

Development Control Committee

Title	Agenda																				
Date	Wednesday 5 October 2022																				
Time	10.00am																				
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds, IP33 3YU																				
Full Members	<p style="text-align: right;">Chair Andrew Smith</p> <p style="text-align: right;">Vice Chairs Mike Chester and Jim Thorndyke</p> <p>Conservative Group (11)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Carol Bull</td> <td style="width: 33%;">Ian Houlder</td> <td style="width: 33%;"></td> </tr> <tr> <td>Andy Drummond</td> <td>David Palmer</td> <td></td> </tr> <tr> <td>Susan Glossop</td> <td>David Roach</td> <td></td> </tr> <tr> <td>Brian Harvey</td> <td>Peter Stevens</td> <td></td> </tr> </table> <p>The Independent Group (4)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">John Burns</td> <td style="width: 33%;">Roger Dicker</td> <td style="width: 33%;"></td> </tr> <tr> <td>Jason Crooks</td> <td>Andy Neal</td> <td></td> </tr> </table> <p>Labour Group (1) David Smith</p>			Carol Bull	Ian Houlder		Andy Drummond	David Palmer		Susan Glossop	David Roach		Brian Harvey	Peter Stevens		John Burns	Roger Dicker		Jason Crooks	Andy Neal	
Carol Bull	Ian Houlder																				
Andy Drummond	David Palmer																				
Susan Glossop	David Roach																				
Brian Harvey	Peter Stevens																				
John Burns	Roger Dicker																				
Jason Crooks	Andy Neal																				
Substitutes	<p>Conservative Group (5)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Nick Clarke</td> <td style="width: 33%;">Sara Mildmay-White</td> <td style="width: 33%;"></td> </tr> <tr> <td>John Griffiths</td> <td>David Nettleton</td> <td></td> </tr> <tr> <td>James Lay</td> <td></td> <td></td> </tr> </table> <p>The Independent Group (2)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Richard Alecock</td> <td style="width: 33%;">Trevor Beckwith</td> <td style="width: 33%;"></td> </tr> </table> <p>Labour Group (1) Diane Hind</p>			Nick Clarke	Sara Mildmay-White		John Griffiths	David Nettleton		James Lay			Richard Alecock	Trevor Beckwith							
Nick Clarke	Sara Mildmay-White																				
John Griffiths	David Nettleton																				
James Lay																					
Richard Alecock	Trevor Beckwith																				
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																				
There are no physical site visits scheduled for this agenda. Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting.																					
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk																				

Development Control Committee Agenda notes

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

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

Material planning considerations

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

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply

to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

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

Documentation received after the distribution of committee papers

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

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

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

Public speaking

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

Development Control Committee

Decision making protocol

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

Decision making protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting officer will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, 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/changed, 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 Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) 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 Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (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 or altered, together with the material planning basis for that change.
 - Members can choose to:
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) 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 and 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 - 16

To confirm the minutes of the meeting held on 7 September 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. West Suffolk Development Control Committee: Review of Operation

Members will recall that at the first meeting of the West Suffolk Development Control Committee in June 2019 it was formally agreed for a review of the working practices of the Committee to be undertaken during 2020 in consultation with the Chair and Vice Chairs. However, due to the impact of the Covid-19 pandemic it was not possible to undertake this during 2020 or 2021.

The Development Control Committee has consistently operated well since June 2019; the training sessions which have been delivered since then (be those virtually or in-person) are always well attended and Members are robust in seeking to appoint substitutes when they cannot attend a meeting.

The (pandemic triggered) move to virtual meetings enabled the Delegation Panel to achieve and maintain high levels of Ward Member attendance and engagement, hence, the decision to retain these meetings on a virtual platform.

Furthermore, the changes brought about to meeting operation due to the pandemic in 2020 and 2021 have enabled the Committee to amend its working practices organically based on need and good practice, e.g. the retention of some additional speaking arrangements and site visit videos, since reverting back to in-person meetings.

Going forward, West Suffolk Council is currently undertaking a corporate procurement process which seeks to upgrade the audio/visual equipment within the Conference Chamber at West Suffolk House to enable hybrid meetings. The Committee will need to re-consider its speaking protocol to reflect this arrangement once new technology has been installed.

Recommendation

It is proposed that in view of the Committee (and Delegation Panel) having amended various working practices since June 2019, and there being no demonstrable need for review, that a wholesale review is not required at this stage. But noting the need to reconsider speaking arrangements etc once hybrid meetings are able to be operated.

The Chair and Vice Chairs have been consulted and endorse this proposal.

- 6. Planning Application DC/22/0026/FUL & Listed Building Application DC/22/0027/LB - Replacement Dwelling 1, 83 - 84 Guildhall Street, Bury St Edmunds 17 - 42**

Report No: **DEV/WS/22/040**

DC/22/0026/FUL: Planning Application - conversion of existing offices and cart lodge to create three dwellings and associated works

DC/22/0027/LB: Application for Listed Building Consent - conversion of existing offices and cart lodge to create three dwellings and associated works

- 7. Planning Application DC/22/1230/FUL - Abbey Gardens, Angel Hill, Bury St Edmunds 43 - 56**

Report No: **DEV/WS/22/041**

Planning application - re roofing of existing mess room building

This page is intentionally left blank

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 September 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 Chairs Mike Chester and Jim Thorndyke

Carol Bull

Sara Mildmay-White

John Burns

Andy Neal

Jason Crooks

David Nettleton

Roger Dicker

David Palmer

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Ian Houlder

270. **Apologies for absence**

Apologies for absence were received from Councillors Brian Harvey and David Roach.

271. **Substitutes**

The following substitutions were declared:

Councillor David Nettleton substituting for Councillor Brian Harvey; and Councillor Sara Mildmay-White substituting for Councillor David Roach.

272. **Minutes**

The minutes of the meeting held on 3 August 2022 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair.

273. **Declarations of interest**

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

274. **Reserved Matters Application DC/22/0420/RM - Hatchfield Farm, Fordham Road, Newmarket (Report No: DEV/WS/22/034)**

Reserved matters application - Submission of details under outline planning permission DC/13/0408/OUT (Granted by the Secretary of State under reference APP/H3510/V/14/2222871) - details of the two vehicle site accesses (Phase 1) and internal spine road (Phase 2)

The application was referred to the Development Control Committee following consideration by the Delegation Panel. The application was referred to the Panel due to the comments received from Newmarket Town Council. Subsequently, one of the local Ward Members (Newmarket North) Councillor Karen Soons, also requested that the application be referred to Committee.

As part of his presentation the Principal Planning Officer explained that outline planning permission had been granted for up to 400 dwellings at the site in March 2020.

The application before the Committee sought approval of matters reserved by condition 2 of the outline planning permission for some parts of the site. These being the areas around the previously approved vehicular accesses and a new road corridor through the site that would form a new distributor road serving the approved housing, the allocated employment site to the north and a proposed school and connection to the two approved accesses.

Members were advised that the employment land site and the primary school site were outside of the application site and did not have the benefit of planning permission to date.

For clarification, the Principal Planning Officer informed the Committee that the two points of vehicular access into the development site from the existing highway were included for submission as part of the outline application and therefore did not (and could not) fall to be considered at the secondary reserved matters stage.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 51 of Report No DEV/WS/22/34.

Speakers: Councillor Karen Soons (Ward Member: Newmarket North) spoke against the application
Richard Gee (applicant) spoke in support of the application
(Councillor Soons was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor David Nettleton spoke in support of the application and suggested that the majority of the concerns raised could be mitigated by conditions. Accordingly, he proposed that the application be approved as per the Officer recommendation.

This was duly seconded by Councillor Roger Dicker who also spoke in support of the application and welcomed the progress of the scheme which would deliver much needed housing to Newmarket.

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

Decision

Reserved Matters Consent be **GRANTED** subject to the following conditions:

1. No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the housing development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.
2. Before the development is commenced details (location/s, specification/s and timing of delivery) shall be submitted to and approved in writing by the Local Planning Authority showing the proposed bus stop provision. The approved scheme shall be carried out in its entirety and in accordance with the approved details in accordance with the approved timetable.

(Councillor Andy Drummond joined the meeting at 10.16am during the Officer's presentation, accordingly he was advised by the Chair that he would be unable to take part in the voting on this item.)

275. Planning Application DC/22/0618/RM - Land NW of Haverhill, Anne Suckling Road, Little Wratting (Report No: DEV/WS/22/035)

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had attended Haverhill Town Council's meeting when the Town Council considered the application. However, both Councillors stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 98 dwellings, together with associated means of enclosure, car parking, vehicle and access arrangements, landscaping and open space for a phase of residential development known as Phase 6. The application includes the submission of details to enable the discharge of conditions B9, B16, B17, B20, B21, B24 of outline planning permission SE/09/1283

This application was referred to the Development Control Committee following a call-in request from the local Ward Member (Haverhill North) Councillor Joe Mason. Haverhill Town Council also objected to the application.

Members were advised that the application was part of the wider North-West Haverhill site, which was one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of details for parcel 6 of residential development.

As part of her presentation the Senior Planning Officer explained that outline planning permission had been granted on 27 March 2015 for residential development, a primary school, local centre including retail and community uses, public open space, landscaping infrastructure, servicing and other associated works alongside full permission for the construction of a relief road.

Attention was drawn to the supplementary 'late papers' issued in respect of the application and the Officer also showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 9.1 of Report No DEV/WS/22/035.

Speakers: Councillor Joe Mason (Ward Member: Haverhill North) spoke against the application
Beth Deacon (applicant) spoke in support of the application
(Councillor Mason was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on her behalf.)

Councillor John Burns raised a number of concerns in relation to the application, with specific reference made to the waste collection arrangements and the steep gradients on the site and lack of dropped kerbs which would impact future residents in manoeuvring their bins.

In response, the Senior Planning Officer displayed a plan to the meeting which showed the bin drag distances concerned. She advised that these complied with West Suffolk Council's waste collection guidance whilst also being mindful of the fact that waste vehicles will not enter private drives.

Councillor Andy Neal voiced disappointment at there being no single storey accommodation within the scheme; particularly when considering the needs of an aging population and those with mobility issues.

Councillor Jason Crooks made reference to the Urban Design Officer's comments as set out in the supplementary 'late paper'. He echoed the concerns raised in respect of the Local Square being traffic dominated and the need for additional trees within the site.

The Senior Planning Officer advised that the Landscaping Plan had been amended since first submission to include additional and much larger trees. However, the Anglian Water easement on the site reduced the ability to provide further planting in the area.

