

Development Control Committee



Title	Agenda		
Date	Wednesday 7 June 2023		
Time	10.00am		
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU		
Full Members	Chair Vice Chairs Conservative Group (7) Independents (5) Progressive Alliance Grouping (4)	To be appointed by the Development Control Committee on 7 June 2023 Carol Bull Mike Chester Susan Glossop Rachel Hood Mick Bradshaw Roger Dicker Andy Neal Diane Hind Jon London	Ian Houlder Sara Mildmay-White Andrew Smith Jim Thorndyke Phil Wittam Lora-Jane Miller-Jones David Smith
Substitutes	Conservative Group (3) Independents (2) Progressive Alliance Grouping (2)	Andy Drummond Charlie Lynch Gerald Kelly Peter Armitage Donna Higgins	Andrew Speed David Taylor
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		
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email democratic.services@westsuffolk.gov.uk <i>Details of Site Visits overleaf...</i>		

A SITE VISIT WILL BE HELD ON MONDAY 5 JUNE 2023 AT THE FOLLOWING TIME

The coach for Committee Members will depart West Suffolk House at 9.30am sharp and will travel to the following site:

1. Planning Application DC/22/2034/FUL - Porters Farm, Queens Lane, Chedburgh, IP29 4UT

Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage

Site visit to be held at 9.50am – *strong outdoor shoes are recommended*

(NB: Members who attended the site visit for this application in April 2023 will not be required to re-attend, although are welcome to do so if they wish, this site visit has been scheduled for the benefit of new Committee Members.)

On conclusion of the site visit the coach will return to West Suffolk House by the approximate time of 11.00am.

Where otherwise required for this agenda, 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.

Development Control Committee Agenda notes

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

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

Material planning considerations

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

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

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

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

Documentation received after the distribution of committee papers

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

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

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

Public speaking

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

Development Control Committee

Decision making protocol

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

Decision making protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a member wishes to alter a recommendation:
 - In making a proposal, the member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the 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. Election of Chair 2023/2024

2. Election of Vice Chairs 2023/2024

3. Apologies for absence

4. Substitutes

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

5. Minutes

1 - 6

To confirm the minutes of the meeting held on 26 April 2023 (copy attached).

6. 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.

7. Planning Application DC/22/2034/FUL - Porters Farm, Queens Lane, Chedburgh

7 - 50

Report No: **DEV/WS/23/013**

Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage

8. Planning Application DC/22/0361/HH - The Old Post Office, Bury Road, Flempton

51 - 64

Report No: **DEV/WS/23/014**

Householder planning application - replacement wall to front elevation

**9. Planning Application DC/23/0285/LB - The Athenaeum,
Angel Hill, Bury St Edmunds**

65 - 78

Report No: **DEV/WS/23/015**

Application for listed building consent - a. replacement of metal corrugated roof coverings with slate covering and works to hip and ridge details; b. new guttering; c. treatment and repair of failed existing roof structural timbers; d. access and thermal improvement to existing mezzanine

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 26 April 2023** at **10.00 am** in the **Conference Room, Mildenhall Hub**, Sheldrick Way, Mildenhall, IP28 7JX

Present **Councillors**

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

339. **Apologies for absence**

Apologies for absence were received from Councillors Andy Drummond and David Roach.

340. **Substitutes**

The following substitutions were declared:

Councillor James Lay substituting for Councillor Andy Drummond; and Councillor Nick Clarke substituting for Councillor David Roach.

341. **Minutes**

The minutes of the meeting held on 5 April 2023 were confirmed as a correct record and signed by the Chair, with 14 voting for the motion and 2 abstentions.

342. **Declarations of interest**

There were no declarations of interest made.

343. **Planning Application DC/22/1953/FUL - PLOT 1520, Fortress Way, Rougham (Report No: DEV/WS/23/011)**

Planning application - ambulance hub including vehicle servicing, car parking and landscaping

The application was referred to the Development Control Committee as it represented a departure from the Development Plan, in that the proposed

use, which was Sui Generis, did not technically fall within the allocation for Suffolk Business Park, which was for B1 and B8 uses.

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

Members were advised that Ward Member (Moreton Hall) Councillor Birgitte Mager had submitted a late representation on the application in relation to traffic/access and this was read out to the Committee.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 86 of Report No DEV/WS/23/011 together with the amendments to Condition Nos 2, 8, 10 and 14 as referenced in the supplementary 'late paper' that was issued after publication of the agenda and lastly, also inclusive of a boundary treatment (fencing) condition as verbally outlined to the meeting.

During the debate reference was made to Councillor Mager's comments concerning traffic/access.

In response the Service Manager (Planning – Development) explained that National Highways were consulted on the application and no objections had been raised. Furthermore, it was not possible to condition via a planning application which routes the operators had to take.

