

Development Control Committee

Title	Agenda		
Date	Wednesday 4 May 2022		
Time	10.00 am		
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds, IP33 3YU		
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Mike Chester and Jim Thorndyke</p> <p>Conservative Group (10) Carol Bull Ian Houlder Andy Drummond David Roach Susan Glossop Peter Stevens Brian Harvey</p> <p>The Independent Group (6) Richard Alecock Roger Dicker John Burns David Palmer Jason Crooks</p> <p>Labour Group (1) David Smith</p>		
Substitutes	<p>Conservative Group (5) Nick Clarke Sara Mildmay-White John Griffiths David Nettleton James Lay</p> <p>The Independent Group (2) Trevor Beckwith Andy Neal</p> <p>Labour Group (1) Diane Hind</p>		
Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.		
Quorum	Six Members		
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting			
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk		

Venue	Conference Chamber West Suffolk House Western Way, Bury St Edmunds, IP33 3YU
Contact information	Telephone: 01284 763233 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting	The agenda and reports will be available to view at least five clear days before the meeting on our website.
Attendance at meetings	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 https://www.westsuffolk.gov.uk/contact-us.cfm
Public participation	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.
Accessibility	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.
Recording of meetings	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.
Personal information	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: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm 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 via the separate link on the agenda's webpage for this meeting.

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.

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 - 4

To confirm the minutes of the meeting held on 6 April 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. Planning Application DC/22/0090/HH - 18 Aspal Hall Road, Beck Row

5 - 14

Report No: **DEV/WS/22/012**

Householder planning application - a. outbuilding to front elevation b. cladding of front elevation

6. Planning Application DC/21/2118/FUL - Lady Wolverton Pavilion, Adastral Close, Newmarket

15 - 24

Report No: **DEV/WS/22/013**

Planning application - one log cabin

7. Planning Application DC/21/2220/HH - 29 Springfield Avenue, Bury St Edmunds

25 - 36

Report No: **DEV/WS/22/014**

Householder planning application - single storey rear extension

**8. Planning Application DC/22/0644/DE1 - Mildenhall
Swimming Pool, Recreation Way, Mildenhall**

37 - 48

Report No: **DEV/WS/22/015**

Notification under Part 11 of Schedule 2 of the Town and Country
Planning (General Permitted Development) Order 2015 -
demolition of building

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 6 April 2022** at **10.00am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith	
Vice Chairs Mike Chester and Jim Thorndyke	
Carol Bull	Ian Houlder
John Burns	Andy Neal
Roger Dicker	David Palmer
Andy Drummond	David Roach
Susan Glossop	David Smith
Brian Harvey	Peter Stevens

223. Apologies for absence

Apologies for absence were received from Councillors Richard Alecock and Jason Crooks.

224. Substitutes

The following substitution was declared:

Councillor Andy Neal substituting for Councillor Richard Alecock

225. Minutes

The minutes of the meeting held on 2 March 2022 were unanimously confirmed as a correct record and signed by the Chair.

226. Declarations of interest

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

227. Planning Application DC/22/0037/FUL - Woodland Ways Pond Covert, Sebert Road, Bury St Edmunds (Report No: DEV/WS/22/010)

Planning Application - a. metal container for storage purposes and b. 1.8 metre high close boarded fence and gates

This application was referred to the Development Control Committee because the proposal was on land owned by West Suffolk Council.

The Committee was advised that the metal container, fence and gates had benefitted from three successive temporary consents. Therefore, in light of it having been in-situ for over a decade the application before Members now sought permanent retention.

Attention was drawn to the supplementary 'late papers' which had been circulated following publication of the agenda, and which set out amended wording in respect of Condition 2 which related to the paint colour to be utilised, and which was displayed in the meeting to the Committee.

Officers were recommending that approval be granted, subject to conditions as set out in Paragraph 21 of Report No DEV/WS/22/010, inclusive of the amendment as outlined above.

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

In response to questions posed by Members the Officer advised that the existing fence was to be retained.

It was proposed by Councillor John Burns that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

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

1. Compliance with plans
2. Within six months from the date of this permission the container hereby approved for permanent retention shall be painted externally using colour 'Emerald Delight 1'.

228. Planning Application DC/22/0113/LB - 7 The West Front, Samsons Tower, The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/011)

Application for listed building consent - roofing remedial works to Samson's tower as amended by plan received 04 March 2022

This application was referred to the Development Control Committee as West Suffolk Council was the applicant and owner.

Members were advised that consideration of proposals such as this were governed by The Planning (Listed Buildings and Conservation Areas) Regulations 1990. Those regulations required that for applications submitted by the Council to the same Local Planning Authority relating to the execution of works for the demolition, alteration, or extension of Listed Buildings, the Authority should apply to the Secretary of State for that consent.

The Committee was therefore asked to note the recommendation before them at Paragraph 36 of Report No DEV/WS/22/011. Whilst Officers were satisfied that, having considered all material matters, the proposal was acceptable, this was not a decision for West Suffolk Council to take. The recommendation therefore was to note the Officer position in relation to the acceptability of the scheme, but thereafter to refer the matter to the Secretary of State for determination.

Attention was drawn to the supplementary 'late papers' which had been circulated following publication of the agenda, and which set out comments received in relation to ecology matters. These matters would require resolution prior to notifying the Secretary of State of the application in relation to the determination process.

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

It was proposed by Councillor Andy Drummond that Listed Building Consent be granted and that the matter be sent to the Secretary of State for determination, as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

1. Delegated Authority be given to Officers to conclude considerations in relation to the biodiversity related implications of this proposal, and for the matter to only be referred to the Secretary of State in the event that such impacts are considered acceptable;
2. Subject to 1. the LPA confirms that it is content that, all matters considered, it is minded to **GRANT** Listed Building Consent; and
3. The matter be sent to the Secretary of State for determination, and that it be recommended to the Secretary of State that consent be granted subject to the following conditions:
 - I. The works to which this consent relates must be begun not later than three years from the date of this notice
 - II. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.