In response to a question regarding the level of affordable housing to be provided the Service Manager (Planning – Development) confirmed that there would be 30% delivered across the site as a whole. She also added that the Affordable Housing provision included a bespoke unit requested by the Strategic Housing Team to cater for the needs of a family on the register with specific access requirements.

Councillor Peter Stevens spoke in support of the scheme and advised that West Suffolk Council offered an assisted waste collection service to residents in need. Accordingly, he proposed that the application be approved as per the Officer recommendation and this was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 10 voting for the motion, 5 against and with 1 abstention it was resolved that

Decision

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

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 2 Prior to commencement of development (including demolition, ground works, vegetation clearance) a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:
 - a. Risk assessment of potentially damaging construction activities
 - b. Identification of "biodiversity protection zones"
 - c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
 - d. The location and timing of sensitive works to avoid harm to biodiversity features
 - e. The times during construction when specialist ecologists need to be present on site to oversee works
 - f. Responsible persons and lines of communication
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
 - h. Use of protective fences, exclusion barriers and warning signs.
 - i. Containment, control and removal of invasive non native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

- 3 Prior to commencement of development an ecological design strategy (EDS) addressing the specific ecological mitigation, compensation and enhancements for phase 6 has been submitted to and approved in writing by the Local Planning Authority, before or concurrent with the CEMP. This should include measures for bats, birds, Hazel Doormouse, Reptiles, Hedgehogs, retained habitats (trees, scrub, hedgerows and associated ground flora) and new habitats created (wildflower meadows, scrub, SuDS and associated habitats).

The EDS shall include the following:

- a. Purpose and conservation objectives for the proposed works
- b. Review of site potential and constraints
- c. Detailed design(s) and/or working method(s) to achieve stated objectives
- d. Extent and location/area of proposed works on appropriate scale maps and plans

Notwithstanding the details shown on the soft landscaping plans the strategy must include in hibernacula/log piles, hedgehog links through impermeable boundaries to provide connectivity and bat and bird boxes.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 4 Prior to installation to the installation of lighting, 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 contour plans, Isolux drawings 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.

- 5 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the following reports as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination:

- Updated Ecological Walkover survey of phases 2-6 and relief road at Haverhill (JBA 25th March 2022 Revised 9th June 2022)
- Preliminary Ecological Appraisal of phases 2-6 (JBA January 2019)
- Botanical Survey (Including Sulphur Clover Survey) of phases 2-6 and Relief Road (August 2019)
- Sulphur Clover translocation and working method statement for phases 2-6 (JBA February 2022)
- Precautionary method statement for clearance regarding phase 6 (Revision A August 2022)
- Hazel Doormouse survey report of phases 2-6 (JBA December 2019)
- Reptile survey of phases 2-6 and relief road (JBA June 2019)
- Breeding bird survey of phases 2-6 and relief road (JBA October 2019)
- Hedgerow survey of phases 2-6 and relief road (JBA August 2019)
- Wintering bird survey of phases 2-6 and relief road (JBA February 2020)
- Great crested newt eDNA survey of phases 2-6 (JBA June 2019)
- Bat activity survey report of phases 2-6 and relief road (JBA October 2019)
- Badger survey of phases 2-6 and relief road (JBA 2019)
- Haverhill ecology mitigation requirements JBA 18-351 ECO 23 Rev B 21st June 2022

This may require the appointment of an appropriately competent person e.g an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities and works shall be carried out in accordance with the approved details.

- 6 If the phase 6 development hereby approved does not commence within a period of 2 years from the date of the planning consent, the approved ecological mitigation measures secured by condition shall be

reviewed and where necessary amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- Establish if there have been any changes in the presence and/or abundance of the existing habitat and protected and priority species, and
- Identify any likely new ecological impacts that might arise from these changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation shall be submitted and approved in writing to the Local Planning Authority prior to the commencement of the site infrastructure phase.

Works will then be carried out in accordance with the new approved ecological measures and timetable.

- 7 No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Prior to any construction works above slab level taking place, and notwithstanding the submitted landscaping details, should the planting need to be amended as a result of easements associated with the water pipe, details will be submitted and approved in writing. The plans will broadly follow the approved scheme.
The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
- 9 No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.
- 10 Prior to the first occupation of the dwellings, the street furniture to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.
- 11 Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's

- cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) the garage shall be used solely for the garaging of private motor vehicles and for ancillary domestic storage incidental to the occupation and enjoyment of the associated dwelling and shall be used for no other purpose.
 - 13 Prior to the commencement of the internal road network, an access strategy setting out an appropriate network of dropped kerbs across the site to facilitate access for all shall be submitted the local planning authority and agreed in writing.
 - 14 The development hereby permitted shall not be brought into use/first occupied until the refuse storage and recycling facilities indicated on Drawing no. 21-3114-004 B have been provided in their entirety and been made available for use. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.
 - 15 The dwelling(s) hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

276. Listed Building Consent DC/22/0365/LB - The Deanery, 3 The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/036)

(Councillors Mike Chester and Andrew Smith declared non-pecuniary interests in this item in light of the fact that they were members of the Parochial Church Councils of their Parish Churches which came under the St Edmundsbury and Ipswich Diocese as did the application site, they therefore asked that this be noted in the interests of transparency.

Councillor Peter Stevens also declared a non-pecuniary interest in this item in light of the fact that he had been invited to view the building in question prior to the scheduled site visit, he therefore asked that this also be noted in the interests of transparency.)

Application for listed building consent - External alterations to include; a. single storey extension to north wing to include partial demolition of rear wall and window; b. external door and window alterations to include replacement and reinstatement of window and doors to rear elevation; c. provision of gratings to basement window areas; Internal alterations involving remodelling of internal layouts to include; demolition of staircase to main entrance hall to allow for large dining area; b. partial relocation of modified staircase from main entrance hall to new stairwell within existing laundry room; c. demolition of internal partition between existing bedroom one and two; d. provision of new attic staircase; e. upgrading of thermal elements to existing attic accommodation together with provision of shower room; f. upgrading of internal doors to half hour fire

resistance; g. renewal of services to include electrics, heating and plumbing together with other modifications

This application, as well as a Full Planning Application (DC/22/0364/FUL) for related works was considered at the Development Control Committee meeting on 6 July 2022, having been referred there by the Delegation Panel, and a Member site visit was undertaken on 4 July 2022.

Officers recommended that the planning application be approved, subject to conditions as set out in Paragraph 93 of Report No DEV/WS/22/024 and also recommended that the application for Listed Building Consent be refused for the reason outlined in Paragraph 94 of that report. This latter recommendation was in conflict with the view of Bury St Edmunds Town Council who supported the proposals.

Members at the July Committee meeting resolved to grant planning permission for the Full Planning Application (DC/22/0364/FUL), in line with the Officer recommendation, subject to the conditions. This decision has subsequently been issued.

However, Members also resolved that they were 'minded to' approve the Listed Building Consent, contrary to the Officer recommendation of refusal. The Decision Making Protocol was subsequently invoked which required a Risk Assessment report to be prepared for further consideration by the Committee.

Members resolved that they were minded to approve the application because they considered that the level of public benefit from the proposed works would outweigh the degree of harm caused, due in part to the staircase not being an original feature of the building.

The purpose of the further report before the Committee (No DEV/WS/22/036) was to provide a more detailed analysis of the public benefit that could be afforded to the Listed Building Consent proposal, as well as a Risk Assessment (in accordance with the Decision-Making Protocol) which set out the potential risks that could arise should Listed Building Consent be approved.

Officers were continuing to recommend that the application be refused, for the reason set out in Paragraph 33 of the report.

Attention was drawn to the supplementary 'late papers' issued in respect of the application and the Officer also showed videos of the site by way of a virtual 'site visit'.

Speakers: Councillor Robert Everitt (Adjacent Ward Member: Minden, speaking on behalf of the Ward Members for Abbeygate) spoke in support of the application
The Very Reverend Joe Hawes (applicant) spoke in support of the application
(Councillor Everitt was not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on his behalf.)

Considerable debate took place on the application. Whilst some Members recognised the significant weight that had to be attributed to Historic England's objection others remarked on the need for Listed Buildings to evolve and serve a useful purpose within communities.

The Council's Senior Conservation Officer was in attendance and was invited by the Chair to further elaborate on her reasons for recommending refusal.

In response to questions posed, the Service Manager (Planning – Development) explained that it would not be reasonable or enforceable to condition the application to ensure that the public benefits of the scheme had to remain in perpetuity.

Councillor Peter Stevens spoke in support of the application and proposed that it be approved, contrary to the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

However, upon being put to the vote and with the vote being 5 voting for the motion and 11 against, the Chair declared the motion lost.

Councillor Jason Crooks then proposed that the application be refused as per the Officer recommendation, and this was duly seconded by Councillor David Nettleton.

Upon being put to the vote and with 12 voting for the motion, 3 against and with 1 abstention it was resolved that

Decision

Listed Building Consent be **REFUSED** for the following reason:

When considering the impact of a proposed development on significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be, this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm or loss of the significance of a designated heritage asset should require clear and convincing justification, in accordance with paragraphs 199-202 of the NPPF, policy DM15 of the JDMPD and section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The staircase removal would cause harm to the significance of the building and especially the understanding of its adaptation from use as an Almshouse to Vicarage, which has become a large part of its significance. This harm would not be mitigated by its partial reuse within the building, the staircase would be removed from its original setting and its character as a piece of architecture designed to impress would be lost. The grandeur of the staircase albeit it in a modified form would also appear inappropriate to its proposed back of house location. The level of public benefit from the proposed works, resulting in the proposed use of a hospitality space, is not considered to be of such significance that it would outweigh the degree of harm caused to the highest grade listed building.

Given the importance of partition wall between bedroom one and two and the effect of its partial removal on the building's significance, insufficient justification has been provided for its removal, contrary to paragraph 200 of the NPPF.

The proposal does not therefore meet the provisions of policy DM15 or paragraphs 199-202 of the NPPF, and there are no material considerations, including the limited public benefit for the use of the hall, that outweigh this very significant conflict with the policy.

(On conclusion of this item the Chair permitted a short comfort break.)

277. Planning Application DC/22/0585/FUL - The Folly, Hargrave Road, Chevington (Report No: DEV/WS/22/037)

(Councillor Mike Chester declared a non-pecuniary interest in this item in light of the fact that he had met with the applicant prior to the scheduled site visit, he therefore asked that this be noted in the interests of transparency.)

