received from Place Services – Landscaping, no arboricultural works are proposed as confirmed by the supporting documents, with the existing fencing on the southern boundary to be replaced with a moderately taller 2.1 metre fence than the current 1.8 metre high fence. There will be no further encroachment into the soft landscaping area which screens the site from wider public view from the Abbey Gardens. The material choice for the

replacement fence is therefore considered to be acceptable, with no wider concerns raised by the Conservation Officer.

45. As previously mentioned, the site is located within a conservation area. Therefore, if any works would be needed to facilitate the proposed works, given the context of the area and the mature soft landscaping specimens, any tree over 75mm in diameter, at 1.5m above ground level, is automatically protected.

### **Archaeological Implications**

46. Policy DM20 (Archaeology) states development will not be acceptable if it would have a material adverse effect on Scheduled Ancient Monuments or other sites of archaeological importance, or their settings.

47. On sites of archaeological interest, or of potential archaeological importance, provided there is no overriding case against development, planning permission will be granted subject to satisfactory prior arrangements being agreed.

This will include one or a combination of the following:

- a. an appropriate desk based assessment and/or field evaluation of the archaeological interest or significance prior to determination.
- b. the preservation of archaeological remains in situ;
- c. the adequate recording of the heritage asset by archaeological investigation before development commences (preservation by record).

48. Suffolk County Council's Archaeology service have confirmed that there is a need for a planning condition which requires a programme of works, which has been agreed with the applicant.

49. Given the context of the application, Scheduled Monument Consent is also required for the works, as confirmed by Historic England. The applicant is aware of this requirement and is taking the necessary measures to apply accordingly.

### **Other Matters**

50. Given the nature of the proposed works, there will be no adverse impacts upon the adopted highway, as confirmed by the Local Highway Authority. The proposed works will be used in conjunction with the maintenance of the Abbey Gardens site.

### **Conclusion:**

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

### **Recommendation:**

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

1. The development hereby permitted shall be begun not 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:

Reason: To define the scope and extent of this permission

3. No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure and boundary treatments; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason - To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 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.

4. No development shall take place on site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
  - a. The programme and methodology of site investigation and recording.
  - b. The programme for post investigation assessment.
  - c. Provision to be made for analysis of the site investigation and recording.
  - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
  - e. Provision to be made for archive deposition of the analysis and records of the site investigation.
  - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
  - g. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development in accordance with

policy DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of loss and damage to archaeological and historic assets.

5. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting location plan and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). To safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 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.

6. Prior to development above slab level, 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.

<b>Reference No:</b>	<b>Plan Type</b>	<b>Date Received</b>
169/2021/11 P1	Application Form	15 November 2021
	Existing Photographs	15 November 2021
	3D Views	15 November 2021
	Location Plan	15 November 2021
	Surface Water	15 November 2021
	Drainage	15 November 2021

WSC6004 001	Existing Site Layout	15 November 2021
WSC6004 002	Proposed Site Layout	15 November 2021
WSC6004 004	Cartlodge – Proposed Elevations	15 November 2021
WSC6004 009	Roof Plan	15 November 2021
AE21081	Bat Roost Assessment	15 November 2021
AE21081	Bat Survey	15 November 2021
	Biodiversity Checklist	15 November 2021
20078	Design & Access Statement	15 November 2021
	Flood Risk Assessment	15 November 2021
	Planning Statement	15 November 2021
	Greenhouse	02 December 2021
	Standpipe Details	02 December 2021
WSC6004	Hose Store Elevations	02 December 2021
WSC6004 003	Efford Bed Design	02 December 2021
WSC6004 005	Garage Elevation and Details	02 December 2021
WSC6004 006	Garage Layout	02 December 2021
WSC6004 007	Gate Details	02 December 2021