Considerable discussion took place on the Committee's desire for the scheme to include solar panels on the roof.

The Service Manager (Planning – Development) explained that Policy DM7 in the Local Plan enabled the Planning Authority to require a BREEAM standard of excellence for schemes such as that seeking determination.

The agent for the application (James Pritchard) was present in the public gallery and the Chair permitted him to come forward and address the Committee in respect of their specific questions concerning solar panels.

Mr Pritchard advised Members that the intention was to install photovoltaic (PV) solar panels on the roof of the building, with any unused or surplus solar electricity to be exported to the grid.

Accordingly it was proposed by Councillor John Burns that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor David Smith.

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

Decision

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

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. The development shall achieve BREEAM Excellent standard. This must be evidenced by a BREEAM fully-fitted certificate upon completion. The development shall achieve a Final BREEAM Excellent rating in accordance with the requirements of the relevant BREEAM scheme. The projects Final Certificate must be issued to the local planning authority within a maximum of 6 months post completion.
4. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA). The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.
5. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
6. Prior to commencement of development details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) shall be submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
 - A. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 1. Temporary drainage systems
 2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 3. Measures for managing any on or offsite flood risk associated with construction.
7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
8. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 21712-2011-T04 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
9. The use shall not commence until the areas within the site shown on Drawing No. 21712-2011-P02 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter

the areas shall be retained, maintained and used for no other purposes.

10. The use shall not commence until the facilities within the site shown on Drawing No. 21712-2011-T04 for the purposes of cycle parking have been provided and thereafter the area shall be retained, maintained and used for no other purposes.
11. Prior to first operational use of the site, at least 20 (twenty) car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.
12. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Walkover Ecology Survey Report (James Blake Associates, September 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
13. Prior to any works above slab level, A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.
14. All planting comprised in the approved details of landscaping (1042-SW-01 REVC and 1042-SW-02 REVC) shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
15. No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding;
surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features);

proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

16. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - A. The parking of vehicles of site operatives and visitors
 - B. Loading and unloading of plant and materials
 - C. Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - D. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - E. Wheel washing facilities
 - F. Measures to control the emission of dust and dirt during construction
 - G. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - H. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - I. Noise method statements and noise levels for each construction activity including piling and excavation operations
 - J. Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
17. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.
No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.
18. The site preparation and construction works, shall only be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 - 13.30 Saturdays
No times during Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.
(If 'quiet work activities' are permitted by the Local Planning Authority upon receiving a formal request outside these hours they will not involve the use of generators, machinery and vehicles in external areas of the site).

19. Within 1 month of development commencing on the hereby approved building full details of the lockers, drying room (including heating source and how clothes and other items will be stored (rails/ hook/ benches)) shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be fully installed and available to staff before the building hereby approved is first brought into operation and thereafter retained.
20. Notwithstanding the details included on the amended site plan, reference 21712-2011-T04, prior to development above ground level details of the treatment of the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details. Notwithstanding the provisions of the General Permitted Development Order there shall be no further fencing or other means of enclosure, sited, erected or otherwise provided on the site unless as may have been agreed pursuant to this condition.

344. **Planning Application DC/23/0052/FUL - Solar Farm, EuroAPI, Rookwood Way, Haverhill (Report No: DEV/WS/23/012)**

The Chair reminded the meeting that this application had been withdrawn from the agenda and would not be considered by the Development Control Committee.

The meeting concluded at 10.31am

Signed by:

Chair

Development Control Committee

7 June 2023

Planning Application DC/22/2034/FUL – Porters Farm, Queens Lane, Chedburgh

Date registered:	7 December 2022	Expiry date:	9 June 2023
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Chedburgh	Ward:	Chedburgh and Chevington
Proposal:	Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage		
Site:	Porters Farm, Queens Lane, Chedburgh		
Applicant:	Mr Jon & Mrs Laura Cardy		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Section A – Background

The application was considered at the West Suffolk Development Control Committee meeting on 5 April 2023. Members at the meeting resolved that they were 'minded to' refuse planning permission contrary to the officer recommendation of approval. At this point, the decision making protocol was invoked requiring a risk assessment report before a decision is made.

Members resolved that they were minded to refuse the application on the following grounds:

- Impact on the setting of the listed building
- Impact on neighbouring amenity
- Over-development
- Impact on the countryside

A Committee site visit was undertaken on 3 April 2023. Due to the anticipated changes to the membership of the Development Control Committee following the District elections a further committee site visit is proposed for 5 June 2023.

The purpose of this report is to consider further the points raised by members. In addition, the report addresses the risk assessment required in accordance with the Decision Making Protocol, which sets out the potential risks that might arise should planning permission be refused.