Planning application - vehicular access from Hargrave Road

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

The Parish Council had registered support for the application which was contrary to the Officer recommendation of refusal for the reason set out in Paragraph 25 of Report No DEV/WS/22/037.

A Committee site visit was held prior to the meeting. At that site visit Members posed questions in respect of the proximity of the telephone box in relation to the proposed access.

The Principal Planning Officer confirmed that he had raised this matter specifically with Suffolk County Council Highways who had confirmed that they did not have concerns in relation to the telephone box as it did not impinge on visibility to any great extent, largely due to the fact you can see through it via the windows.

Councillor Mike Chester voiced support for the application and proposed that it be approved, contrary to the Officer recommendation, as he did not consider that the scheme would cause significant harm to the character of the area. This was duly seconded by Councillor Carol Bull.

The Service Manager (Planning – Development) explained that Members' interpretation of Policies DM2 and DM24 was subjective relating to the character of the site and the area, meaning the Decision Making Protocol would not need to be invoked as a Risk Assessment would not be considered necessary.

The Principal Planning Officer then verbally advised on the conditions that could be appended to a permission, if granted.

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

Decision

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

1. Time Limit
2. Approved Plans
3. New access in accordance with the drawing - No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. DM01 with an entrance width of 4.5 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.
4. Access surfacing condition - Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.
5. Access gradient condition - The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.
6. Drainage: Ditch condition - Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details that previously shall have been submitted to and approved in writing by the Local Planning Authority. The piped or bridged ditch shall be retained thereafter in its approved form.
7. Visibility as per the drawing - Before the access is first used visibility splays shall be provided as shown on Drawing No. 2777/02 REV A with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

278. **Planning Application DC/22/0609/HH and Listed Building Consent & DC/22/0610/LB - Smallwood Farm House, Smallwood Green, Bradfield St George (Report No: DEV/WS/22/038)**

Planning Application and Listed Building Consent - Installation of solar panels to rear roof of central barn

These applications were originally considered at the Development Control Committee meeting on 3 August 2022, having been referred to the Committee by the Delegation Panel.

The Committee at the August meeting resolved that they were 'minded to' approve these applications; accordingly the Decision Making Protocol was

invoked requiring a Risk Assessment report to be produced for further consideration by the Committee.

Members resolved that they were minded to approve the applications because they considered it to be a sustainable development, highlighting the contribution of the solar panels to the green agenda, providing renewable energy.

Members also considered that the proposal would not have a detrimental impact on the character, integrity and setting of the Grade II Listed Farm House, and would not contravene policy DM15. It was also stated that the proposal's public benefits would outweigh any harm caused to the heritage asset.

The purpose of report before the Committee (No DEV/WS/22/038) was to provide a more detailed analysis of the public benefit that could be afforded to the Listed Building Consent proposal, as well as the Risk Assessment which set out the potential risks that could arise should Listed Building Consent and planning permission be approved.

Since publication of the agenda the Planning Officer advised that a further email had been received from the Parish Council reaffirming their support for the proposal.

Officers were continuing to recommend that the applications be refused for the reason set out in Paragraph 31 of the report.

Speaker: Philip and Catherine Doe (applicants) spoke in support of the applications
(Mr and Mrs Doe were not in attendance to personally address the Committee and, instead, the Democratic Services Officer read out a pre-prepared statement on their behalf.)

A number of Members made comment on the applications, with considerable reference being made to the current energy crisis and the need to consider renewable forms of energy.

The Council's Senior Conservation Officer was in attendance and was invited by the Chair to further elaborate on her reasons for recommending refusal.

Councillor Sara Mildmay-White voiced support for the applications and proposed they be approved, contrary to the Officer recommendation, as she did not consider that the scheme would cause significant harm, given the black materials on the roof of the barn and attributed greater weight to the public benefit it brought about in relation the green agenda. This was duly seconded by Councillor Carol Bull.

The Planning Officer then drew attention to Paragraph 14 of the report which contained a list of conditions that could be appended to the permissions, if granted.

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

Decision

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

1. The development hereby permitted shall be begun not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents, unless otherwise stated.

And

Listed Building Consent be **GRANTED, CONTRARY TO THE OFFICER RECOMMENDATION**, subject to the following conditions:

1. The works to which this consent relates must be begun not later than three years from the date of this notice.
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents, unless otherwise stated.
3. The relevant works shall not take place until details in respect of the following have been submitted to and approved in writing by the LPA:
 - (i) Details of the solar panels to be installed and method of installation
 - (ii) Details of the proposed battery storage including its location, size and appearance and method of installationThe works shall be carried out in full accordance with the approved details unless otherwise subsequently approved in writing by the Local Planning Authority.

279. **Listed Building Application DC/22/0113/LB - 7 The West Front, Samsons Tower, The Great Churchyard, Bury St Edmunds (Report No: DEV/WS/22/039)**

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

This application was originally referred to Development Control Committee on 6 April 2022 as it was an application submitted by West Suffolk Council's Property Services department on a building owned by West Suffolk Council.

At the meeting in April Members were advised that the consideration of proposals where a Local Planning Authority require Listed Building Consent for proposals, relating to the execution of works for the demolition, alteration, or extension of listed buildings and the Council is the applicant, the Authority should apply to the Secretary of State for that consent under the provisions of The Planning (Listed Buildings and Conservation Areas) Regulations 1990.

Accordingly, the previous recommendation was that consent be granted following the referral to the Secretary of State for determination, and subject to the outstanding ecological matters being addressed.

The report before the Committee provided an update on the position in relation to ecology and explained why referral to the State is not actually required.

Henceforth, Officers were recommending that Listed Building Consent be approved, subject to conditions as set out in Paragraph 20 of Report No DEV/WS/22/039.

In response to a question raised about works to the building owned by the Council, the Service Manager (Planning – Development) explained that the decision to undertake the works and any subsequent budgetary provision made was not relevant to the determination of the planning application by the Committee.

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

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

Decision

Listed Building Consent be **GRANTED** subject to the following conditions:

- 1 The works to which this consent relates must be begun not later than three years from the date of this notice.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents, unless otherwise stated.
- 3 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Bat Roost Assessment (Adonis Ecology Ltd, 27th May 2022) and Precautionary Method Statement (Suffolk County Council, November 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

The meeting concluded at 1.53pm

Signed by:

Chair

This page is intentionally left blank

Development Control Committee

5 October 2022

Planning Application DC/22/0026/FUL & Listed Building Application DC/22/0027/LB – Replacement Dwelling 1, 83 - 84 Guildhall Street, Bury St Edmunds

Date registered:	10 January 2022	Expiry date:	7 March 2022 EOT 7 October 2022
Case officer:	Connor Vince	Recommendations	DC/22/0026/FUL: Refuse DC/22/0027/LB: Grant
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate
Proposal:	DC/22/0026/FUL: Planning Application - conversion of existing offices and cart lodge to create three dwellings and associated works DC/22/0027/LB: Application for Listed Building Consent - conversion of existing offices and cart lodge to create three dwellings and associated works		
Site:	Replacement Dwelling 1, 83 - 84 Guildhall Street, Bury St Edmunds		
Applicant:	Hodder, Kirk and Sidhu		

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: 01284 757373

Background:

The applications have been referred directly to Development Control Committee noting the Ward Member interest and the cancellation of the scheduled Delegation Panel on 20 September 2022 at which this item was otherwise intended to be presented.

The full planning application is recommended for refusal, which conflicts with the Town Council's comment of "no objection" to both applications. The Listed Building Consent application is recommended for approval given the works are considered acceptable by the Conservation Officer and in accordance with the relevant Development Management Policies. Whilst the recommendation to grant Listed Building consent aligns with the Town Council's stance, for transparency and given both applications are connected, these are brought before the Committee together.

Proposal:

1. Planning permission and listed building consent is sought for the conversion of existing offices and cart lodge to create three dwellings with associated works.

Application supporting material:

- Application Form
- Covering Letter
- Design & Access Statement
- Commercial Viability Report
- Consultant letter re. DM30 & DM35
- Environmental Statement (Four Parts)
- Heritage Statement
- Land Contamination Questionnaire
- Noise Impact Assessment
- Location Plan
- Existing Site Plan
- Proposed Block Plan
- Amended – Proposed Site Plan
- Main House – Existing Floor Plans
- Main House – Existing Elevations
- Amended – Main House Proposed Ground Floor Plan
- Amended – Main House – Proposed First Floor Plan
- Amended – Main House – Proposed Elevations
- Cartlodge – Existing Floor Plan
- Cartlodge - Existing Elevations
- Cartlodge – Proposed Floor and Roof Plan
- Cartlodge – Proposed Elevations and Sections
- Biodiversity Checklist

Site details:

2. The application site is situated within the Bury St. Edmunds Town Centre Conservation Area, approximately 30 metres south of the Primary Shopping Area. The four storey building is Grade II listed, with Ellisons Solicitors the previous occupiers the ground floor with a wider retail use for the upper floors in place.

Planning history:

3.