**Documents:**

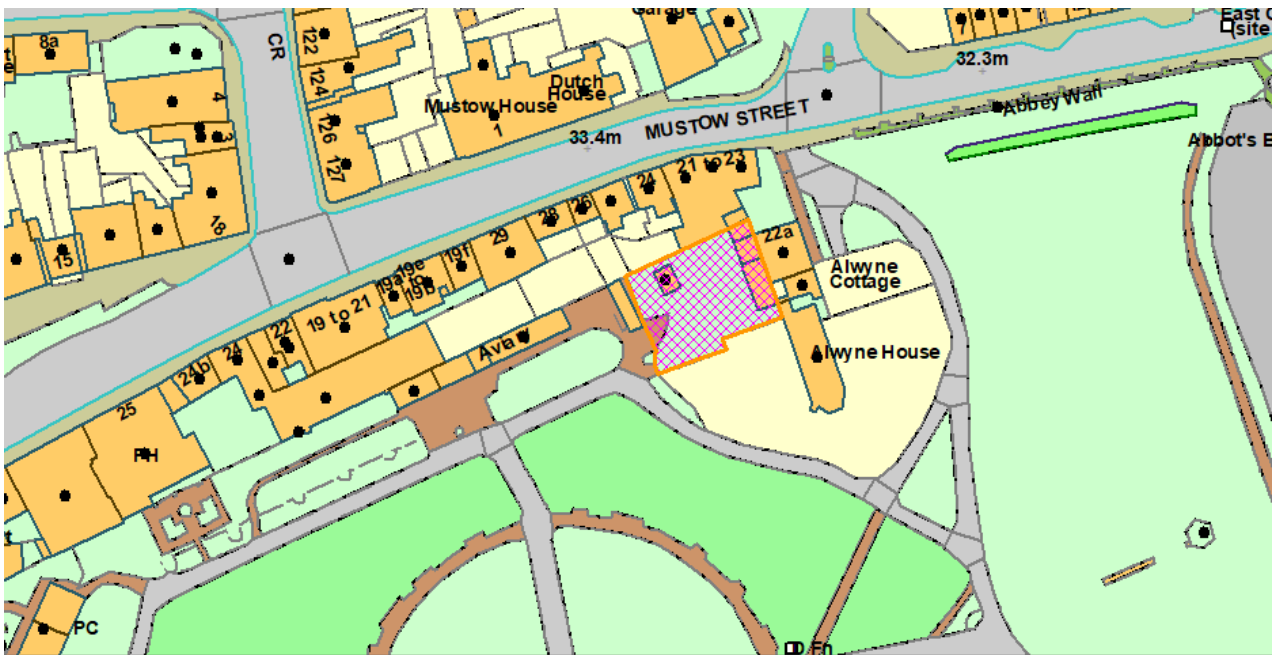
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/21/2261/FUL>

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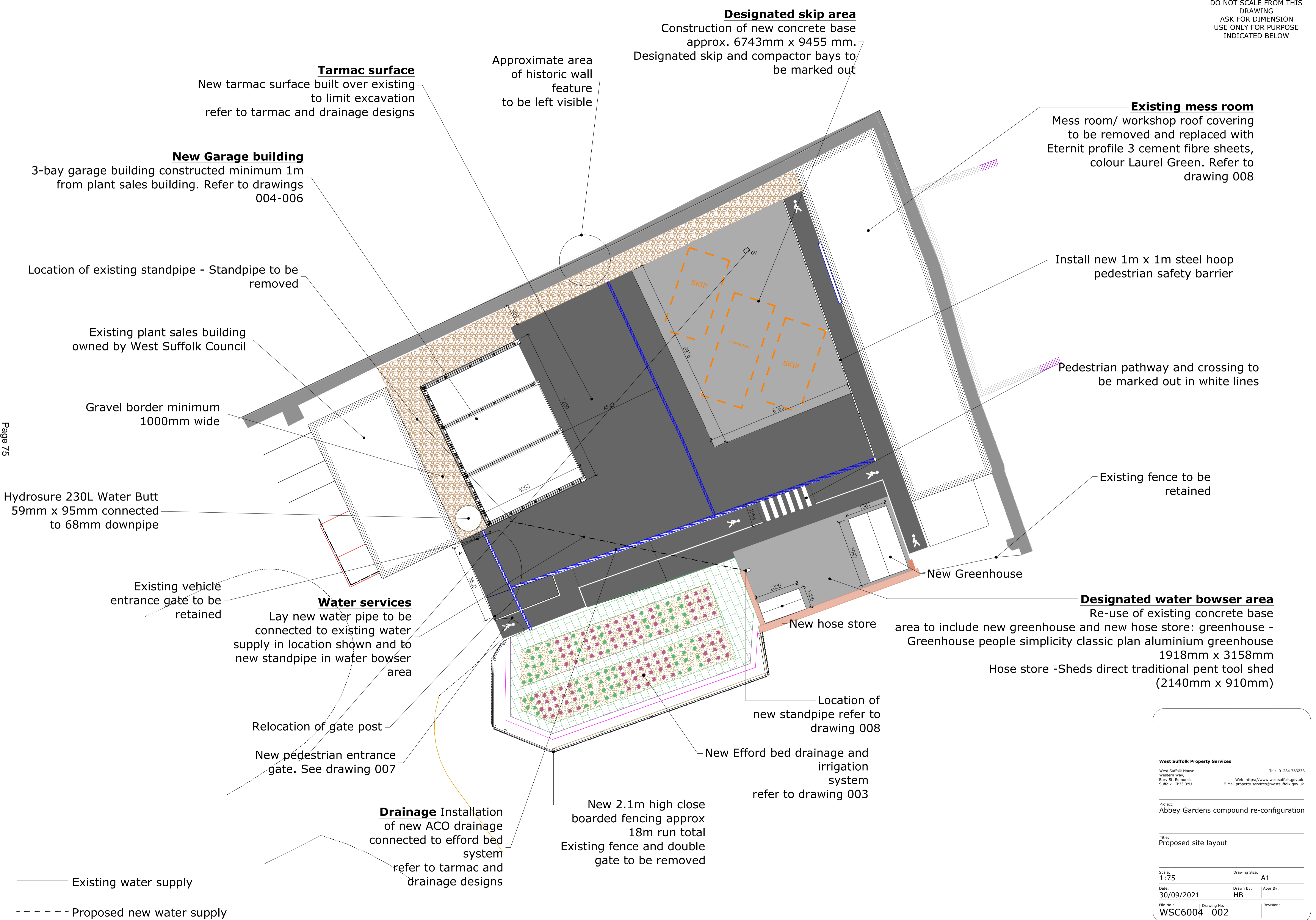