The officer report for the 5 April 2023 meeting of the Development Control Committee is included as Working Paper 1 to this report. Members are directed to this paper for details of the site and development, summaries of consultation responses, and for the officer assessment of the proposal.

Proposal

1. Please refer to Working Paper 1 paragraphs 1-3 for a description of the proposal.

Application Supporting Material:

2. Please refer to Working Paper 1 paragraph 4 for a description of the supporting material.
3. In addition, a post committee statement and two additional plans which help to illustrate the proposal have been submitted by the applicants.

Site Details:

4. Please refer to working paper 1 paragraphs 5-6 for site details.

Planning History

5. Please refer to working paper 1 paragraph 7 for planning history.

Consultations:

6. Please refer to working paper 1 paragraphs 8-20 for a summary of consultation responses.

Representations:

7. Please refer to working paper 1 paragraphs 21-24 for representations received.

Policy:

8. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
9. Please refer to working paper 1 for a list of policies and guidance that have been taken into account in the consideration of the application.

Other Planning Policy:

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

Officer Comment

12. Please refer to working paper 1 from paragraph 29 for the officer assessment of the proposals.

Section B – Update:

13. Following the Committee meeting the applicants have reviewed the issues raised at the meeting by Members and have provided an additional statement and plan to supplement the application. This response is available on the West Suffolk website:

[DC/22/2034/FUL | Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage | Porters Farm Queens Lane Chedburgh Suffolk IP29 4UT \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/DC/22/2034/FUL)

14. The response considers the concerns made by members and clarifies some of the queries raised.
15. It sets out the importance of this tranquil location for the development, not only because this is where the applicants are based (given that they are the key practitioners for this facility) but also because of the importance that nature plays in the healing process such that a rural location is fundamental to the well-being centre.
16. In respect of overdevelopment and the scale of the buildings proposed, the statement clarifies the footprint of the central Hub building as 166m², half the size of the overall roof (given that undercover space is provided). In terms of height, the buildings are all single storey and therefore, remain subservient to the host building. The statement confirms the use of natural materials in muted tones ensure an appearance that is sympathetic to the rural location and listed host building.
17. Members noted that a number of animals were present on site and these will remain no matter the outcome of this application. The number is not proposed to increase in conjunction with the well-being centre and animal waste is composted on site (as shown on the site plan). As confirmed at the last committee meeting a licence will be required from West Suffolk's public health team in respect of the animals on site due to their proposed interaction with visitors. The statement submitted also notes that the replacement animal shelters will be upgraded with dense blockwork elevations and *mineral wool insulation and cement board liners, fully sealed to all abutments*. This will significantly increase the acoustic properties of the buildings compared to existing and should result in an improvement for neighbouring residents.
18. The new site plan details the location of adjacent residential properties with the proposed Hub building being located 31 metres from the closest neighbour at Ash House. The intervening landscaping is also shown on the plan.
19. Concerns regarding noise from the site have been addressed within the application with a gravel retention system identified for the driveway. This material is sensitive to the rural location, sympathetic to the listed building and will retain the gravel within a mesh system reducing the noise created during use. Sufficient parking spaces are provided within the site to ensure no disruption to the highway. The statement also confirms that any deliveries to the site will not enter after 6pm. Condition 21 has therefore been amended to take account of this earlier time as it previously stated 7pm.
20. A site management plan has been conditioned to control the use of the site and will need to be agreed with the Local Authority. Whilst further detail will be provided, the applicants state that workshops will take place Tuesday – Thursday with the glamping pods used as overnight accommodation in association with the well-being seminars and for short stay accommodation for weekend or weekly breaks with change over days restricted to Fridays and Mondays.

Section C – Policy assessment:

Members have stated that they are minded to refuse permission due to the impact of the development on the setting of the listed building, on neighbouring amenity, over-development of the site and the impact on the countryside.

Impact on Listed Building

21. The Conservation Officer was engaged during pre-application discussions and the life of the application and is supportive of the submitted proposal stating that:

The concept for the centre includes using the benefits of the natural environment and the buildings are designed to be simple and unobtrusive within their surroundings. They would be single storey and use materials with natural muted tones to suit their serene and calming environment. Overall, the proposals would enhance the immediate setting of the listed building. I therefore, have no objections to this application subject to (recommended) conditions....

22. Historic England, raised no response and advised that the expert view of the conservation officer was sought.

23. Officers therefore remain of the view that the proposal accords with the provisions of policy DM15 and the NPPF which seek to protect and enhance the character and setting of listed buildings.