Reference	Proposal	Status	Decision date
SE/04/2959/LB	Listed Building Application - (i) Erection of two storey office extension to rear; (ii) demolition of toilet accommodation attached to rear elevation; and (iii) insertion of window in existing door opening as amended by letter and revised drawing 1106/2B (received 15th September 2004) showing set back to extension, changes to windows and detailing, and providing details of the rooflights to be used	Application Granted	27 September 2004
SE/04/2958/P	Planning Application - Erection of two storey office extension to rear as amended by letter, and revised drawing no. 1106/2B received 15th September 2004 showing set back to extension, changes to window arch detailing, and providing details of the rooflights to be used	Application Granted	27 September 2004
SE/01/3414/LB	Listed Building Application - Sub-division of first floor office by insertion of partitioning	Application Granted	7 January 2002
SE/01/2718/LB	Listed Building Application - Alterations associated with conversion of store/garage building to office accommodation	Application Granted	9 October 2001
SE/01/2717/P	Planning Application - Conversion of store/garage building to office accommodation (Class A2 - Financial and Professional Services) and associated alterations to building	Application Granted	9 October 2001
E/88/2271/LB	Listed Building Application - (i) Sign writing on inside of shop window and provision of brass	Application Granted	7 September 1988

nameplate; (ii) opening p
of existing door and
provision of new door
between 83/84 t ground
floor level. New lobby; (iii)
new panelled entrance
door to replace
existing;(iv) removal of
partition at first floor level
and provision of fire door;
(v) bricking-up door on
rear elevation as amended
by letter dated

E/88/2270/P	Change of use from retail to offices	Application Granted	21 June 1988
E/81/3171/P	ERECTION OF INTERNAL PARTITION	Application Granted	2 November 1981
E/81/2601/LB	ALTERATIONS - FORMATION OF BASEMENT STRONG ROOM & FIRST FLOOR FIRE ESCAPE	Application Granted	9 September 1981
E/75/2977/P	PROVISION OF TOILET BUILDING	Application Granted	6 January 1976
E/75/1228/P	GARAGE AND LOFT OVER AT THE REAR	Application Refused	6 March 1975

Consultations:

4. Bury St. Edmunds Town Council:

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

5. Ward Members:

- Councillor Julia Wakelam 20 July 2022: "...I would like this Application to be referred to the Delegation Panel for the following reasons:
 - a. The majority of the other listed offices in this part of Guildhall Street, including those formerly occupied by Bankes, Ashton & Partridge & Wilson, have been granted permission to be converted to residential use & are now highly attractive houses. They, like this building, were patently unsuitable as offices in the 21st Century. I fear that the Council will clearly be seen to be inconsistent given that fact.
 - b. I absolutely share the desire to keep the town centre viable and agree that the blanket PDO is very unhelpful. However, I think it is highly unlikely that this building could be attractive as retail premises despite the modern & jarring shop front. From my knowledge of the building, I think a great deal of work would need to be done to make it a useable shop space & there would then be the issue of servicing it. It is accepted that the upper floors are suitable for residential use so they would require the garden space to the rear. Servicing a shop from Guildhall |Street would cause all sorts of problems. Moreover, it is not in a location that would attract

much footfall – it worth noting that the old Partridge & Wilson building is far closer to the main shopping area.

- c. I note the lack of a marketing campaign but there is a great deal of unfilled office space in Bury already. Moreover, I suspect that the building has not been well maintained &, if left empty, it will not be long before it deteriorates.
- d. I also think it likely that an Appeal would succeed with possible cost consequences.

- Councillor Jo Rayner 04 August 2022: Supports comments of Councillor Wakelam and requests referral to Development Control Committee

6. **Suffolk County Council Highway Authority:**

- No objections subject to conditions for bin storage details, EV charging to be provided, cycle storage to be provided and parking/manoeuvring as per the submitted details.

7. **Environment Team:**

- No objections subject to EV charging condition.

8. **Economic Development:**

- **11 February 2022** - This Service objects to the scheme for the following reasons.

The site is in the defined Town Centre of Bury St Edmunds and whilst not in the Primary Shopping Area it is very close to that area.

The pandemic has been particularly hard on bricks and mortar businesses located in our town centres. The Economic Development team seek to support businesses and ensure that town centres in West Suffolk towns remain attractive, viable and vibrant places that serve the residents of Bury St Edmunds, West Suffolk and the wider region as it has done previously.

This service remains very concerned about new prior approval legislation that allows conversion from a range of non-residential uses to residential uses without a formal planning application. The new prior approval is seen by this service as a very real threat to our town centres and as such when proposals need to go through the formal planning process this service would look to the LPA to ensure that town centres uses are not lost without very comprehensive justification and reasoning.

Policy DM35 of the JDMPD is the primary and relevant policy. The scheme proposes residential development on the ground floor of a unit that is located in the defined town centre of Bury St Edmunds and would appear to be contrary to policy DM35. Whilst the site is inside the housing settlement boundary of Bury St Edmunds, Policy DM35 guides appropriate uses in town centres and does not support residential development at ground floor. We acknowledge that the policy supports residential units at first floor and above but this is for very valid reasons which support the town centre as per para 7.7. Residential development above street level does not undermine the town centre by reducing the amount

of possible units that would help create a vibrant and attractive town centre. Indeed if the LPA allowed residential units at ground floor on the basis that DM35 allowed such uses this would ultimately lead to the gradual fatal erosion of our town centres.

I can see no justification at all within the submitted supporting documents on line and ask that the LPA refuse this application. Officers could consult BID Information - Our Bury St. Edmunds (ourburystedmunds.com) who seek to improve the trading environment for all members in Bury St Edmunds. It is presumed that they also would object to the loss of a unit from a town centre use in the town centre. However this service does not speak for the BID and if their comments were considered helpful they should be formally consulted.

- **22 August 2022** - Thank you for seeking our further comment. I have noted a few further comments which I've set out below. I hope these are helpful.

Policy DM30 requires 'one or more of the following criteria to be met (as appropriate to the site/premises and location)'. In this case this should be read that it is necessary to apply all criteria as relevant to the site/premises, which includes criteria b.

The site lies within the town centre boundary as defined in the adopted local plan policies map, whereby policy DM35 also applies. This policy does not support residential use on the ground floor, therefore the proposal is contrary to policy.

I will be guided by your knowledge on whether the proposed use is permitted under the provision in the Use Classes order. If it is then this should be explored further. Otherwise the proposals appears to be contrary to policy and potentially a departure and it will be for the officer to consider the material considerations when making a recommendation.

9. **Public Health & Housing:**

- The proposal is for the conversion of the existing offices and cart lodge to create three dwellings. The proposal is in close proximity to licensed premises, the applicant has submitted a noise assessment prepared by sound solution consultants, reference:37102-1-R1, Dated: 30/9/21. The noise assessment was undertaken when the venues were in operation. in order to achieve the internal noise levels mitigation measures are required prior to occupation of the proposed dwellings. in the interest of the future occupants the Public Health and Housing Team would recommend the following conditions:

Noise mitigation, construction hours, noise & dust, construction management plan

10. **Conservation Officer:**

- **09 March 2022** - The proposed works involve the subdivision of existing offices into two dwellings and the conversion of existing garaging to the rear fronting onto St Andrews Street South to a single residential unit.

The conversion of the main building fronting onto Guildhall Street involves the removal of a modern shopfront and the reinstatement of the former brick frontage incorporating front door and window to enable the reinstatement of what is likely to have been the original arrangement. I therefore have no objections to this particular part of the application subject to details. The internal layout generally lends itself to the conversion reinstating the building back to its former use as two separate dwellings. The works however involve areas of demolition the significance of which is unclear in some instances due to the absence of sufficient information regarding their significance. These areas include the partial removal of what is assumed to be the original rear wall to include sash window at ground floor level to no. 83 to provide a large kitchen diner; the complete demolition of chimney breasts to both ground and first floor and stack to the later 19th century rear range. Further information regarding the significance of all areas affected are required to offer comment. It is felt likely however that the retention of the sash window will be desirable and whilst the chimney breasts and stack relate to a later 19th century element based on the list description this was an early extension built soon after the construction of the original range. Its significance should not therefore be automatically dismissed on the grounds of it being a later extension. In the absence of assessment it is considered likely that both chimney breasts and stack should also remain.

The other conversion works appear largely acceptable with the exception of the proposed ensuite to bedroom 1 on the first floor of no. 83. The significance of this room is unclear due to absence of assessment. Photos may help with this however the chamfered corner arrangement would appear contrived adversely affecting a well-proportioned room irrespective of impact on any architectural detailing. Other rooms have similarly been subdivided to provide ensuites it is noted however these rooms already appear to have been previously compromised with the provision of later internal partitions - photos would help to confirm this - please request.

Re conversion of existing garaging to the rear. Modifications to the west elevation already appear to have been undertaken historically. The approach adopted is not dissimilar to that of the attached neighbouring building incorporating large dormer windows to first floor level, whilst retaining two of the large timber doors. I therefore have no objections to the principle of the proposal - details of conditions to be provided upon receipt of the above additional information.

20 September 2022 - The amended details retain the chimney breast and stack as requested which was the only outstanding issue from a conservation subject to the detail of the proposals.

I therefore have no objections subject to the following conditions

New and replacement windows

New and replacement doors

matching existing work general

Bricks to match existing bricks in terms of size, shape, colour and texture

Brick course and mortar mix to match existing

Masonry detailing to include recessed arrangement of ground floor window

and associated brickwork, elliptical arches over window and door openings

and string course to exactly match that of existing ground floor front

window and door to 84 Guildhall Street.

Drawn details of door and door case to include columns, fan light, elliptical arches and string course at a scale of 1:10 elevation and 1:2 continuous cross section both horizontal and vertical, to be submitted to and approved in writing with LPA.

details of conservation rooflights to be submitted to and approved in writing with the LPA.

Drawn details to illustrate relationship of proposed ground floor front window with masonry surround to include elliptical arches at a scale of 1:10 elevation and 1:2 continuous cross section to be submitted to and approved in writing with LPA.

11. Our Bury St. Edmunds BID:

- (Mark Cordell) - "I am the CEO of the Our Bury St Edmunds Business Improvement District and our organisation represents over 450 local town centre businesses.

The geographical area of the BID includes Guildhall Street and Kings Road. I understand that a planning application has been submitted requesting to convert the former Gross & Co offices in Guildhall Street (83/84) into three residences.

Over the past few years, the town centre of Bury St Edmunds has reduced in size in regards of retail and commercial properties as the shopping habits of consumers have changed. This has been most noticeable on the streets that abut Abbeygate Street and in particular Guildhall Street where Solicitors such as Partridge & Wilson and Ashtons have, in recent years, left the Street and their office accommodation has been or soon will be converted into high end residences.

From the BID perspective these changes are just part of an evolving town centre, that fortunately, in Bury St Edmunds, remains vibrant and continues to attract new businesses to the BID area.

The key to the offer we have in the town centre to consumers is quality and not quantity in regards of retail, commercial and residential units and therefore a small reduction in the number of businesses in the town centre, over recent years does not appear to have any detrimental effect on the perspective of Bury St Edmunds as a top notch visitor and retail centre. This is evidenced by footfall number exceeding 2019 levels, which is the exception, rather than the rule across the UK and the reducing number of commercial units in the town centre which currently sits at around 7%, whereas the national average is 11.7%.

These changes, together with the huge increase of houses and apartments on the periphery of the town centre, within the vicinity of the railway station and Tayfen Road (with Weston Homes planning to build nearly 200 apartments on the old Gas Holder site) has meant that there has been created a huge number of new potential customers for our businesses, all living within a short walk of the town centre.

This has been a huge boost for our members as they have had to face numerous challenges, none of their making, over the past few years. Bury St Edmunds is the envy of many town centres where the mix of residential, retail and commercial units here is so complimentary and

beneficial to all.