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Abbey Gardens



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**West Suffolk Property Services**  
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Project:  
Abbey Gardens compound re-configuration

Title:  
Proposed site layout

Scale:  
1:75

Drawing Size:  
A1

Date:  
30/09/2021

Drawn By:  
HB

Appr By:

File No.:  
WSC6004\_002

Drawing No.:

Revision:

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## **Development Control Committee**

### **2 March 2022**

#### **Planning Application DC/22/0276/DE1 – West Suffolk Council, Gym and Library, College Heath Road, Mildenhall**

**Date registered:** 11 February 2022      **Expiry date:** 11 March 2022

**Case officer:** Connor Vince      **Recommendation:** Prior Approval Required

**Parish:** Mildenhall      **Ward:** Mildenhall Kingsway And Market

**Proposal:** Notification under Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - demolition of district offices, health and library

**Site:** West Suffolk Council, Gym and Library, College Heath Road, Mildenhall

**Applicant:** West Suffolk Council

**Synopsis:**

Application under The Town and Country Planning (General Permitted Development) (England) Order 2015.

**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](mailto:connor.vince@westsuffolk.gov.uk)

Telephone: 07866 913717

## **Background:**

**The notification is made under regulations contained within the Town and Country Planning (General Permitted Development) Order 2015, specifically Schedule 2 Part 11 Class B.2. In such instances, an application is required to be submitted to the local planning authority for their determination as to whether the prior approval of the local authority is required in relation to the method of demolition and any proposed restoration of the site.**

**The application is presented before the Development Control Committee since it relates to an application made by and on behalf of West Suffolk Council.**

## **Proposal:**

1. It is proposed to demolish in full the former District Offices building including outbuilding, the former NHS Health Centre and adjacent former Public Library building.

## **Application supporting material:**

2. The application has been supported by –
  - Site plan
  - Bat survey
  - Preliminary Ecological Appraisal
  - Tree report
  - Planning Statement.

## **Site details:**

3. The site incorporates the former Forest Heath District Council (latterly West Suffolk Council) District offices, the former NHS Health Centre for Mildenhall and District and the former Public Library serving Mildenhall and District.
4. The council building was constructed circa 1980 and is constructed from a steel frame and precast concrete infill wall panels, external clad with facing brickwork walling and details. All ground and first floors are precast concrete 'planks' supported off steel frame. External windows and doors are generally powder coated aluminium sliding sash windows, double glazed, along with timber boarded, louvred doors to ancillary and plant room areas.
5. In June 2021, West Suffolk Council and partnering agencies opened the new Mildenhall Hub complex located to the west of Mildenhall Town centre forming a single site incorporating district offices, health centre and public library with modern facilities. The existing buildings located in Chestnut Close Mildenhall and College Heath Road Mildenhall therefore became redundant. The District offices closed in July 2021 with the Health Centre and Library closing in August / September 2021. All three buildings are now vacant and empty of furniture.