The meeting concluded at 10.18am

Signed by:

Chair

Development Control Committee 4 May 2022

Planning Application DC/22/0090/HH – 18 Aspal Hall Road, Beck Row

Date registered:	28 January 2022	Expiry date:	25 March 2022
		EOT agreed:	05 May 2022
Case officer:	Debbie Cooper	Recommendation:	Approve application
Parish:	Beck Row, Holywell Row & Kenny Hill	Ward:	The Rows
Proposal:	Householder planning application - a. outbuilding to front elevation b. cladding of front elevation		
Site:	18 Aspal Hall Road, Beck Row, IP28 8BE		
Applicant:	Steve Sharp		

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:

Debbie Cooper

Email: deborah.cooper@westsuffolk.gov.uk

Telephone: 07866 172895

Background:

This application is before the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer's recommendation was one of APPROVAL, contrary to the Parish Council's objection to the application.

Proposal:

1. Planning permission is sought retrospectively for a single storey outbuilding to the front of the dwelling to create a disability gymnasium for the personal use of the applicant. The outbuilding measures up to 6.5 metres in depth and 4.6 metres in width, with a flat roof to a height of 2.3 metres. The outbuilding is clad with a charcoal colour cement board cladding.
2. The proposal was amended during the course of the application to also include (retrospectively) the cladding of the front elevation of the house, to match the finish of the outbuilding.

Site details:

3. The application site comprises of a single storey detached dwelling situated within the settlement boundary of Beck Row.
4. The dwelling is set back from the road with off-road parking. There is a low wall and railings to the front and southern side boundary, with a fenced boundary to the northern side. Aspal Hall Road is a Public Right of Way (footpath) and immediately to the rear of the site is Aspal Park, a County Wildlife Site.

Planning history:

5. None

Consultations:

6. **Environment & Transport – Highways:** For Suffolk County Council to determine the application, property bedrooms should be provided to determine the level of parking that should be allocated to the dwelling as per Suffolk Guidance for Parking 2019. As per SGP 2019, a class C3 dwelling with four-bedrooms is required to have 3+ parking spaces. Along with this, amendments should be made to drawing no. 01-22 to show the dimensions of each parking space. In addition to above, any new access in this location would need to be designed in accordance with Suffolk County Council's Standard Access Drawing No. DM01; with an entrance width of 3.0m. This should be clearly denoted on a revised plan, alongside the visibility splays outlined above. Until the details outlined above have been submitted for review, Suffolk County Council as Highway Authority recommends a Holding Objection. The following information would also be required: Areas have been allocated for bin storage; however, no location has been assigned for presentation. Drawing to be revised with allocated areas for bin presentation on site.

Officer note: following clarification of bedroom numbers and existing access, the following additional Highways comments were received: –

No objections subject to a condition requiring the provision and maintenance of off-road parking.

Officer note: The Highways Authority also requested electric vehicle charging infrastructure, cycle storage and bin presentation – as this application is a householder application for the provision of an outbuilding and cladding, we are unable to secure this under this application.

7. **Green Access Team Suffolk County Council Rights Of Way:** no objections; provided advisory notes for the applicant.

Representations:

8. **Parish Council:** object. The objections are based on the construction being forward of the established building line and not in keeping with the street scene.

Officer note: following the inclusion of the front cladding, the Parish Council confirmed that they continue to object and that previous observations regarding this application still stand.

9. **Neighbours:** no representations 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 District 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 DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Core Strategy Policy CS5 - Design quality and local distinctiveness

Other planning policy:

12. National Planning Policy Framework (NPPF)

13. 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:

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

- Principle of Development
- Impact on neighbouring amenity
- Impact on street scene/character of the surrounding area
- Impact on highway safety

Principle of development

15. Policy DM24 states that extensions and alterations (including outbuildings) shall respect the scale, character and design of the existing dwelling and the character and appearance of the immediate and surrounding area. It should not result in over-development of the dwelling curtilage or adversely affect the residential amenity of neighbouring dwellings.

16. In this case, the curtilage of the site is large enough to accommodate the outbuilding without overdevelopment occurring. Therefore, the principle of the development is considered to be acceptable, albeit further consideration is necessary in relation to character, appearance and amenity impacts.

Impact on neighbouring amenity

17. The outbuilding is sited adjacent to the northern side boundary of the dwelling, beyond which is an area of trees and shrubs which form an entrance to Aspal Park County Wildlife Site. The outbuilding has a modest height of 2.3 metres and is sited a sufficient distance from the neighbouring property to the south such that there are no significant adverse impacts on residential amenity arising in terms of loss of light, overlooking or an overbearing impact. It is therefore considered to comply with policies DM2 and DM24 which seek to ensure that development does not have a detrimental impact on residential amenity.

Impact on street scene / character of the surrounding area

18. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, including development within the curtilage, will be acceptable provided that the proposal respects the character, scale and design of the existing dwelling and the character and appearance of the immediate and surrounding area. Likewise, policy DM2 requires that proposals recognise and address the key features, characteristics and special qualities of an area and maintain or create a sense of place.

19. Whilst the properties in the row are identical in design, the material finish and appearance of several have been updated to include render and cladding, including an identical cladding finish to the front elevation of the immediate neighbour to the south. The material finish is therefore considered to be appropriate.

20. The outbuilding, whilst forward of the front elevation of the house by 3.2 metres, has a modest height of 2.3 metres. This along with its position adjacent to the fence means that it is not an overly prominent feature in the street scene when approaching from the north. The blending of the material finish with the front of the dwelling gives the appearance of an extension to the dwelling, which, given its position at the end of the row of properties, is considered to be of an appropriate design, scale and form, respecting the character of the dwelling and the wider area. It is therefore considered to comply with policies DM2 and DM24.

Impact on highway safety

21. The property retains at least one off-road parking space, consistent with parking standards for a two-bedroom property, in accordance with policy DM46.