The number of offices in the town centre reducing is inevitable but to date these changes have had no visible negative impact upon the health of the town centre.

In regards of this specific case I am absolutely delighted that Ellisons have chosen to remain in the town centre and within the BID boundary in relocating into their new offices at 146, Kings Road, and with extended capacity for even more of their staff to visit our town centre.

I have no objections whatsoever to the application to convert the former offices of Gross & Co to two residences and cannot foresee that this would have noticeable detrimental effect on the health of the town centre or our local economy."

Representations:

12.No third-party comments received.

Policy:

13.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 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

Vision Policy BV2 - Housing Development within Bury St Edmunds

Vision Policy BV25 - Conserving the Setting and Views from the Historic Core

Joint Development Management Policies Document 2015

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM15 Listed Buildings

Policy DM16 Local Heritage Assets and Building Protected by an Article 4 Direction

Policy DM17 Conservation Areas

Policy DM18 New Uses for Historic Buildings

Policy DM22 Residential Design

Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Policy DM35 Proposals for main town centre uses

Policy DM46 Parking Standards

Other planning policy:

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:

14. The matters to be considered within the determination of these applications are as follows:

- Principle of Development
- Design, Form, Scale & Residential Amenity Impacts
- Heritage Impacts
- Biodiversity Matters
- Air quality Matters
- Highway Matters
- Other Matters

Principle of Development

15. At paragraph 38 of the NPPF, decision makers are advised that support should be offered for proposals which represent sustainable development. The NPPF aims to direct development towards locations which are well connected, allocated for re-development or suitable in other regards.

16. In this regard, policy BV2 of the Bury St Edmunds Vision Document provides that within the defined Housing Settlement Boundaries, planning permission for new residential development will typically be granted where it is not contrary to other planning policies.
17. In this instance, the application site is located within the Housing Settlement Boundary of Bury St Edmunds and as such the principle of additional residential dwellings is acceptable given that policies CS1 and CS4 and the identified settlement hierarchy direct residential development toward sustainable locations such as the area's Key Service Centres. This approach is in line with the advice set out within the NPPF.
18. In addition, it should be further noted the policy DM18 advocates the re-use of historic buildings and this provides some further support for the proposed change of use of 83-84 Guildhall Street.
19. As clarified above, the scheme comprises three new dwellings which front onto St Andrews Street South to the west and Guildhall Street to the east. Policy DM30 is therefore relevant with respect to the proposed conversion as the current / last known use of 83-84 Guildhall Street is that of an A2 office use.
20. With respect to the acceptability of the principle of residential development to the rear of the site, policy DM30 is particularly relevant as this policy seeks to ensure that established and valuable employment sites are not lost. Where non employment uses are proposed on sites and premises which are used for established employment purposes, proposals to move away from such a use will only be permitted if the LPA are satisfied that the scheme is able to demonstrate adequate compliance with other relevant planning policies and where one or more of the following have been met:
 - A. there is a sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements;
 - B. evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future;
 - C. the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site;
 - D. an alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs;
 - E. it is for an employment related support facility such as employment training/education, workplace crèche or industrial estate café;
21. In order to demonstrate compliance with policy DM30, applicants are typically required to provide evidence of the historic marketing which relates to site/premises in question, which is usually a 12-month

marketing assessment. In considering evidence such as this, it is for the LPA to adopt a pragmatic and flexible approach noting the degree of support offered to the principle of the development and to ensure the evidence required is not so onerous as to unjustifiably stymie the site's potential for redevelopment.

22. The agent has provided a "commercial viability report" (CVP). The CVP provides analysis of the site in relation to criterion A of DM30. However, given the wording of criterion B stating 'genuine attempts' have been made in relation to alternative uses at the site. Officers do not believe that "genuine attempts" have been made at the site to market the property(ies) for alternative uses. Policy DM30 also states that "one or more" of the above criterion will need to be met, based on the context of any given application site. Officers consider criterion A and B both equally applicable in this scenario and given the identified conflict, the proposal is not considered to comply with the relevant provisions of DM30.

23. Policy DM35 concerns proposals for main town centre uses. The application site is within the defined Bury St. Edmunds Town Centre. For clarity, Policy DM35 refers to the previous iteration of the Use Classes Order. The Use Class Order was amended in 2020. A1, A2, A3 and B1 uses now fall within Class E, A4, A5 and D2 within Sui Generis. Class E covers a wide range of commercial and business uses. However, paragraph 47 of the NPPF states that "Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise." As such, Policy DM35 is considered to remain relevant and wholly applicable in the determination of the planning application.

24. Policy DM35 states that within the town centres, as defined on the policies maps, support will be given, subject to compliance with other policies, to proposals for main town centre uses such as the following:

- i. shopping (Use Class A1);
- ii. financial and professional services (A2);
- iii. food and drink (A3, A4, A5);
- iv. leisure, culture, arts, tourism and more intensive sport and recreation including D2 uses;
- v. business (B1) offices;
- vi. visitor accommodation; and

in addition to the main town centre uses above:

- vii. health facilities and other community uses;
- viii. residential, A2 or B1 uses on upper floors.

25. Furthermore, policy DM35 goes on to state that a balance between shops (A1) and non-A1 commercial uses (A2, A3, A4 and A5 uses) will be maintained to secure the vitality and viability of the Primary Shopping Areas, albeit with a predominance of shopping uses maintained. The change of use of ground floor A1 units within a Primary Shopping Area, to other appropriate main town centre uses, will therefore only be permitted if the balance of retail vitality and viability is not likely to be harmed and all of the following criteria are met:

- a. the proposal will not result in three or more non-A1 units in adjoining premises within the Primary Shopping Area;
 - b. the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and the street scene and its setting in terms of its materials, form and proportions;
 - c. the proposal will not remove existing or potential beneficial use of upper floors; and
 - d. the proposal will not adversely affect the amenity of the surrounding area by virtue of noise, litter, congestion on pavements, or disturbance arising from late night opening.
26. The applications propose the complete conversion of all floors attributed to 83-84 Guildhall Street as well as the conversion of the cartlodge to the rear to a residential dwelling. Therefore, the entire shopfront will be lost as a result of the conversion.
27. Officers acknowledge that although the policy does not explicitly preclude ground floor conversion, this is not supported by that policy and the advice from Policy colleagues through internal discussion therefore is that there is conflict in this respect. Economic Development Officers also object to the application for the reasons set out above. Regard must be had to the site's location and importance within close proximity to the primary shopping area (PSA). Where proposals would result in the loss of vibrancy or adversely impact the viability of the town centre, DM35 would seldom support such applications. As such, the introduction of a residential use here, on the edge of the PSA is deemed to represent a material conflict with DM35. For clarity, officers have no concerns in principle with the conversion to residential on the upper floors of the main building and conversion of cartlodge to residential. Officers would seek to retain the shopfront of 83-84 Guildhall Street for the aforementioned reasons.
28. To conclude, the planning application is considered to conflict with both policies DM30 and DM35 for the reasons identified above and is therefore not supportable as a matter of principle. Other policy and material planning considerations are addressed below.

Design, Form, Scale and Residential Amenity Impacts

29. In conjunction with policy DM2, policy DM22 indicates that residential development proposals should maintain or create a sense of place and/or character by utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness, using an appropriate innovative design approach and incorporating a mix of housing and unit sizes that is appropriate for the location. In addition, paragraph 126 of the NPPF provides that good design is a key and vital aspect of sustainable development in making development acceptable to communities. In this regard, the scheme has been designed to ensure that it is able to meet the requirements of DM2 and DM22.
30. With an increased focus on good design, the revised NPPF is particularly relevant as proposals which do not relate well to the street scene & their immediate context are unable to garner policy support.

31. The applications propose boundary treatments and both internal and external modifications in order to facilitate the conversions. A modest single storey rear extension is also proposed to the main building. The site will be divided into two separate dwellings with their own rear garden areas, alongside the conversion of the cartlodge on the western boundary of the site into a detached residential dwelling. The two dwellings in the main house will have four and three bedrooms respectively, with a two bedroomed dwelling in the converted cartlodge.
32. Access to the buildings will be through the existing remodelled doorways with further pedestrian and vehicular access from St Andrews Street South. Parking for all the three properties is proposed on St Andrews Street South plus garaging for the two houses. The vehicular spaces and garages exist at present for the existing offices.
33. Guildhall Dental Practice borders the site to the north-west, with Oakes Barn public house to the south. Residential dwellings in the form of flats are located to the north of the site, with a mix of residential and commercial properties surrounding the site on Guildhall Street.
34. With regards to fenestration changes to the main house, no adverse residential amenity impacts are considered to arise as a result of the changes. Minor changes are proposed to the eastern and western elevations, with the removal of two windows at ground floor, two at first floor and the addition of three rooflights to the second floor of the later extension. These changes are to the northern and southern elevations. Given the locational context of the additions, no adverse impacts are considered to arise.
35. In relation to the conversion of the cartlodge on the western edge of the site, the dwelling would be accessed via a door on the north-western corner of the structure, with two parking spaces retained in the garage. A hallway with WC and one bedroom with staircase would be on the ground floor, with a living/dining room, bedroom, bathroom and en-suite on the first floor. Eight rooflights are proposed with two dormer windows on the western elevation. Given the relative location of the cartlodge, with a walkway to Guildhall Dental Practice immediately north and high-level rooflights being proposed, no adverse residential amenity impacts are considered to arise.
36. A noise impact assessment has been submitted accompanying the application. Public Health and Housing have confirmed they are content with the findings and noise mitigation measures identified, subject to the imposition of conditions accordingly.
37. The proposal is therefore considered to comply with the provisions of both policies DM2 and DM22.

Heritage Impacts

38. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. In addition, section 72(1) of the Planning (Listed Buildings

and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. This requirement for the safeguarding of heritage assets and their settings is echoed in local policies DM15 and DM17.

39. Policy DM16 states that proposals for the demolition, extension or alteration of buildings identified as being Local Heritage Assets, or protected by an Article 4 direction or subsequent legislation, will be permitted where they demonstrate a clear understanding of the significance of the building and/or its setting, alongside an assessment of the potential impact of the proposal on that significance, respect the historic fabric, design, materials, elevational treatment and ornamentation of the original building, will not entail an unacceptable level of loss, damage or covering of original features and have regard to the setting, plot layout and boundary features.
40. The application site lies within the Bury St Edmunds Town Centre Conservation area, as well as being Grade II Listed. 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.
41. 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 National Planning Policy Framework 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.
42. 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.
43. The conversion of the main building fronting onto Guildhall Street involves the removal of a modern shopfront and the reinstatement of the former brick frontage incorporating front door and window to enable the reinstatement of what the Conservation Officer has asserted is likely to have been the original arrangement.