## Planning history:

Reference	Proposal	Status	Decision date
DC/21/1536/FUL	Planning application - Installation of two metre high security fencing including personnel and vehicle access gates, to external boundary	Application Granted	17 November 2021
DC/22/0087/DE1	Notification under Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 - demolition of district offices, health and library	Application Withdrawn	8 February 2022
F/79/304	Office development for proposed District Council Headquarters	Approve with Conditions	12 July 1979

## Consultations and Representations:

No consultations are required to take place and no representations have been received. However, consultations have taken place in relation to ecological and arboricultural matters.

Ecology – Comments awaited, these will be reported verbally.

Arboricultural Officer – No objection subject to details of Arboricultural method Statement.

## Legislative Context

6. The notification is made under regulations contained within the Town and Country Planning (General Permitted Development) Order 2015, specifically Schedule 2 Part 11 Class B.2. In such instances, an application is required to be submitted to the local planning authority for their determination as to whether the prior approval of the local authority is required in relation to the method of demolition and any proposed restoration of the site.
7. The issues to be considered in the determination of the application are:
  - Method of Demolition
  - Restoration of the site
  - Impacts on Biodiversity

## Officer comment:

8. As set out above, the works proposed are permitted development, subject to confirmation from the Local Planning Authority as to whether or not 'prior approval' is needed. Consideration in this regard can only be given to the method of demolition and to the restoration of the site following demolition. Additionally, as part of its statutory duty, the Local Planning Authority must also have regard to biodiversity.

### Method of Demolition

9. It is proposed to demolish in full the former District Offices building including outbuilding, the former NHS Health Centre and adjacent former Public Library building.
10. The proposals include the termination of the gas supply and electrical supply to the former District offices building along with the termination of the gas supply, water supply and electrical supply to the Health Centre and Library building. This will be undertaken via a combination of UKPN, Utility companies and West Suffolk Council appointed contractors
11. The entire site will be securely fenced by the appointed demolition contractor and dust screening added. All public highways adjoining the site including College Heath Road to the west and north of the site and Chestnut Close to the south will remain unaffected by the works and will remain operational and 'live' at all times.
12. The buildings in question will be initially 'soft stripped' of their fixtures and fittings with emphasis on recycling where possible. The buildings will be reduced to a structural shell. Limited levels of asbestos is noted within the buildings and this will be safely removed via Licenced Asbestos contractors where necessary in accordance with Health and Safety Regulations guidance
13. The buildings will then be reduced to ground level via the use of mechanical machinery working solely within the 'footprint' of the buildings. All rubble / debris and the like will be crushed and removed from site and steelwork recycled. The floor slabs to the three buildings will be removed along with the foundations and all arisings crushed and removed from site.

### Control of Dust

14. There are in excess of 80 residential occupied properties within 100m of the site as well as an industrial premises and an operational ambulance station. Within a 350m radius of the site there are significantly more residential properties. The potential for dust pollution has been noted as high.
15. The activities on site with risk potential will comprise of demolition and debris removal. Materials arising from soft strip and from dismantling the frame have a small dust release potential. The dust risk from demolition of the brickwork and the concrete elements of the buildings does give rise to a medium potential dust emission magnitude.



16. These parameters combined give rise to a medium dust pollution risk from the site during the demolition process.

17. The following controls to reduce this risk will include:

- 1) Engagement with neighbours and provision of contact details
- 2) Compliance with any planning conditions imposed by the Local Authority
- 3) Keeping track of any complaints and actions taken.
- 4) Recording any instances where there is high visible dust pollution
- 5) Routine site inspections to ensure dust risks are controlled
- 6) Site layout and machine positions to reduce potential dust
- 7) Thorough soft strip
- 8) Using the existing building(s) as screens particularly keeping the Library / Health Centre standing until last as well as the northwest perimeter wall of the Council offices.
- 9) Enclosing and screening any high dust generating processes.
- 10) Soaking prior to dismantling
- 11) Water suppression on attachments during machine use as well as targeted hand-held sprays.
- 12) Atomiser or fog cannon use across the site area.
- 13) Preventing double handling of masonry and concrete stockpiles.
- 14) Sheeting of waste lorries.
- 15) Isolation cutting being water suppressed.
- 16) Preventing dry sweeping.
- 17) Road sweeping on site routes where required.
- 18) Adhering to note 3/16 (12) by Defra for any mobile crushing.