Conclusion:

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

Recommendation:

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

- 1 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
01-22	Location plan	20 January 2022
01-22	Ex elevations & floor plans	18 February 2022
01-22	Proposed plans	18 February 2022

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

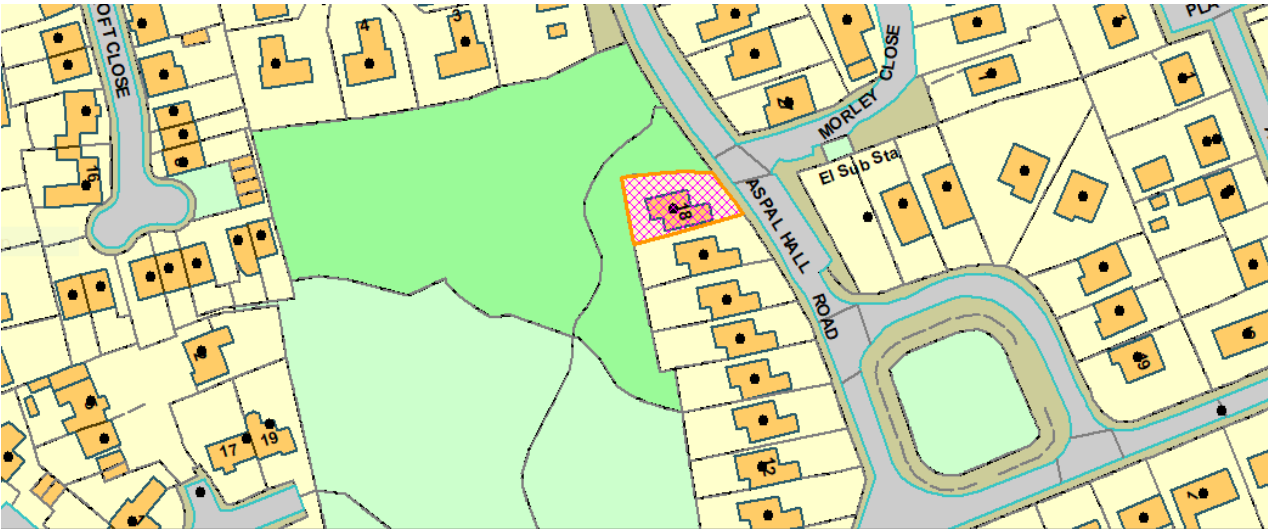
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0090/HH](https://www.brighton.gov.uk/DC/22/0090/HH)

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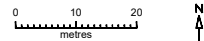


18 Aspal Hall Road




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MapServe



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		<small>These drawings are for DESIGN purposes only, 2TDB are not liable for unforeseen problems in build. Please DO NOT Scale this drawing, dimensions must be checked on site before building works commence & any discrepancies reported.</small>	
		<small>Bill Kane 07971926112</small>	
1-1250			
18 Aspal Hall Road Beck Row IP28 8BE			
Steve Sharp			
No:	Revision:	Date:	Date:
			07-01-2022
			Scale: 1-1250
			Drawn By: WK
			Drawing No: 01-22
			Paper Size: A4

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Development Control Committee

4 May 2022

Planning Application DC/21/2118/FUL – Lady Wolverton Pavilion, Adastral Close, Newmarket

Date registered:	14 March 2022	Expiry date:	9 May 2022
Case officer:	Savannah Cobbold	Recommendation:	Approve application
Parish:	Newmarket Town Council	Ward:	Newmarket West
Proposal:	Planning application - one log cabin		
Site:	Lady Wolverton Pavilion, Adastral Close, Newmarket		
Applicant:	Ms Susan Norman		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 07971 534117

Background:

The application is referred to Development Control Committee as Lady Wolverton Pavilion is a council owned site. The application is recommended for APPROVAL and the Town Council raise no objections.

Proposal:

1. The application seeks planning permission for the construction of a log cabin within the grounds of Lady Wolverton Pavilion. The proposed log cabin is 5 metres by 11 metres and accommodates two classrooms and a cloakroom area associated with the existing nursery school on the site. The overall height is 2.4 metres.

Application supporting material:

- Existing block plan
- Location plan
- Block plan
- Proposed elevations
- Proposed floor plan
- Log cabin details
- Notice served on West Suffolk Council

Site details:

2. The application site is located within the settlement boundary for Newmarket. The building itself is located within existing playing fields at Adastral Close. The site currently accommodates a children's nursery, known as Colourbox Montessori, which promotes education by encouraging optimum intellectual, social, physical, spiritual, and economic development of children via a contemporary approach for children ages three months to five years. The site itself is well screened by boundary hedging.

Planning history:

3.

Reference	Proposal	Status	Decision date
F/88/893	C/U to day nursery		22 December 1988
F/2004/0790/FU3	Erection of extension to existing building and permanent use of extended building as a children's nursery/childcare centre. Dual use of car park for nursery/childcare centre and playing field. (Amended plans and additional information received 4/10/04 & 5/10/04)	Approve with Conditions	17 November 2004

Consultations:**Natural England**

4. No comments to make on this application.

Representations:

5. Newmarket Town Council provide no objections to this application.
6. No third-party representations have been received.

Policy:

7. 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.
8. 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:
9. Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM41 Community Facilities and Services

Core Strategy Policy CS5 - Design quality and local distinctiveness

Other planning policy:

10. National Planning Policy Framework (NPPF)
11. 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:

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

- Principle of development
- Impact on character and appearance of the area
- Impact on residential amenity
- Other matters

Principle of development

13. The application seeks planning permission for the construction of a log cabin within the grounds of Lady Wolverton Pavilion, which is a site owned by West Suffolk Council. It is clear from the planning history that the use of a nursery has been in situ for several years. The proposed log cabin incorporates additional space by creating two classrooms, noting the demand for this facility, allowing additional children to be taken on and as a result of adapting the learning experience for education due to the pandemic.

14. Policy DM41 deals with community facilities and services and 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. In this case, the provision of a cabin will enhance the classroom facilities at Colourbox Montessori and allow them to take on extra children. Given this, the proposed development is considered to comply with the requirements of policy DM41 which supports the growth of such facilities.

Impact on character and appearance of the area

15. Policy DM2 requires that development respects the character of the area and reinforces local distinctiveness. Development should maintain a sense of place and not adversely impact the architectural value of the area.