44. The conservation officer previously raised concern regarding the reconfiguration of the internal layout, in particular the demolition of certain areas/structures which had not been justified by supporting information. Since these comments, the agent has provided further information directly to the conservation officer, who has now confirmed they are content with the revised proposal considering the chimney stacks are now proposed to be retained, subject to the imposition of the conditions identified.
45. The proposals are therefore considered to comply with the provisions of policies DM15, DM16, DM17 and DM18 accordingly. As such, whilst the full planning application is considered to conflict with policies DM30 and DM35, the Listed Building application is considered to be acceptable. As such the Listed Building application is recommended for approval.

Biodiversity Matters

46. 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, DM11 and DM12.
47. 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.
48. 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.
49. 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 National Planning Policy 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.
50. In this instance, the proposal is not judged to be one which has the potential to inflict harm upon local biodiversity or require further supporting information. No valuable habitats are at risk and the site is not subject to any special protection from an ecological perspective. As such, a phase 1 ecology report has not been submitted nor requested by the LPA.

51. Therefore, given the urban context of the application site, the proposal is not judged to be one which poses a significant risk to the area's existing biodiversity credentials.

Air Quality Matters

52. Section 3.4.2 of the Suffolk Guidance for Parking provides that "Access to charging points should be made available in every residential dwelling." Policy DM2(l) and DM46 seek to ensure compliance with the parking standards and to promote more sustainable forms of transport.

53. The National Planning Policy Framework (2021) at paragraph 107 seeks to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and para 112 (e) provides that 'within this context, applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.' In addition, DM14 of the Joint Development Management Planning Policies Document seeks to ensure that development proposals include measures, where relevant, to limit emissions and reduce pollution.

54. On this basis a condition is recommended to ensure an operational electric vehicle charge point is provided for each dwelling. This is a condition further endorsed by the Environment Team who have no objections to the proposed development.

Highway Matters

55. The 2021 NPPF at paragraph 110 provides that applications for planning permission should, where it is possible to do so, enable safe use of public highways for all stakeholders. The extent to which this is required will of course be dependent upon and commensurate to the scale of development proposed. Policy DM2 of the Joint Development Management Policies Document (2015) also requires proposals to maintain or enhance the safety of the highway network. Policy DM46 states that proposals must comply with Suffolk Parking Guidance.

56. The application proposes the provision of three vehicular parking spaces on the western boundary of the site, adjacent to St. Andrews Street South. No objections are raised by the Highway Authority and given the town centre location; this provision is considered to be wholly acceptable.

57. Therefore, subject to planning conditions which seek to control the following, the Highway Authority raise no objection:

- Provision and retention of parking
- Provision of areas for refuse / bin storage
- EV charging provision (as above)
- Provision of cycle storage

58. The proposals are therefore considered to comply with the provisions of the NPPF, DM2 and DM46.

Other Matters

59. It is noted that the conversion of office units to residential is generally permitted development via a prior notification process by reason of the 2015 General Permitted Development Order. Such a conversion in this instance is not permitted development however here due to the building's listed status. This means that the LPA is able to exercise control in relation to changes of use in such cases.

60. A supporting statement was submitted by the agent in relation to inconsistencies from the LPA in determining applications and an assessment in relation to both DM30 & DM35 is presented. The policy conflict in relation to Policy DM35 is explained in previous paragraphs of this report. In relation to DM30, a requirement for a 12-month marketing assessment is explained. However, when examining existing employment uses the locational context of an application site must be given consideration in determining whether there is material conflict with this policy. The consultant has made reference to the applicant only needing to meet one of the criteria mentioned (and has argued it does meet). However, the policy states "and one or more of the following criteria has been met (as appropriate to the site/premises and location)" The application site is within the Town Centre and, whilst not specifically within the Primary Shopping Area, is merely 30 metres to the south. Therefore, given the listed building context, location within the town centre conservation area, proximity to the primary shopping area and existing employment use within this aforementioned area, the LPA consider insufficient information has been submitted in relation to DM30.

61. Each planning application must be considered on its own merits and, whilst reference is made to other 'similar' planning application where consent has been given, the LPA must proceed based on the up-to-date information to hand. Therefore, given the identified combined conflicts with policies DM30 & DM35, the full planning application is recommended for refusal.

Conclusion:

62. In conclusion, whilst it is acknowledged that there are some short-term economic and social benefits in the re-use of the buildings at 83-84 Guildhall Street, given the policy requirements of both policies DM30 and DM35 and the material harm in the permanent loss of a retail unit alongside the insufficient information submitted to support the full planning application, it is considered that the planning application fails to comply with the relevant policies of the development plan and recommend refusal.

63. In relation to the Listed Building application, whilst it is acknowledged that there is conflict with policies DM30 and DM35 in relation to the full planning application, the Conservation Officer has confirmed that in relation to the Listed Building application, the proposed works are considered acceptable. Therefore, the Listed Building application is recommended for approval.

Recommendations:

64.DC/22/0026/FUL: It is recommended that planning permission be **REFUSED** for the following reasons:

1. Policy DM30 states that "where non employment uses are proposed on sites and premises which are used for established employment purposes...evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future." Officers do not believe that "genuine attempts" have been made at the site to market the property(ies) for alternative uses. Policy DM30 also states that "one or more" of the above criterion will need to be met, based on the context of any given application site. Officers consider criterion A and B both equally applicable in this scenario. The LPA do not consider the 'Economic Viability Report' sufficient in evidence to accord with criterion B of Policy DM30 accordingly. Given insufficient evidence has been presented to the LPA that alternative uses for the unit have been explored, the proposals must be considered to conflict with the relevant policy accordingly.
2. Whilst policy DM35 does not explicitly preclude ground floor conversion, this is not supported by that policy. Regard must be had to the site's location and importance within close proximity to the primary shopping area. Where proposals would result in the loss of vibrancy or adversely impact the viability of the town centre, DM35 would seldom support such applications. As such, the introduction of a residential use on the ground floor of the building, which is currently used as a commercial office, on the edge of the Primary Shopping Area is deemed to represent a material conflict with DM35.

65.DC/22/0027/LB: It is recommended that Listed Building Consent is **GRANTED** subject to the following conditions:

1. The works to which this consent relates must be begun not later than three years from the date of this notice.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

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

3. No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details will illustrate the relationship of the

proposed ground floor front window with masonry surround to include elliptical arches at a scale of 1:10 elevation and 1:2 continuous cross section.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

4. No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details. The drawn details of the doors and door case are to include columns, fan light, elliptical arches and string course at a scale of 1:10 elevation and 1:2 continuous cross section both horizontal and vertical.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

5. All new external and internal works and finishes and works of making good to the retained fabric shall match the existing historic work adjacent in respect of materials, methods, detailed execution and finished appearance unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policy DM15 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

6. The new facing brickwork shall match the existing brickwork adjacent in respect of material, colour, texture, face bond, mortar mix and pointing unless otherwise approved in writing by the Local Planning Authority.

The masonry detailing shall include the recessed arrangement of ground floor window and associated brickwork, elliptical arches over window and door openings and string course to exactly match that of existing ground floor front window and door to 84 Guildhall Street.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015,

Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

7. No works involving the installation of conservation rooflights shall take place until details of the works including a schedule and annotated plans/drawings showing the full extent of the proposed works have been submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the building, in accordance with policies DM15 and DM17 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and all relevant Core Strategy Policies.

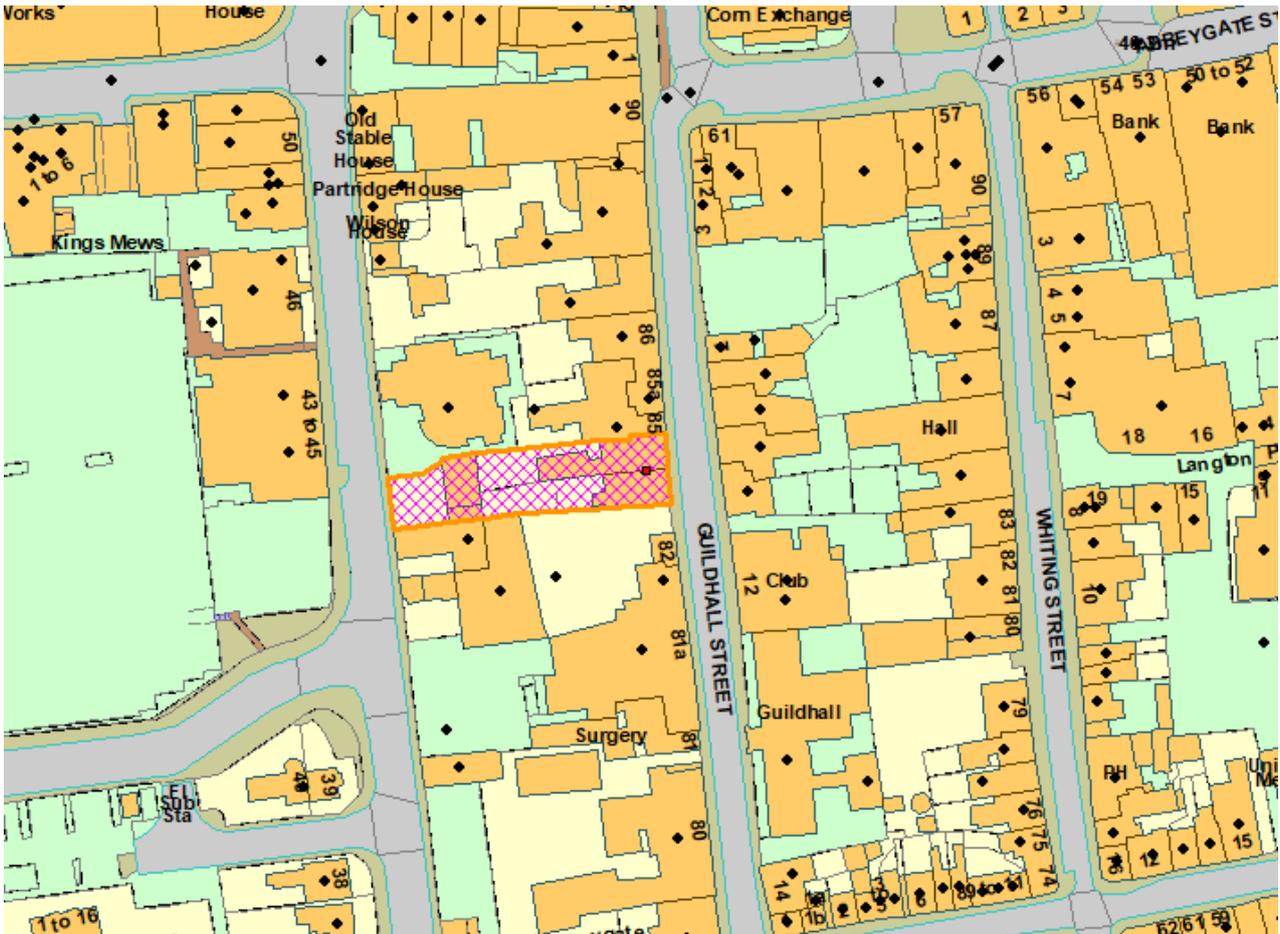
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0026/FUL](https://www.westsuffolk.gov.uk/DC/22/0026/FUL)