#### Noise Control / Abatement

18. The nature of demolition work on site in the crushing of the residual materials including brickwork and concrete will result in noise build up for a period of time.

19. Noise levels will be monitored throughout and all repetitive methods creating significant noise levels will be limited to normal working hours (8.00am to 17.00pm) Monday to Friday only. There is no planned weekend working.

20. Officers are satisfied that demolition undertaken in the terms specified above will be acceptable in general terms.

#### Method of Demolition in relation to Trees

21. All trees on site are intended to be retained. The Principal Demolition Contractor appointed will be required to supply and erect 'Heras' type fencing, fully secured and stable, to surround all trees within 5 linear metres (measured from extremity of canopy) to prevent damage occurring from the demolition works.

22. The Arboricultural Officer has advised that this manner of protection is not going to be viable due to the proximity of certain trees to the footprint of the various buildings and hard surfaces that are to be removed. There are numerous facets of the demolition process outlined in the Planning Statement that have the potential to have a significant detrimental impact

on important trees, and these will need to be subject to specialist input via a detailed Arboricultural Method Statement (AMS) to cover the following matters –

- Dust screening –the design and method of installation will need to be demonstrated where it is inside of any Root Protection Areas (RPAs).
- The floor slabs to the three buildings will be removed along with the foundations – This will require additional consideration of how the removal of foundations may affect the stability of certain trees, namely T36-T40. Any demolition or subterranean works within RPAs will need to be supported by a detailed specification of working methods and require a schedule of supervision from an appropriately qualified arboriculturalist.
- On completion of the demolition works, the resulting trenches and surface depressions will be infilled with a combination of crushed debris and topsoil. The entire site will be levelled and grass seeded accordingly – ‘Crushed debris’ should not be used to infill any depressions within any RPAs, nor should there be any changes to existing ground levels within currently unsurfaced areas of RPAs.
- Any services left on site will be secured and made weather tight – This should be detailed within the AMS if it involves excavations within any RPAs.
- All paving slabs forming footpaths strictly within the boundary will be uplifted and crushed – The methods of this should be detailed in the AMS.
- All foul drainage located within the site boundary will be grubbed up and capped accordingly - This should be detailed within the AMS if it involves excavations within any RPAs.
- All surface water soakaways to within the site boundary will be infilled and levelled - This should be detailed within the AMS if it involves excavations within any RPAs.

23. Therefore, absent a specific Arboricultural Method Statement covering these matters the ‘method of demolition’ cannot be confirmed as being satisfactory. An Arboricultural Method Statement is awaited from the applicant.

24. Prior Approval for this element of the proposal is therefore required.

#### Restoration of The Site

25. On completion of the demolition works, the resulting trenches and surface depressions will be infilled with a combination of crushed debris and topsoil. The entire site will be levelled and grass seeded accordingly. All temporary fencing to the site boundary will be removed.

26. The existing security fencing will be altered locally to infill gaps and the site left secure.

27. Any services left on site will be secured and made weather tight via the installation of Glasdon style cabinets.

28. All paving slabs forming footpaths strictly within the boundary will be uplifted and crushed.

29. All inner service roads and existing car parking areas will be retained in their current condition and will not form part of the demolition works.
30. All street lighting to within the site boundary will remain insitu.
31. All foul drainage located within the site boundary will be grubbed up and capped accordingly.
32. All surface water soakaways to within the site boundary will be infilled and levelled.
33. The site will be levelled removing trenches and surface depressions.
34. All areas affected by the demolition and within the 'footprint' of the buildings will be finished with graded topsoil and grass seeded
35. The site will be left secured.
36. Officers are satisfied therefore that in the context of this site the proposed restoration of the site is acceptable and that Prior Approval is not therefore required for this element.

#### Biodiversity

37. A bat survey has been submitted which confirm the absence of any roosting bats on the buildings or at the site. Furthermore, a Preliminary Ecological Appraisal has been provided which indicates no likely effect upon and protected species subject to recommendations in the appraisal.
38. The Principal Contractor will also allow for the safe removal of all temporary fencing and associated parts from site on completion of the demolition works
39. The soft landscaping around all buildings is to remain undisturbed and protected, as far as is practical.
40. In this regard Officers are satisfied that the impacts upon biodiversity will be acceptable albeit a consultation response is awaited from Place Services Ecology, which will be updated in due course, or at the meeting as appropriate.