16. The proposal is located within the grounds of an existing establishment in which there are existing outbuildings and other paraphernalia associated with its current nursery use. The provision of the log cabin will replace an existing shed on the site to provide and enhance additional classroom facilities. Whilst the open space around Lady Wolverton Pavilion is extremely open, there is boundary hedging and trees surrounding the site, along with fencing. The provision of landscaping around the site perimeter means that views into the site are limited. Furthermore, noting the nature of the surrounding area, there is no real defined character in this location.

17. Noting the existing use of the site, the proposal is not considered to adversely impact upon the character and appearance of the area.

Impact on residential amenity

18. The nursery use is existing and has been in situ for several years. Lady Wolverton Pavilion itself is located approximately 35 metres from existing dwellings at Stirling Gardens, which are located on higher ground level, approximately 55 metres from rear boundaries of properties along Edinburgh Road, approximately 100 metres from rear boundaries of

properties along Windsor Road and approximately 95 metres from the nearest neighbouring dwelling at Adastral Close.

19. The nature of the nursery building means that activities often take place outside. At the time of writing this report no representations have been received regarding any noise levels generated from this facility.

20. Noting the separation distance and minor nature of the proposal, a single storey log cabin building, it is considered that no harm upon residential amenity will arise as a result of this proposal.

Other matters

21. No objections have been raised by Natural England as a statutory consultee in relation to ecology matters.

22. No objections have been raised by the Town Council.

Conclusion:

23. 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:

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

1. Time limit

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. Compliance with plans

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

Plan type	Date submitted
Proposed floor plan	14 March 2022
Proposed elevation	14 March 2022
Proposed block plan	14 March 2022
Proposed elevations	14 March 2022
Proposed elevations	14 March 2022
Proposed elevations	14 March 2022
Existing block plan	14 March 2022
Illustrations	2 December 2021
Location plan	2 December 2021

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

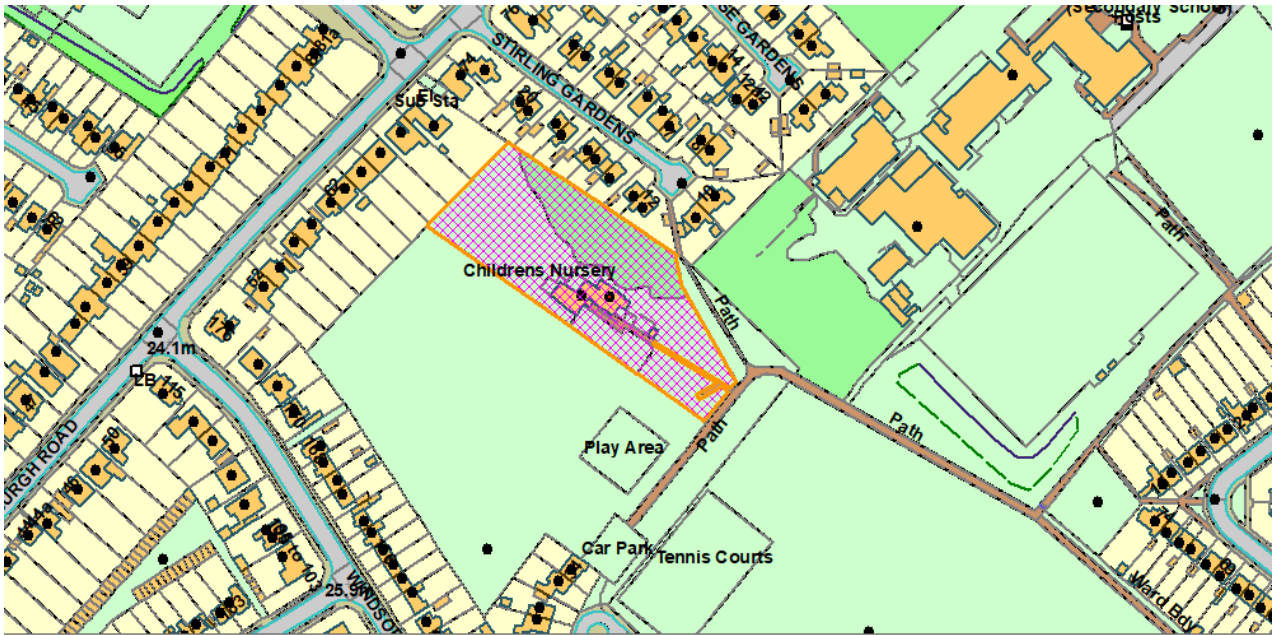
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2118/FUL](#)