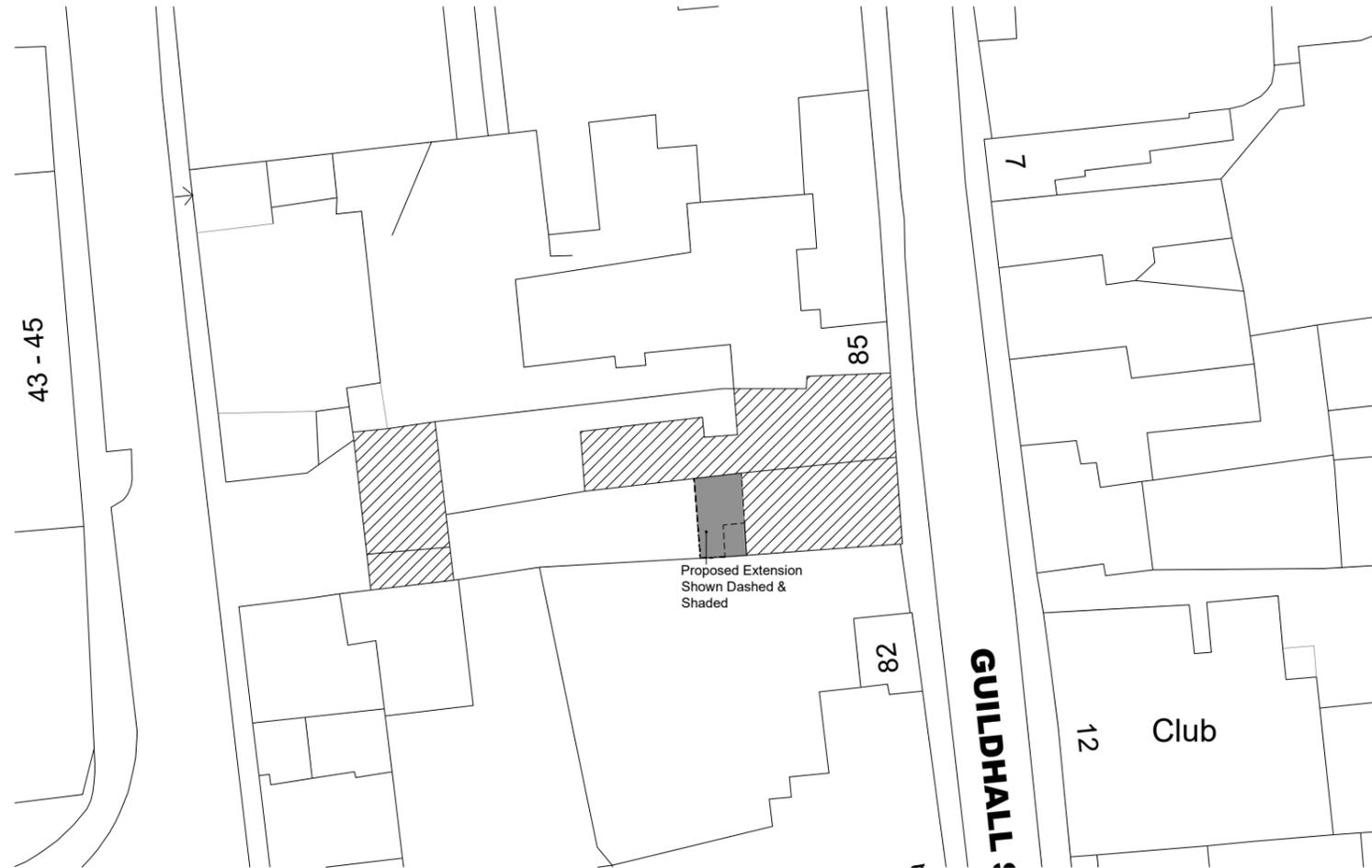
This page is intentionally left blank



DC/22/0026/FUL - Replacement Dwelling 1, 83 - 84 Guildhall Street, Bury St Edmunds



This page is intentionally left blank



Block Plan
1:500 scale
0m 10m
1:500 Scale Bar



Only figured dimensions are to be used for construction purposes. This drawing must be read in conjunction with all relevant details for the project. All dimensions are to be checked on site prior to commencement and any discrepancy reported to the Architect or Contract Administrator © Brown & Scarlett Architect 2019

Revisions

Client	Hodder, Kirk & Sidhu	Scale	1:500 (A3)
Project	83 -84 Guildhall Street, Bury St Edmunds, IP33 1LN	Date	Dec. 21
		Job Number	4302
Drawing	Proposed Block Plan	Drawing number	11/ P1

BROWN & SCARLETT ARCHITECTS

1 Old Hall Barns , Thurston Road, Pakenham, Bury St Edmunds, Suffolk IP312NG
Tel: 01284 768800 Fax: 01284 702880 Email: info@brownandscarlett.co.uk

This page is intentionally left blank

Development Control Committee 5 October 2022

Planning Application DC/22/1230/FUL – Abbey Gardens, Angel Hill, Bury St Edmunds

Date registered:	12 July 2022	Expiry date:	7 September 2022 EOT 07 October 2022
Case officer:	Connor Vince	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate
Proposal:	Planning application - re roofing of existing mess room building		
Site:	Abbey Gardens, Angel Hill, Bury St Edmunds		
Applicant:	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

Telephone: 01284 757373

Background:

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

Proposal:

1. Planning permission is sought for the re-roofing of the existing mess room building which forms part of the staff compound at Abbey Gardens, Angel Hill, Bury St. Edmunds.
2. Previous work at the wider staff compound were considered by members of the Development Control Committee on 02 March 2022 (DC/21/2261/FUL). Members voted to approve the application. The application was approved on 31 March 2022. Reference was made to the re-roofing of the Mess Room which did not form part of the previous application.

Application supporting material:

- Application Form
- Location Plan
- Existing and Proposed Sections 1
- Existing and Proposed Sections 2
- Proposed Roof Layout Plan
- Existing and Proposed Elevations
- Shingle Roof Sections
- Bat Survey
- Bat Survey – DC/21/2261/FUL
- Bat Roost Assessment – DC/21/2261/FUL
- Biodiversity Checklist
- Design & Access Statement
- Heritage Statement

Site details:

3. The application site lies within the Abbey Gardens site which is a Scheduled Ancient Monument (SAM) 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 within the staff compound 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.

Reference	Proposal	Status	Decision date
DC/21/2261/FUL	Planning application - re-configuration of staff	Application Granted	31 March 2022

	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		
DCON(A)/21/2261	Application to discharge conditions 5 (lighting) and 6 (biodiversity) of DC/21/2261/FUL	Pending Consideration	
TCA05/1138	(i) Reduce height to 1.5 metres to two groups of Western Red Cedar (G1 & G2), (ii) crown lift to clear wall by 2 metres to one Weeping Willow tree (T1) and (iii) re-pollard one Poplar tree (T2) all situated in a Conservation Area	Application Granted	10 May 2005
TCA 97/391	Crown lifting of 10 Beech trees situated within a Conservation Area	Application Granted	11 August 1997

Consultations:

6. Bury St. Edmunds Town Council:

- "That based on information received and subject to any Conservation Area and Article 4 issues and recommendations from the Conservation Officer, Bury St Edmunds Town Council recommends APPROVAL."

7. Historic England:

- "Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers."

8. Conservation Officer:

- "This application is for the re-roofing of the mess room building in the gardener's compound. The compound occupies an enclosed area in NE corner of the Abbey Gardens.

Although the building abuts part of the historic wall, the proposed works would not have any direct impact on it. The roof cladding would unify the appearance of the building and match that on the previously approved garage. The colour would also help the building, which can only be seen

from a distance or when the compound gates are open, assimilate into its garden surroundings. The proposals would enhance the overall appearance of the building, the character and appearance of the conservation area and the setting of the SAM.

I therefore have no objection to this application and no conservation conditions are required.”

9. Ecology:

- We have reviewed the Nocturnal Bat Surveys at Abbey Gardens Mess Room report (Adonis Ecology, 13th July 2022) and Bat Surveys report (Aspen Ecology, Oct 2021) relating to the likely impacts of development on bats (protected species).

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

We note that the Bat Surveys report (Aspen Ecology, Oct 2021) was not submitted with this application, and we recommend that the Bat Roost Assessment report and Bat Surveys report (both Aspen Ecology, Oct 2021) should be appended to this application.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout and should 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.

Representations:

10. No third-party representations received.

Policy:

11. 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.

12. The following policies of the Joint Development Management Policies Document and the [Forest Heath Core Strategy 2010] [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 DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM17 Conservation Areas

Policy DM19 Development Affecting Parks and Gardens of Special Historic or Design Interest

Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

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:

13. 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
- Other Matters

Principle of Development

14. 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 the former St Edmundsbury area 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.

15. Development will need to be in accordance with policy DM2 and is considered generally to be acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity and highway safety. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.

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

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

17. The proposal involves re-roofing of the Mess Room located within the staff compound of the wider Abbey Gardens site. The compound is located in a discrete corner of the Abbey Gardens and largely screened from public view by the enclosing fencing and gates, adjacent to The Aviary.

18. The proposal includes the removal of the existing part cement fibre and part timber shingle roof and guttering and their replacement with Eternit profile 6 cement fibre roof sheets and UPVC guttering.

19. The application site lies within the Bury St Edmunds Conservation area and Abbey Gardens is a Scheduled Ancient 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 paragraph- 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

20. 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.