Impact on neighbouring amenity

24. Policy DM2 seeks to ensure that development does *not adversely affect the amenity of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light (including light pollution) or volume or type of vehicular activity generated and /or residential amenity.*

25. In this case, the site is entirely contained by established landscaping, to the extent that views into the site are not achievable from adjacent residential dwellings. New buildings have been positioned at a distance from boundaries with the replacement animal shelters upgraded to ensure improved acoustic insulation. The application is supported by lighting information and a noise assessment. The site management plan will confirm methods of working including hours of arrival and departure and guest numbers but sufficient space is provided within the site to ensure limited impact on traffic generation. Public Health and Housing have reviewed the application and confirmed that they have no objections subject to the imposition of conditions. Officers consider the application complies with the provisions of policy DM2.

Over-development/Impact on the Countryside

26. Issues of over-development and impact on the countryside can be considered together and the key policies in this case are DM2, DM5 and DM13.

27. Policies DM2 and CS3 relate to the creation of places and sets out the criteria that proposals for development should meet, including respecting local character and scale, incorporating sustainable design and construction and producing designs and layouts which are safe and take into account public

health. Paragraphs 41-48 of Working Paper 1 assess the proposal against policy DM2. Officers consider the buildings proposed to be high quality, modest in scale and design and constructed with natural materials entirely appropriate for the rurality of the site.

28. Policy DM5 relates to development in the countryside and states that areas designated as countryside will be protected from unsustainable development. Paragraphs 34-40 of Working Paper 1 assesses the proposal against policy DM5 and highlight an aspiration within the Rural Vision 2031 for villages that are vibrant hubs of activity with health services and activities wherever possible and practical, acknowledging that health services have limited resources and community groups and individuals need to take an increasing responsibility, particularly in rural areas.
29. Policy DM13 seeks to ensure that development will not have an adverse impact on the character of the landscape or landscape features. Paragraphs 67-69 of Working Paper 1 assess the proposal against Policy DM13 with further consideration of visual amenity at paragraphs 41-48. Officers acknowledge that there will be a change in the appearance of the site, albeit as noted by some members previously, the site would benefit visually from an improvement to its current condition. Furthermore, given the lack of footpaths in the vicinity or public views the development would be wholly contained.
30. Officers therefore remain of the view that the proposal is in accordance with the Development plan. Whilst the rear of the site is located outside the Housing Settlement Boundary the proposal accords with the criteria stated in DM5.

Section D – Risk Assessment:

31. Members are reminded again that Officers remain very firmly of the view that this proposal should be supported. However, if the Committee remains of the opinion that this application should be refused then they must be aware of any potential risks that may arise.
32. The proposal is considered to comply with local and national policies and is supported by statutory consultees.
33. Members will be aware that applicants have the right to appeal a refusal of planning permission and robust reasons for refusal must be given, directly related to planning policy, providing evidence of harm and following consideration of the material planning issues. These reasons must be able to stand up to scrutiny based on the planning merits of the proposal.
34. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless there are material considerations that indicate otherwise. It is considered that there are no material considerations that would indicate that the application should not be approved.
35. Should the application be subject to an appeal against a refusal of planning permission and the Inspector concludes that the Local Planning Authority had acted unreasonably in refusing a proposal that complies with the Development Plan, the applicants would have the right to seek to recover their appeal costs (in full or in part depending on the circumstances) from the Local Planning Authority.

36. The applicants have provided a clear and justified need for supporting the mental health needs of healthcare professionals (amongst others). This is a subject frequently in the press and the Councils refusal of such a scheme may have reputational impacts if not fully justified.

37. Whilst it is important to understand these issues as part of the risk assessment process this section of the report does not form part of the planning assessment of the application. The information does not constitute a material planning consideration and should not be relied on or cited as a factor in coming to a decision.

Section E – Conclusions:

38. For the reasons outlined above and set out within Working Paper 1, Officers consider that the development should be approved with the conditions contained in working paper 1 (including the amendment to condition 21 as noted above). The proposal complies with the Development Plan and there are no material planning considerations that indicate that a decision should be taken otherwise than in accordance with the Development Plan. In the absence of any objection from the Conservation Officer as statutory consultee, refusal of the application on the grounds of adverse impact to the listed building cannot be justified. Similarly, without an objection from Public Health and Housing, Officers do not consider that a refusal could be justified on the grounds of impact to residential amenity. However, matters in respect of overdevelopment and countryside impact are slightly more subjective.

39. In coming to their decision Members must clearly identify whether they consider the proposal complies with the Development Plan and their reasons for reaching their decision. If it is decided that the proposal does not comply with the policies of the Development Plan members must have clear reasons and evidence to support such a decision.

40. Members should have regard to the attached Working Paper 1 in reaching their decision.

41. In the event that Members remain minded to refuse the application the following reason is suggested:

Policy DM5 of the Joint Development Management Policies Document seeks to protect the countryside from unsustainable development by focusing facilities which would attract visitors within the built up areas of the district, both to support sustainable travel and to avoid detrimental impact to the character of the rural landscape. Furthermore, DM2 seeks to ensure development respects local scale, character and density as well as protect residential amenity with DM13 protecting the character of the landscape and landscape features.