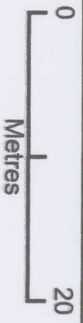
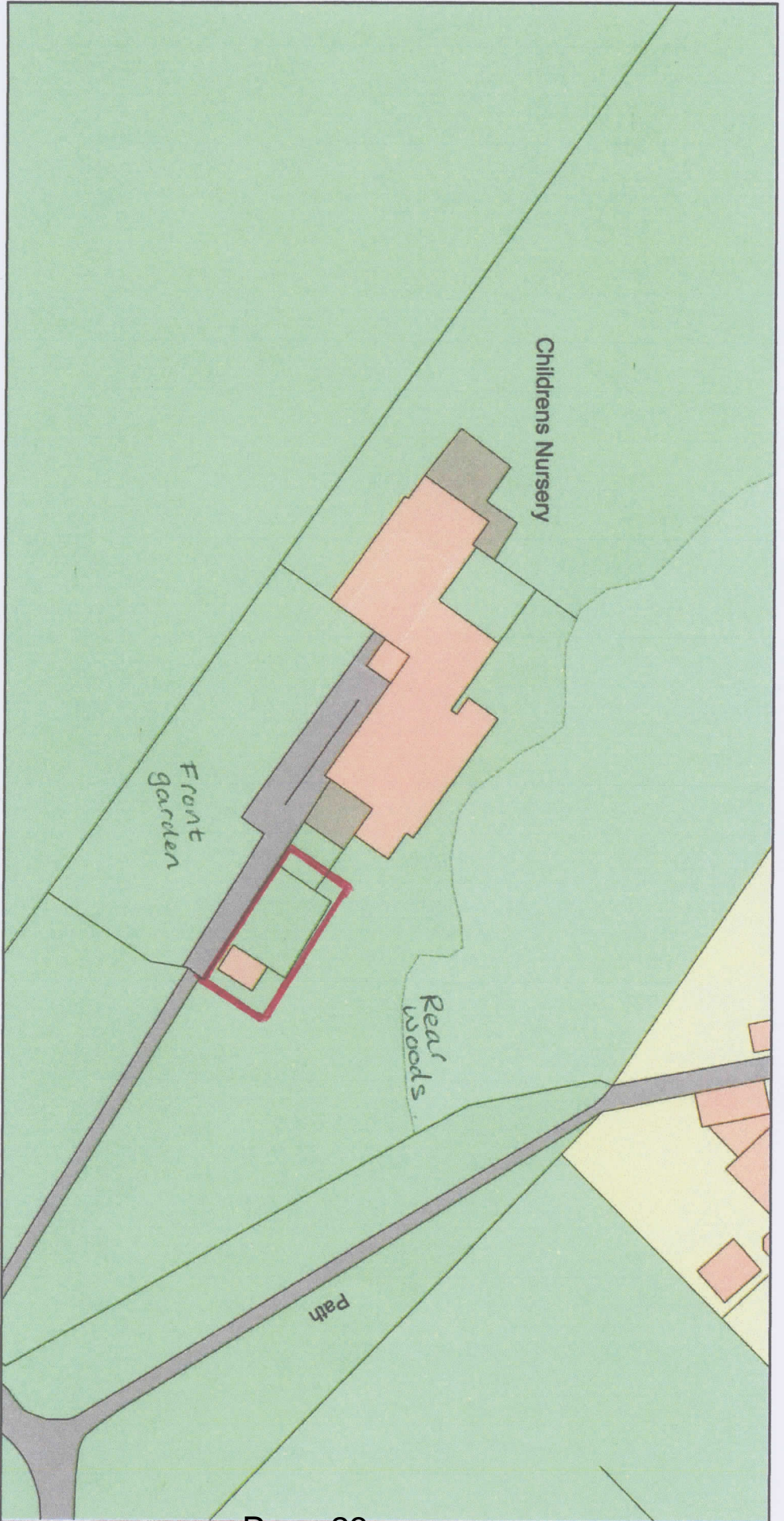
DC/21/2118/FUL

Lady Wolverton Pavilion



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Log cabins Lady Wolverton Pavilion



12m x 6m base



Plan Produced for: Sandra Copping

Date Produced: 10 Nov 2021

Plan Reference Number: TQRQM21314132736603

Scale: 1:500 @ A4

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Development Control Committee 4 May 2022

Planning Application DC/21/2220/HH – 29 Springfield Avenue, Bury St Edmunds

Date registered: 9 November 2021 **Expiry date:** 04.01.2022
EOT agreed till
6 May 2022

Case officer: James Morriss **Recommendation:** Approve application

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

Proposal: Householder planning application - single storey rear extension

Site: 29 Springfield Avenue, Bury St Edmunds, IP33 3AY

Applicant: Ms O'Donoghue

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:

James Morriss

Email: james.morriss@westsuffolk.gov.uk

Telephone: 07950 891535

Background:

This application is referred to Committee following consideration at Delegation Panel. The application was brought to Delegation Panel as an objection had been received from the Town Council and the application is recommended for APPROVAL.

Proposal:

1. Planning permission is sought for a single storey rear extension. The proposed extension will have a flat roof with two skylights. The extension will provide a larger kitchen/dining space with French doors to the rear. The rear of the proposed extension would sit in line with an existing single storey rear extension, which currently serves as a bathroom.
2. The proposal will have a height of 2.7 metres, a width of 2.56 metres and a depth of 5.93 metres. The proposed materials are to match the host dwelling.

Application supporting material:

3. A sun path and light report has been produced by the agent. The report concludes that the proposed extension will have a low impact on the light received by the neighbouring property, No.27 Springfield Avenue. This shows that, whilst the proposal will result in some extra shading, this effect is minimal due to the existing arrangement. Shading is already present within the rear garden due to the nature of the existing adjacent development.

Site details:

4. The application site consists of a two-storey mid terrace dwelling. The property has a shared two storey and single storey rear extension with the adjoining property, No.31 Springfield Avenue. The site has a narrow and deep rear garden. The site sits at two levels, with the garden being elevated by approximately 1 metre in height.
5. The site is located within the defined housing settlement boundary of Bury St Edmunds. It is not located within a Conservation area or article 4 direction and the building is not listed.

Planning history:

6. There is no relevant planning history associated with this address.

Consultations:

7. Bury St Edmunds Town Council

(Comments received - 16.12.2021)

Objection on the ground of overshadowing and loss of light.

(Comments received - 10.02.2022)

Bury St Edmunds Town Council upholds its previous objection made on the grounds overshadowing and loss of light and requests a proper day/sunlight assessment by an independent specialist.

(Comments received - 10.03.2022)

Bury St Edmunds Town Council upholds its previous objection made on the grounds overshadowing and loss of light and requests a proper day/sunlight assessment by an independent specialist at 29 Springfield Avenue, IP33 3AY, Bury St Edmunds Town Council objects on the grounds of light and overshadowing and requests an independent sunlight assessment.

8. Ward Councillors

Councillor David Nettleton

(Comments received 17.03.2022)

My elector Oliver Ingwall King of 27 Springfield Avenue has contacted me to ask for my support of his objection to this application. Overshadowing and loss of light is a difficult claim to prove, and I have told Oliver that I have no evidence which I could submit to the Delegation Panel. I will, therefore, not be attending Del Panel on Tuesday. All I can do is ask the Panel to read Oliver's various comments on the website and form a judgement.

Representations:

9. No.27 Springfield Avenue (*Adjoining property located east of the application site*)

Objection received – 07.12.2021

Objection received – 21.01.2022

Objection received – 10.03.2022

(Comments summarised – Full comments can be found online)

Objection on the basis of overbearing development resulting in loss of light and harm to outlook. The resident of No.27 also feels that the sunlight report provided is not sufficient to demonstrate the likely impact on light. The resident feels that the development fails to comply with Policy DM2 and DM24 as the proposal would result in harm to residential amenity.

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 St Edmundsbury Borough Council.