#### Archaeology

41. No specific details have been submitted in relation to Archaeological deposits at the site. The LPA have been notified by Suffolk Archaeology informally at this stage that the more recent development of the site has likely had an impact on archaeological remains which may have been present. Some historical work may be advisable to confirm given the historical background of the site and also the wider site in general.
42. Discussions are ongoing between the applicant and County's Archaeological service in this regard. Should archaeological information be required to be submitted, prior approval as to the method of demolition and impacts on archaeological deposits will be required.

43.A formal response from the archaeological service is expected, and an update will be provided as a late paper or at the meeting as appropriate.

**Conclusion:**

44.In conclusion, it is considered that the method and manner of demolition is generally acceptable, but that having regard to the presence of trees on site and the lack of specific information it must be confirmed that prior approval for these further details is required. It is considered that the manner of restoration for the site will be acceptable and that the impacts upon biodiversity will be acceptable.

45.Accordingly, Prior Approval for restoration is not required, but that Prior Approval as to the method of demolition, with regard specifically to the trees on site, is required. Prior approval may also be required in relation to archaeological deposits, as above.

**Recommendation:**

46.It is recommended that:

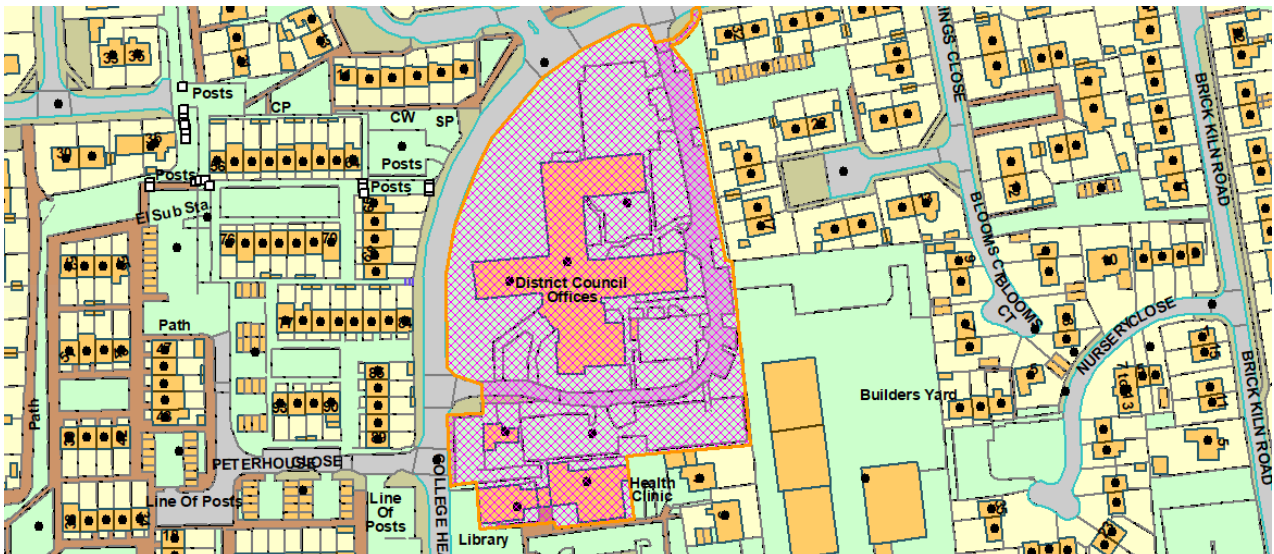
1. It be confirmed that Prior Approval as to the method of demolition is **REQUIRED**; and
2. It is further recommended that Delegated Authority be given to Officers to confirm the method of demolition as being acceptable upon satisfactory receipt of further tree protection measures and potentially archaeology.