The wellbeing centre is proposed on a site which is located partially outside the Housing Settlement Boundary with the rear part of the site extending into open countryside. The extent of buildings proposed onsite appears excessive and includes the provision of camping domes on the rear boundary adjacent to surrounding agricultural fields. The scale, number and placement of buildings within the site, as well as the accompanying infrastructure (car park / access) is considered to erode the current

tranquillity of the site and urbanise the site to the detriment of the rural landscape character. The development is therefore, contrary to policies DM2, DM5 and DM13 of the Joint Development Management Policies Document 2015, policy CS3 of the St. Edmundsbury Core Strategy and the provisions of the NPPF.

Section F – Recommendation:

42. Notwithstanding the above, it is recommended that planning permission be **APPROVED** subject to the following conditions:

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

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

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

Reference number	Plan type	Date received
TP075- 1000 REV 5	Existing site plan	22.11.22
TP075- 1110 REV 1	Existing plans	22.11.22
TPO75-1050 REV 11	Proposed site plan	26.1.23
TPO75-1051 REV 9	Proposed site plan	26.1.23
TP075- 1100 REV 1	Proposed plans	22.11.22
TP075- 1105 REV 1	Proposed plans	22.11.22
TP075- 1115 REV 2	Proposed plans	26.1.23
TP075- 1120 REV 2	Existing and proposed plans	26.1.23
F40	Proposed plans	26.1.23
F50	Proposed plans	26.1.23

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

- 3 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors’ vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

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

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the

West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
- a. Measures for the protection of those trees and hedges on the application site that are to be retained,
 - b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
 - c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

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

- 6 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. It shall also 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 or retained trees removed, dying or becoming seriously damaged or diseased within five years of planting/commencement 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. The works shall be completed in

accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 All mitigation measures and/or works shall be carried out in accordance with the details contained in the version two of the Preliminary Ecological Appraisal (Samsara Ecology, January 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include 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.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 8 Prior to first use of the site 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 plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

- 9 Prior to first use of the hub building a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;

c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
d) persons responsible for implementing the enhancement measures; and
e) details of initial aftercare and long-term maintenance (where relevant).
The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

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

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

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

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 No development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.

- (i) details of the design, materials and colour/finish for the garage door in the south-west elevation
- (ii) details of the cladding, including its colour/finish, and clay tiles for the

garage

(iii) details of the works to be carried out to the swimming pool to convert it to a store

(iv) details of the welcome, entrance and exit signs at the front of the site, including their sizes, materials, colours and any supports required

The works shall be carried out in full accordance with the approved details unless otherwise subsequently 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 and DM16 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.

- 14 No other part of the development hereby permitted shall be commenced until the existing vehicular accesses has been improved, laid out and completed in all respects in accordance Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres and appropriate signage for entry and exit and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

- 15 The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

- 16 Before the accesses are first used, visibility splays shall be provided as shown on Drawing No. TP075-1050, Rev. 9 with an X dimension of 2.4 metres and a Y dimension of 59 metres to the nearside edge of the carriageway for the 'Exit Only' access 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.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safe including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

- 17 Prior to the development hereby permitted being first occupied, the existing vehicular accesses 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.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

- 18 The use shall not commence until the area(s) within the site shown on Drawing No's. TP075-1050 Rev. 11 and TP075-1051 Rev. 9 for the purposes of manoeuvring and parking of vehicles including electric vehicle charging infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway and promote sustainable modes of travel.

- 19 The use shall not commence until the area(s) within the site shown on Drawing No. TP075-1050 Rev. 11 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

- 20 Prior to first use of the development hereby approved:
- i) All of the noise protection and mitigation measures and recommended best practices associated with the development as detailed from paragraph 6.29 Mitigation Measures in the Healthy Abode (HA) Acoustics NOISE IMPACT ASSESSMENT OF PROPOSED WELL-BEING CENTRE at PORTERS FARM, QUEENS LANE, CHEDBURGH, SUFFOLK IP29 4UT, REFERENCE HA/AE395/V1, Date of Report 9 November 2022 shall be completed in their entirety in accordance with the approved details.
 - ii) The completion of the works shall be verified on site by a specialist noise consultant and the Local Planning Authority shall be notified in writing of the completion and verification of the works.
- Thereafter the approved works shall be retained.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 Deliveries to the site shall only take place between the hours of 07:00 and 18:00 Mondays to Saturdays with any deliveries outside of these times unloading at the front of the site at Porters Farm.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with Policies DM2 and DM14 of the West Suffolk Joint