11. 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:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

DM11 Protected Species

DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

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

Policy DM46 Parking Standards

Core Strategy Policy CS2 – Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

National Planning Policy Framework (NPPF)

12. 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
- Design, form and scale
- Impact upon neighbouring amenity
- Impact upon highway safety
- Impact upon ecology

The principle of development

14. The application site is located within the defined housing settlement boundary of Bury St Edmunds.

15. 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.

16. Given the modest nature of the proposal the principle of development is considered generally acceptable, although subject to further material planning considerations as discussed in more detail below.

Design, form and scale

17. Policies DM2 and DM24 state that planning permission for all developments should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate this.
18. The proposed extension will be constructed using similar to match the materials of the host dwelling. This is considered acceptable and can be controlled via a standard materials condition.
19. The proposed extension is to the rear of the property, given this location and mid-terrace position, views from the public domain will be very limited. The proposal will therefore have no impact upon the street scene.
20. The extension is clearly subordinate in its overall height, width and depth to the host dwelling. The proposal will square off with the existing single storey rear extension and will not extend any further beyond this. In this respect, the proposal is consistent with the existing pattern of development.
21. The proposal is considered to comply with the above requirements of policies DM2 and DM24, relating to its overall design, form and scale.

Neighbour amenity impact

22. Policies DM2 and DM24 are also relevant in considering the impact on the amenity of adjacent dwellings. Policy DM2 states that the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated) must be considered.
23. The proposed extension is within close proximity to the adjoining property No.27 Springfield Avenue. The extension therefore has the potential to impact upon the amenity of this property and as such the above requirements of policy DM2 and DM24 must be considered.
24. The proposed extension will have a flat roof design, with a height of 2.7 metres. The extension will extend along the eastern boundary with a depth of 5.93 metres, as measured from the rear elevation of the host dwelling.
25. Under Schedule 2, Part 1, Class A of the General Permitted Development Order (2015) a rear extension with a depth of 3 metres and height of 3 metres can be constructed without requiring planning permission.
26. The proposal is 2.9 metres deeper than what could be achieved under permitted development. However, for the first 3 metres of the extension, the

proposal is 0.3 metres lower in height than what could be constructed without planning permission.

27. When considering the permitted development fallback, the LPA must factor in the likelihood of it being implemented. In this case, should permission be refused, it is considered likely that the permitted development fall back would be considered / constructed. Weight must therefore be given for the permitted development fall back.
28. In this case, the first 3 metres of depth will result in the most potential impact. The additional 2.9 metres beyond what could be achieved under permitted development would not result in such a significant adverse impact when compared to the impact of the first 3 metres of depth. As previously noted, the extension is also 0.3 metres lower than what could be achieved under permitted development. The additional depth will therefore not be any more harmful to the amenity of No.27 than the potential permitted development fallback.
29. The proposal is for an infill extension, providing a more modern and open plan design within the host dwelling. The proposal will modernise the property with an extended kitchen/living area, moving the bathroom upstairs.
30. It must also be considered that the application originally included a first-floor element. This has been removed from the scheme with a much more subordinate addition and with a more neighbourly relationship with No.27.
31. The sunlight report provided demonstrates some increase in shadowing during the evenings in winter months. This increase is not considered so adverse as to warrant refusal and due to the tight and closely knit nature of the existing development, some shadowing is to be expected.
32. In conclusion, the proposal will result in some additional shadowing to No.27, and in addition will also have some visual impact from the wall adjacent to the boundary. However, noting the above assessment, this will not result in a significant adverse impact upon the amenity of No.27 and the application is therefore not considered to fail policy DM2 or DM24 in this regard.
33. The proposal will also not result in any adverse impact upon the opposite adjoining property, No.31. This is because the extension is set lower than the existing two storey and single storey rear extension and will not be visible from ground floor level on that side.

Ecology Matters

34. When determining applications, the LPA has a statutory duty to consider biodiversity under s40 NERC Act 2006. The NPPF (2021) within section 15, para 180 seeks to conserve and enhance biodiversity and suggests that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
35. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12.

36. In this instance, the site is within an established residential curtilage and as such, a formal ecology report is not considered 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.

37. Whilst the application site is located within the SSSI impact risk zone, due to the nature of the proposal and that no additional residential units will be created, the proposal is not considered to have an adverse impact upon the SSSI.

Impact on highway

38. Paragraph 111 of the National Planning Policy Framework (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

39. The proposal does not include the addition of any new bedrooms or alterations to the highway. The proposal is not considered to result in any additional risk to highway safety and is therefore considered acceptable, in-line with the requirements of the National Planning Policy Framework (2021).

Conclusion:

40. In conclusion, the application site falls within the defined housing settlement boundary of Bury St Edmunds and the principle of development is therefore considered acceptable, subject to the criteria considered in the preceding paragraphs.

41. The proposed extension will result in some additional shadowing during the winter months upon No.27. However, this effect is minimal and given the permitted development fall back, the impact from the proposal is considered acceptable. The detail of the development is considered to be acceptable and in compliance with the relevant development plan policies and the National Planning Policy Framework.

Recommendation:

42. 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
A1-06	Ex elevations & floor plans	9 November 2021
A1-10	Existing floor plans	9 November 2021
ASA01 A1-05	Proposed elevations	14 January 2022

ASA01 A1-20	Proposed elevations	28 March 2022
ASA01 A1-05	Proposed floor plans	14 January 2022
ASA01 A1-01	Proposed layout	14 January 2022