21. 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.

22. As previously 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.

23. As confirmed by the Conservation Officer, the roof cladding is considered to unify the appearance of the building and match that on the previously approved garage (DC/21/2261/FUL). The colour would also help the building, which can only be seen from a distance or when the compound gates are open, assimilate into its garden surroundings.

24. The proposal is considered to enhance the overall appearance of the building, the character and appearance of the conservation area and the setting of the Scheduled Ancient Monument.

25. The proposal is therefore able to meet the requirements of policies DM17 and DM19.

Impact on Residential Amenity

26. 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.

27. In this instance, the proposed works will not be visible from within the residential properties and 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

28. 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, DM11 and DM12.

29. 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.

30. 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.

31. 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.

32. It is not anticipated that the proposal would have a harmful impact on biodiversity interests in this case. A nocturnal bat survey has been submitted which also identifies enhancement measures to be installed. The bat surveys previously submitted for DC/21/2261/FUL which reference the Mess Room have also been made available for public view

33. As confirmed by the ecological consultant, the mitigation and enhancement measures identified are considered to be acceptable. A condition will therefore be imposed requiring compliance with these measures. These biodiversity enhancements have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021

Other Matters

34. Given the nature of the proposed works, there will be no adverse impacts upon the adopted highway. The proposed works will be used in conjunction with the maintenance of the Abbey Gardens site.

Conclusion:

35. 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:

36. 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:

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

Reference number	Plan type	Date received
004	Existing and proposed elevations	12 July 2022
011	Sections	12 July 2022
002	Existing and proposed sections	12 July 2022
001	Existing and proposed sections	12 July 2022
003	Roof plans	12 July 2022
1625	Bat report	12 July 2022
(-)	Biodiversity checklist	12 July 2022
(-)	Design and access statement	12 July 2022
(-)	Heritage statement	12 July 2022
(-)	Application form	12 July 2022

- 3 A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Nocturnal Bat Surveys at Abbey Gardens Mess Room report (Adonis Ecology, 13th July 2022)), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species). 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.

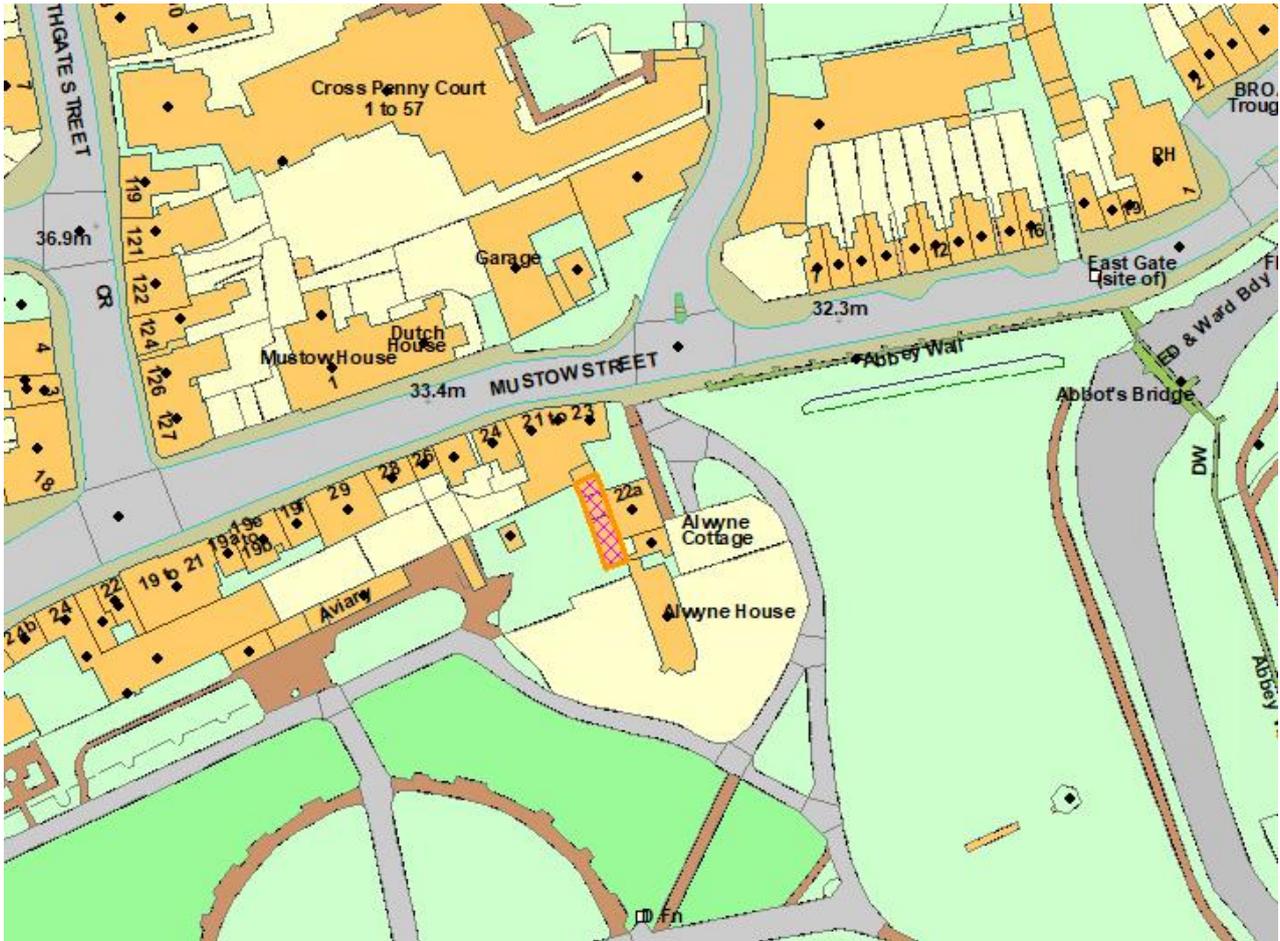
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1230/FUL](https://www.westsuffolk.gov.uk/DC/22/1230/FUL)

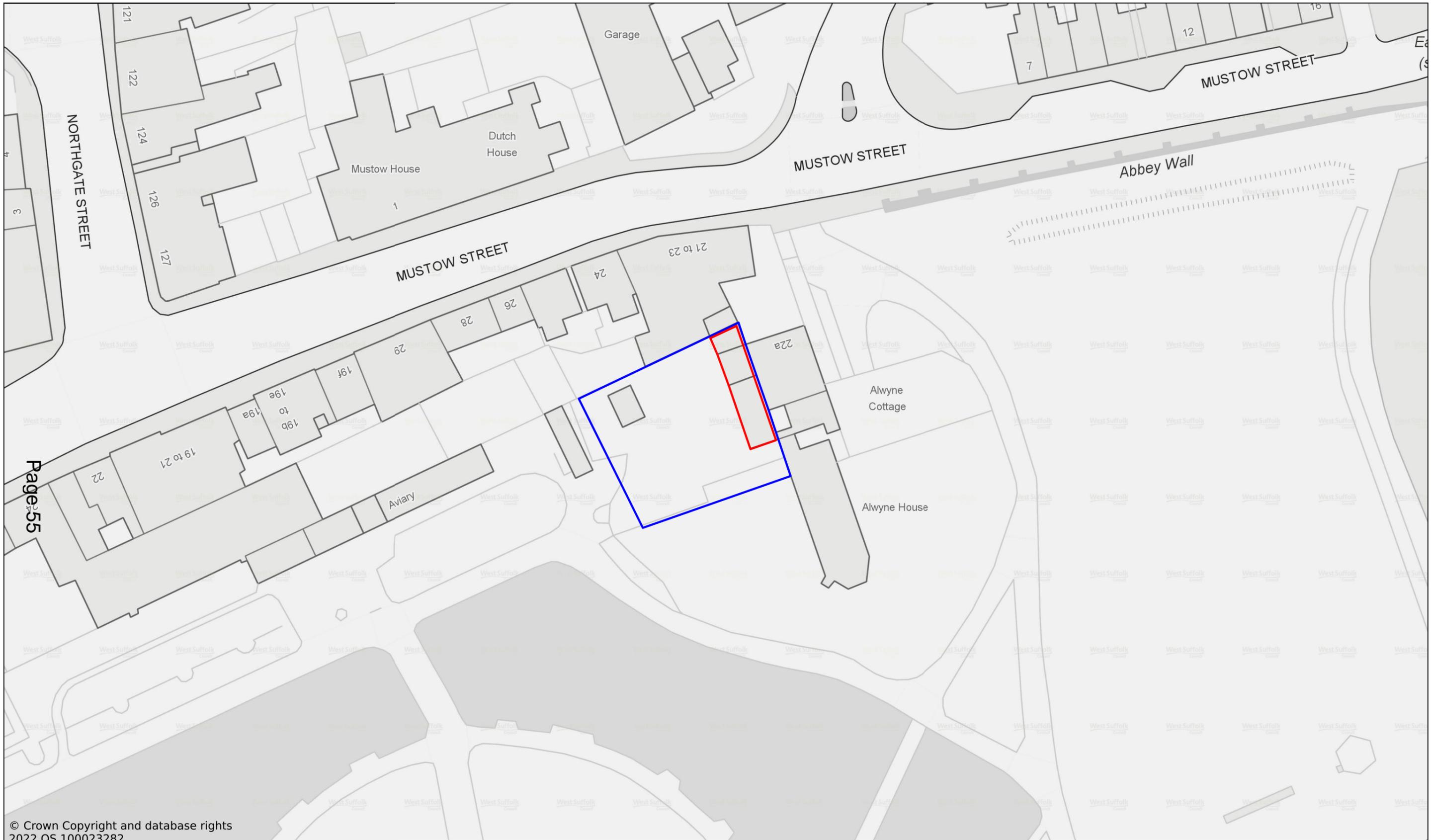
This page is intentionally left blank



DC/22/1230/FUL - Abbey Gardens, Angel Hill, Bury St Edmunds



This page is intentionally left blank



Page 55

© Crown Copyright and database rights 2022 OS 100023282.

Block Plan

Scale: 1:500

Printed on 2022-08-19 14:55:33

by kstuck@SEBC_DOMAIN

© Crown Copyright and database rights 2022 OS 100023282.



- Site boundary
- Mess room/workshop



West Suffolk House
 Western Way
 Bury St Edmunds
 IP33 3YU
 01284 763233
www.westsuffolk.gov.uk

This page is intentionally left blank