- 22 The holiday let units hereby permitted shall be occupied only as holiday letting accommodation or to support the wellbeing centre and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning Use Classes Order 1987 as amended or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order). The development shall not be occupied as a person's sole or main place of residence. Each letting as holiday accommodation shall not exceed a period of three weeks nor shall the unit be let or occupied to any one individual or party for a period exceeding four weeks in total within any 12 month period. On commencement of the holiday let use hereby permitted, the owners/operators of the holiday let units shall keep at all times an up-to-date Register of all lettings which shall include the name and address of the person or party occupying the accommodation during each individual letting. The Register shall be made available for inspection on demand by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM34 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 6 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 23 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. TP075 1050 Rev. 11 and TP075-1051 Rev. 9 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

- 24 Prior to first use of the well-being centre or holiday lets hereby approved, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan will outline the 'site rules' and how they will be implemented to ensure noise and activity is adequately controlled. This will include a general timetable of workshops, any other use and parking.

The development shall be implemented and operated in accordance with the site management plan with any changes approved in writing by the local authority.

Reason: To protect the amenity of the area, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework 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/22/2034/FUL](#)

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Development Control Committee
5 April 2023

WORKING PAPER 1

**Planning Application DC/22/2034/FUL –
Porters Farm, Queens Lane, Chedburgh**

Date registered:	7 December 2022	Expiry date:	7 April 2023
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Chedburgh	Ward:	Chedburgh and Chevington
Proposal:	Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage		
Site:	Porters Farm, Queens Lane, Chedburgh		
Applicant:	Mr and Mrs Jon and Laura Cardy		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

The application has been referred to Development Control Committee by the Delegation Panel following a call-in request by Councillor Mike Chester (Ward Member for Chedburgh and Chevington).

The application is recommended for APPROVAL and the Parish Council raise no objection.

A site visit is due to take place on Monday 3 April 2023.

Proposal:

1. The application proposes the change of use of the rear garden of Porters Farm to a well-being centre focusing on the needs of National Health Service (NHS) workers. The centre would comprise a central hub building with associated buildings in the curtilage to serve as a therapy suite, pets as therapy building as well as replacement stores and animal enclosure. The buildings would be supplemented by a sensory garden and pedestrian walkways.
2. The existing dwelling Porters Farm would be retained in residential use and a replacement garage is proposed in association with this.
3. A driveway would be installed through the site leading to a 16 bay car parking area with cycle parking proposed to the front of the site. Four domes are proposed at the rear of the site to be used as holiday lets.

Application supporting material:

4.
 - Existing and proposed site plan
 - Existing and proposed floor plans and elevations
 - Design and Heritage statement
 - Planning Statement
 - Preliminary Ecological Appraisal
 - Tree survey
 - Arboricultural Impact Assessment
 - Noise Impact Assessment
 - Transport Statement
 - Land Contamination Assessment
 - Lighting schematic
 - Flood risk Assessment

Site details:

5. Porters Farm is a thatched and rendered grade II listed cottage that sits within a spacious plot of approximately 1 hectare. The dwelling is located within the Housing Settlement Boundary for Chedburgh and fronts the highway with the rear of the site stretching into the countryside. A double access point enters and exits onto Queens Lane. The southern boundary of the site bounds the rear gardens of dwellings on Chestnut Crescent up to the edge of the settlement boundary with Ash House and The Nook comprising the northern edge.
6. A disused swimming pool and tennis court are located to the rear of the dwelling. The boundaries comprise established trees and hedging.

Planning history:

7. Reference	Proposal	Status	Decision date
DC/22/2035/LB	Application for listed building consent - removal of the World War two Laing Hut	Application granted	March 2023

Consultations:

8. Full copies of consultation responses are available to view online through the Council's public access system using the link below:

[DC/22/2034/FUL | Planning application - change of use of land to well-being centre comprising of a. central hub, b. therapy building, c. pets as therapy building, d. replacement storage building and animal enclosure e. installation of four camping domes f. remodelled access, parking and associated works g. replacement garage | Porters Farm Queens Lane Chedburgh Suffolk IP29 4UT \(westsuffolk.gov.uk\)](#)

9. West Suffolk Conservation Officer

- The disused tennis court and existing dilapidated buildings which detract from the setting of the listed building would be removed.
- The existing trees enclose the private garden and screen longer views of the site beyond.
- The land rises from the house towards the east and there is no intervisibility between the house and its garden and the wider site.
- Although the new garage would be larger than the existing one, it would be located to the side of the house, in the same place as the existing garage and remains clearly subservient to the listed building.
- The concept for the centre includes using the benefits of the natural environment and the buildings are designed to be simple and unobtrusive within their surroundings. They would be single storey and use materials with natural muted tones to suit their serene and calming environment.
- Overall, the proposals would enhance the immediate setting of the listed building. No objection to this application subject to conditions in respect of materials and details.