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

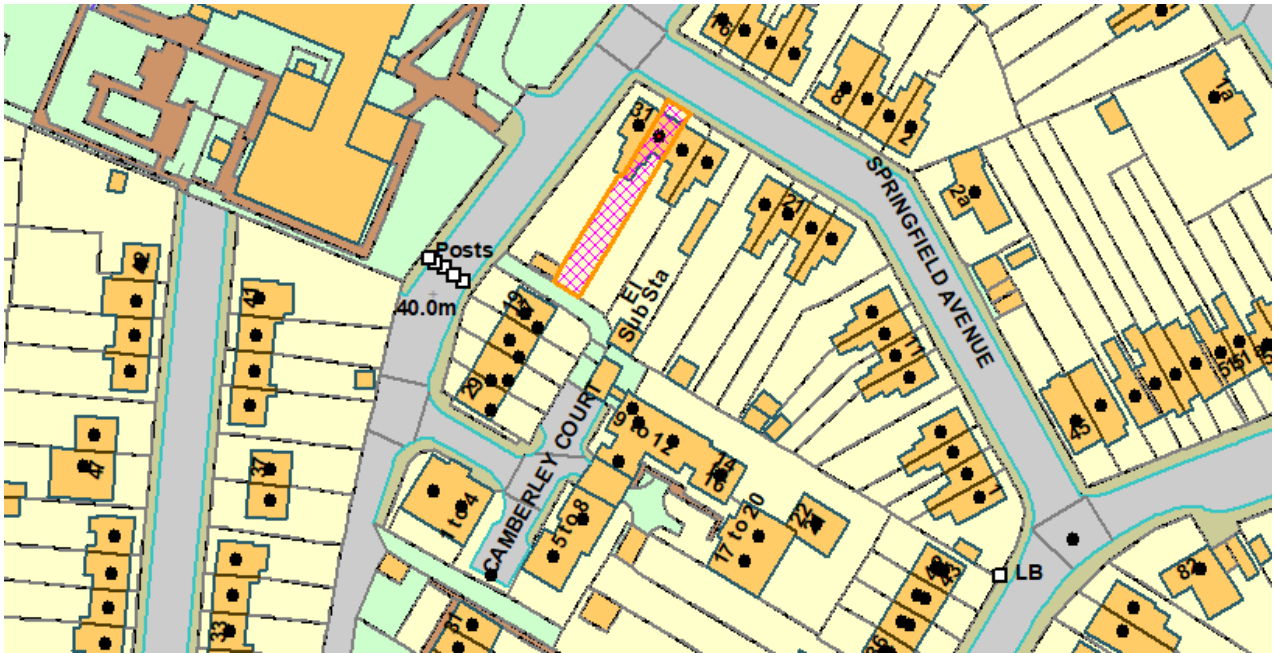
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/21/2220/HH>



DC/21/2220/HH

29 Springfield Avenue



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Development Control Committee 4 May 2022

Planning Application DC/22/0644/DE1 - Mildenhall Swimming Pool, Recreation Way, Mildenhall

Date registered: 8 April 2022

Expiry date: 6 May 2022

Case officer: Connor Vince

Recommendation: Not 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 building

Site: Mildenhall Swimming Pool, Recreation Way, Mildenhall

Applicant: West Suffolk Council

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 07866 913717

Background:

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 swimming pool building at Recreation Way, Mildenhall.

Application supporting material:

2. The application is supported by –
 - Application Form
 - Supporting Statement
 - Existing Site Plan
 - Proposed Site Layout
 - Preliminary Ecological Appraisal
 - Aerial Photo
 - Photographs

Site details:

3. The site incorporates the former swimming pool building, with the site bordering Mildenhall Town Football Club to the east and Sainsburys car park to the west. A memorial garden lies adjacent to the site to the north.
4. As per the supporting statement, the building was constructed c.1975 and comprises a 25m x 9m concrete and ceramic tile sunken basin swimming pool. The building is single story and is constructed from a brickwork masonry construction. The roof is constructed of timber glued laminated beams beneath a timber and felt covered flat roof. Changing rooms and office areas are located to the front (north) of the pool hall in a single storey structure with felt covered flat roof over. To the east of the pool hall is a pool plant room comprising filters, filtration systems, chemical dosing plant, boilers and electrical panels.
5. A former public convenience block (now redundant) is located to the south west corner of the pool hall. Drainage from these public conveniences is laid to falls away to the front (north) of the site but is pump assisted to reach the main pumping station to the north of the site. From here an Anglian Water pumping station located within the Memorial Garden to the north of the pool building collects waste from the public conveniences and adjacent Mildenhall Town Football Club facilities. The electrical controls for the pumps to this facility are located within a GRP cabinet located between the pool building and boundary to Mildenhall Town Football Club. This

pumping station, chamber and electrical controls will remain as part of the demolition works.

Planning history: no recent relevant planning history

Consultations:

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

Ecology – Comments awaited, these will be reported verbally.

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
- Arboriculture
- Biodiversity
- Archaeology

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 swimming pool building at Recreation Way, Mildenhall.

10. As per the supporting statement, the applicant states that the swimming pool complex is old and costly to maintain and operate to current standards. West Suffolk Council, as the applicant, has re-located to an alternative site at Mildenhall Hub. The complex subject to this application is now redundant and vacant.

11. The site, since becoming vacant, has reportedly attracted anti-social behaviour and has been secured via steel security fencing and steel door and window shutters.

12. Recreation Way is a small 30mph two-way carriageway serving the Sainsburys supermarket and various business premises and social clubs. Whilst there are residential areas adjacent, Recreation Way does not serve these areas. A tarmac access highways spur road to site is located to the north of the building and combines a turning head.
13. The adjacent Mildenhall Town Football Club, as well as Social Club and Sea Cadets hut, use Recreation Way for access. This access route will remain operational throughout the duration of the works.
14. The proposal includes the termination of the existing gas, electrical and water supplies to the pool. All public highways adjoining the site will remain unaffected by the works and will remain operational at all times.
15. The building in question will initially be 'soft-stripped' of its fixtures and fittings, with emphasis on recycling where possible. The building will subsequently be reduced to a structural shell. Limited levels of asbestos are noted within the building and this will be safely removed via licenced asbestos contractors where necessary in accordance with Health and Safety regulations guidance.
16. The building will then be reduced to ground levels via the use of mechanical machinery working within the footprint of the building. All rubble and debris will then be crushed and placed within the pool basin and levelled and compacted accordingly. The floor slabs to the building will be removed along with the foundations and arisings crushed and levelled into the pool basin and subsequently removed from the site.
17. Controls for dust generation are also proposed. There are in excess of 80 number car parking spaces for Sainsbury supermarket located immediately adjacent to the site and within 100m of the site is located the main pitch and facilities of Mildenhall Town Football Club and Mildenhall Social Club. Within a 350m radius of the site there are significantly more residential properties, with the site also being opposite a children's playground north-west of the application site. The potential for dust pollution has been noted as high.
18. 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 elements of the building does give rise to a medium potential dust emission magnitude.
19. These parameters combined give rise to a medium dust pollution risk from the site during the demolition process. 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) walls as screens.
 - 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.
20. 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.
21. 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.
22. Crushing of materials off site is a preferred option to reduce noise pollution significantly however in-turn increases traffic movement to and from the site. The option to backfill the existing pool basin, as previously mentioned, has been considered by the applicant and adopted to prevent frequent and numerous traffic movement to and from site.
23. Officers are satisfied that demolition undertaken in the terms specified above will be acceptable in general terms.