**Documents:**

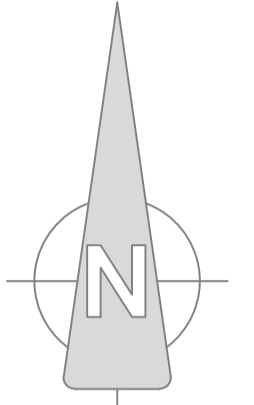
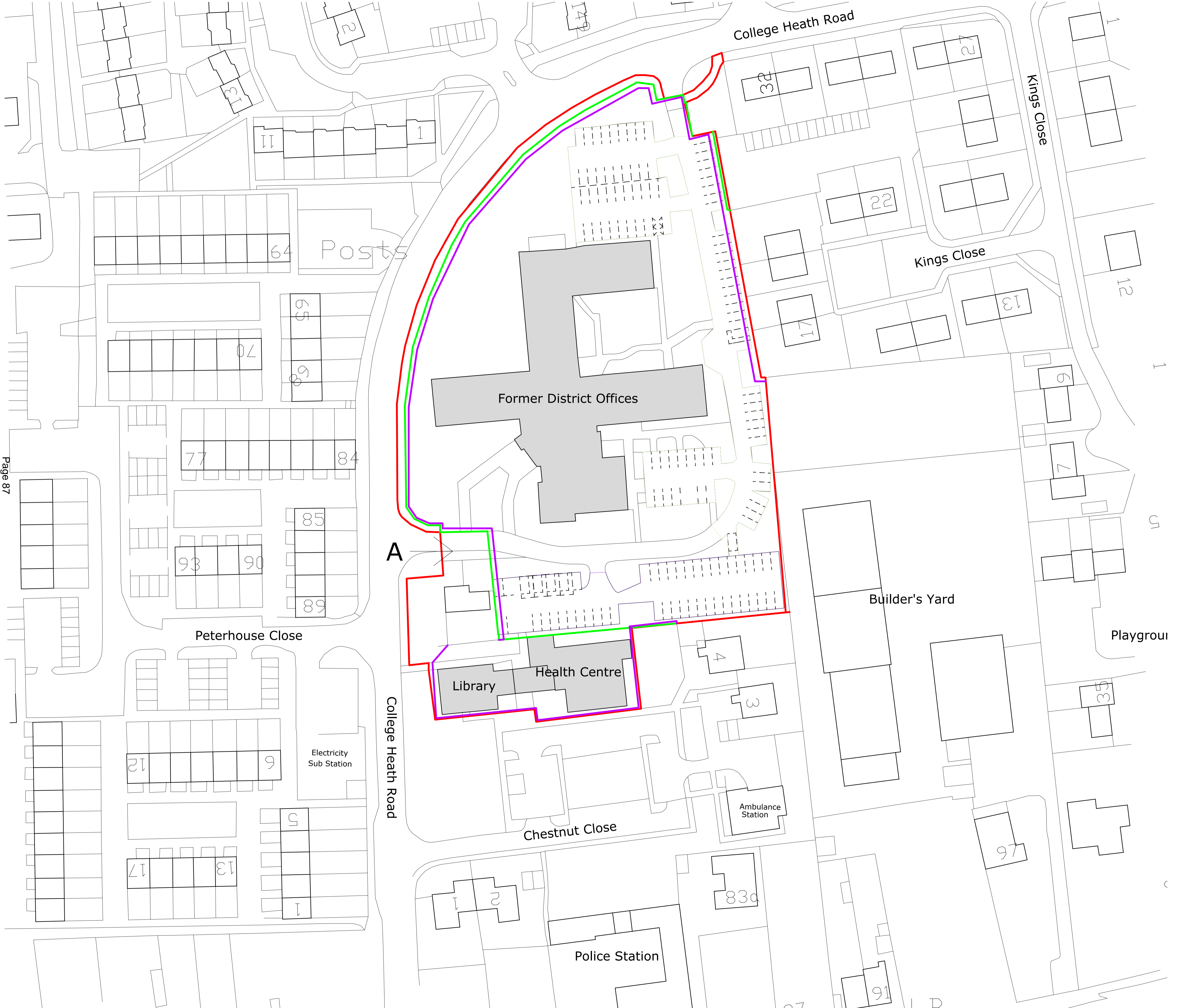
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

DC/22/0276/DE1

Council offices College Heath Road Mildenhall



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- Buildings to be demolished
- Line of security fencing post demolition work
- Site Boundary
- Line of temporary fence / screen
- Designated site access / egress

**West Suffolk Property Services**  
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Project: **College Heath Road Offices Mildenhall**

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Title: **Plan Layout**

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Scale: <b>1 : 500</b>	Drawing Size: <b>A1</b>
Date: <b>February 2022</b>	Drawn By: <b>OL</b>   Appr By:
File No.:	Drawing No.:   Revision:

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