10. West Suffolk Public Health and Housing

No objections subject to conditions in respect of the noise report. Recommends clarification is sought on the proposed times of use and whether a condition could be used restricting these, although its recognised this might not be possible. Consideration could be given to restricting times of access/egress to the site, times of deliveries/collections, and a complete restriction on the playing of amplified music and /or amplified voice on site.

11. West Suffolk Environment Team – contaminated land

Satisfied that the risk from contaminated land is low.

12. West Suffolk Environment Team – Air Quality

Recommends condition to ensure 15% of parking spaces are fitted with electric charge points.

13. West Suffolk Waste Team

Asked for bin collection point details – These have since been shown in the layout plan.

14. Place Services – Landscape

- Note the limitation of views and intimate enclosure of the site, but careful consideration must be made to create a harmonious balance between vegetative screening from outside receptors whilst maintaining open landscape views from users of the Site.
- No Public Rights of Way (PRoW) or visual receptors that would sustain major adverse effects, however, it is recommended that the application be supported by a Landscape and Visual Appraisal (LVA) including night time character.
- Concerns with regard to the nocturnal character of the site and the impact of lighting to the tranquillity of the locality.
- The site plan indicates that the 4no. glamping domes would be introduced at the eastern extent of the site. Nevertheless, the dispersed pattern of settlement is a defining character and quality of this landscape. Therefore, the landscape is vulnerable to infill development which reduces the gaps between buildings and alters the loose and organic settlement character.
- Welcome the reduction in hard landscaping from initial plans as this retains the rural character and dispersed nature of settlement between buildings.
- Clarification required on surfacing within site
- Recommend the use of the 'Forest Green' outer canvas for the domes
- Suggestions for appropriate planting within the site
- Every effort should be made to minimise the urbanising influences (i.e., kerbing, widening, domestic paraphernalia) to ensure that the proposals are sympathetic to the rural surroundings.
- Recommends conditions for hard and soft landscaping and a landscape management plan.

15. Place Services – Trees

- The provided Arboricultural Impact Assessment (AIA) has shown 30 trees, 19 groups of trees and 2 shrub groups on or adjacent to the site.
- One of the trees has been classed a category A, 8 Trees and 4 groups as category B, 19 trees and 15 groups as category C and 2 category U trees.
- The removal of six category C trees, six category C groups and two category U trees have been outlined.
- The removal of category C trees is not a material consideration in relation to planning and therefore no objection is raised.
- The category U trees are likely to be removed irrespective of this application.
- The pruning works described are in line with British Standard.
- Mitigation planting has been stated for the removed trees, with the planting of 14 or 15 trees having been suggested, this would mitigate the removal of the number of trees.

- The proposed development includes encroachment into the Root Protection Areas (RPAs) of the retained trees. Mitigation measures include tree protection measures, ground protection and the use of hand tools as such negative impacts are limited.
- No objection in relation to arboriculture to this application, however an Arboricultural Method Statement and Tree Protection Plan is required accompanied with a soft landscaping plan.

16. Place Services – Ecology

No objection subject to securing biodiversity mitigation and enhancement measures by condition. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

17. SCC Highway Authority

No objection subject to conditions regarding the access, visibility, surfacing, parking provision including cycles and electric charge points, gradient, construction management strategy and bin storage.

18. SCC Archaeology

There would be no significant impact on known archaeological sites or areas with archaeological potential. No objection to the development and no archaeological mitigation is required.

19. Suffolk Fire and Rescue

No additional water supply for fire fighting purposes is required in respect of this planning application. Recommends the provision of automatic sprinkler systems.

20. Anglian Water

Confirmed that Chedburgh water recycling centre has sufficient capacity for these flows in respect of wastewater and the proposed connection is acceptable.

Representations:

21. Cllr Chester (Ward member for Chedburgh and Chevington)

I attended the public meeting regarding the above application January 3rd. Subsequently, given the local interest and concern and notwithstanding the Parish Council's 'No objections', as Ward Member I would like to call the application in.

22. Chedburgh Parish Council comment:

No objections to these two planning applications but wish the following comments to be considered by WSC Planning Committee as they make their decision:

1. The Parish Council has some concern over the excessive strain that will be added to the already inadequate sewage system that runs under Queen's Lane and collects most of the village's sewage and has historically flooded when the water table is full due to heavy rain. According to the Flood Risk Assessment report 3:12 build over agreement with Anglian Water at the time of building needs to be addressed with sewers being 3m below the road surface. The Parish Council ask that this is given due consideration during the build phase of this project.