Restoration of the Site

24. 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 then be removed.
25. The existing security fencing will be altered locally to infill gaps and be retained. The site will be left secure.
26. Any electrical services left on site will be secured and made weather tight via the installation of Glasdon style cabinets.
27. All paving slabs forming footpaths strictly within the boundary will be uplifted and crushed.
28. All foul drainage located within the site boundary will be grubbed up and capped accordingly.
29. 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.

Arboriculture

30. As confirmed by the supporting statement, 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. The Memorial Garden located to the north of the building will be retained and does not form part of this application
31. 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. The soft landscaping to the south of the buildings is to remain undisturbed and protected, as far as is practical.
32. Based on the information submitted and the arboricultural context of the site, the protection methods stated are considered to be sufficient by the LPA by means of demolition and restoration at the site. No adverse arboricultural impacts are therefore considered to arise.

Biodiversity

33. A Preliminary Ecological Appraisal (PEA) survey has been submitted which confirms there is a moderate risk of bat and bird disturbance as a result of the demolition, which does not require further survey work but requires mitigation methods to avoid this aforementioned disturbance.
34. 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
35. The mitigation measures as identified within the PEA will be adhered to in full by the applicant.
36. 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

37. No specific details have been submitted in relation to Archaeological deposits at the site. The LPA has not received comments from Suffolk Archaeology at this stage. If comments are received prior to the Development Control meeting, members will be updated accordingly.
38. Officers are therefore content that prior approval is not required in relation to archaeological works at the site. Should archaeological information be required to be submitted, prior approval as to the method of demolition and impacts on archaeological deposits will be required.
39. A formal response from the archaeological service may be received, and an update will be provided as a late paper or at the meeting as appropriate.

Conclusion:

40. In conclusion, it is considered that the method and manner of demolition is acceptable. It is considered that the manner of restoration for the site and that the impacts upon biodiversity will also be acceptable.

41. Accordingly, Prior Approval for the demolition, restoration and ecological matters of the site is not required.

Recommendation:

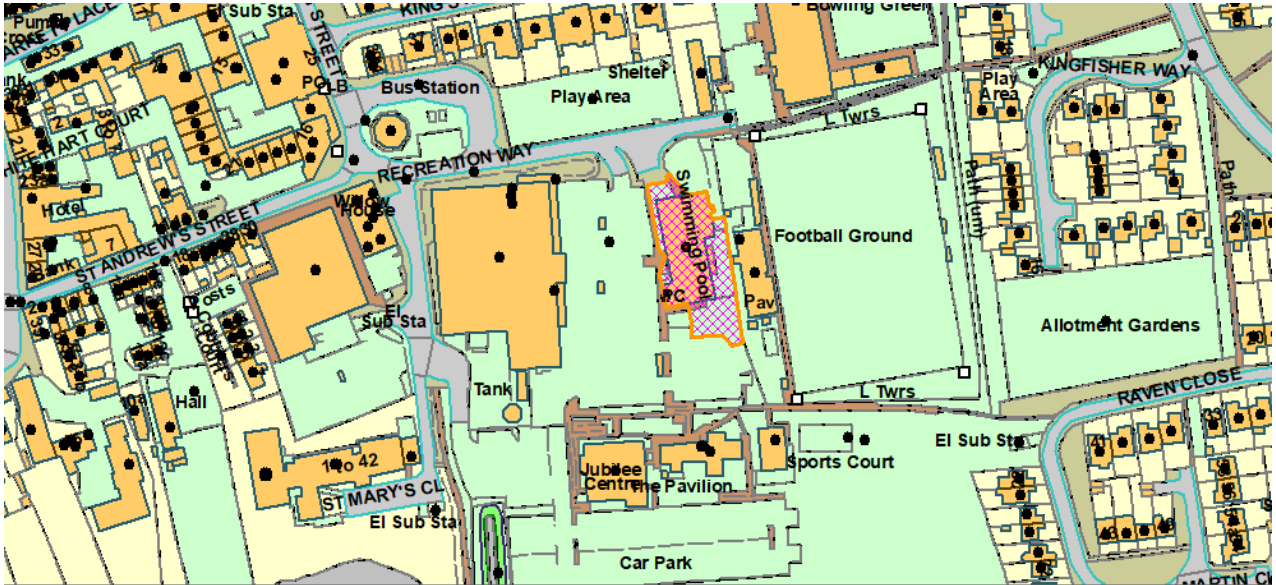
42. It is recommended that it be confirmed that Prior Approval as to the method of demolition is **NOT REQUIRED**.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0644/DE1](#)

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DC/22/0644/DE1
Mildenhall Swimming pool



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New hard surfacing to form entrance to garden

Mesh panel fencing to secure the site.
Fence line to be adjusted to suit new layout



Page 47

Dashed lines to indicate existing site layout

Path widened to 3m

1no Electric Vehicle Rapid Charging Unit.
Fitted on concrete base



Bollards to front of charger



Gated access

Memorial garden

GRP enclosure to accommodate existing electricity supply and existing Anglian Water pumping station controls.

Land ownership boundary line

Green space to be planted with wild flower grass mix

Slope down to accommodate lower levels from removed swimming pool

Slope to be maximum 30 degrees for grass cutting

2x New accessible EV charging bays

Pav

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

Project:
Re-use of Mildenhall Swimming pool site

Title:
Interim management plan

Scale:	Drawing Size: A1
Date: 28/01/2022	Drawn By: HB Appr By:
File No.:	Drawing No.: Revision:

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