2. The parking should have a total of 15% given to electric parking spaces and not the 12.5% mentioned in the plan.
3. There is some concern from parishioners of Chedburgh that wildlife will be affected during the build period. Could there be some sort of practical management approach placed into the scheme to help the wildlife during the build process?
4. There was some concern over light levels from the pods once the site is built and up and running. Could there be reassurance that these pods do not shine brightly at night disturbing wildlife and local neighbours?
5. Could there be re-instatement of the boundary fence between the gardens of Chestnut Crescent and where the animal huts/shelters are to be sited. Also, could the animal shelters have their rear walls (with no windows) placed along this boundary fence with the animals' open areas placed on the other side of the buildings, or for these buildings to be sited at the opposite side of the plot away from this boundary?
6. Chedburgh Parish Council would also like to see the business licence contain the information that all travel to and from the site should be from the south of Chedburgh off the A143 junction and NOT from the north side of the village via Chevington junction with the A143.
7. When considering the business licence could West Suffolk Council add conditions regarding the ongoing growth to the business and limit the number accommodation pods that can be added and also a condition that it is to remain a Wellness and Health Hub and not be sold on as a tourist business in the future.
8. Finally, with regard to the demolition of the WWII Laing hut, the Parish Council will not contest its demolition and all agreed that the systems to be used to mitigate the sound of the gravel drive and the system to install low level lighting throughout the site and the traffic restrictions prompting the use of golf buggies or wheelbarrows is seen as a positive solution to these problems.

23.18 letters of objection were received from local residents raising the following summarised concerns:

- Wrong location
- Will change character of the area
- Hub building is too large and too close to Listed building
- Overdevelopment – out of keeping with village
- Close to neighbouring dwellings
- Loss of amenity – activity, disturbance, overlooking, change view, loss of privacy, noise, impact on mental health of residents
- Noise – from activity, gravel driveway and animals – 24/7
- Light pollution
- Air pollution
- Will create traffic and parking issues - Queens Lane is a quiet lane
- Detrimental impact on wildlife
- Lack of boundary fence
- Loss of trees
- Will overwhelm drainage and sewerage system
- Poor transport links
- No facilities in village
- Should not include increase in animals on site, issue with rats
- Rainwater and surface water disposal?
- Shouldn't provide tourist accommodation
- Concerns over law and order. How will site be policed
- Concerns over future development

- Development will not benefit the village – should donate percentage of profits to Parish Council
- Will set a precedent for future development

24.5 letters of support have been received making the following summarised comments:

- Positive addition to the village
- Need for facilities
- Good plan
- Minimal effect on views and environment of residents
- Positive effect on economy and job creation / prosperity to the village
- Concerns over sewage system should be raised with Anglian water and not the applicant
- Might encourage other small businesses possibly a local shop

Policy:

25. 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.

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

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM7 Sustainable Design and Construction

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM15 Listed Buildings

Policy DM34 Tourism Development

Policy DM41 Community Facilities and Services

Policy DM46 Parking Standards

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV17 - Chedburgh

Core Strategy Policy CS3 - Design and Local Distinctiveness

Other planning policy:

National Planning Policy Framework (NPPF)

27. 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:

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

- Principle of Development
- Visual Amenity
- Impact on Listed Building
- Impact on Residential Amenity
- Highway Safety
- Trees
- Ecology
- Other Issues

Principle of Development

29. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the National Planning Policy Framework 2021 are also a key material consideration.

30. Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.

31. Chedburgh is classified a local service centre within the Core Strategy. The Rural Vision 2031 describes these centres as villages which have some services and facilities to meet the needs of their communities and may be

suitable for a small amount of additional growth. RV17 sets out the services available within the village (village hall, church, employment sites) and confirms its good transport links to the A143.

32. The applicants have offered mental health support informally for the last 4 years and this project seeks to formalise this use with a development specifically designed to promote well-being, largely, but not exclusively to healthcare workers. It is intended that dedicated mental health and wellbeing workshops (with a maximum of 12) take place 3 days a week at their peak. As well as the consultation and supportive care envisaged, the centre would offer opportunities to engage with nature and interact with the applicant's animals.
33. Policy DM41 refers to community facilities and services (including healthcare facilities) providing a vital role in terms of health and wellbeing, social, recreational and cultural needs of a community. Whilst this policy is generally applied to facilities used almost exclusively by the surrounding community, such as village shops, the centre proposed is focused largely (albeit not exclusively) on healthcare workers and will therefore also be accessed by those outside of the direct community. It is understood that several local groups have expressed an interest in using the site and as such, there is potential for local community benefit.
34. Policy DM5 is applicable as whilst the dwelling sits within the village and Housing Settlement Boundary for Chedburgh, due to the extent of garden, the rear of the site sits outside of this envelope and is classified as countryside. This policy seeks to protect the countryside from unsustainable development, albeit allows economic growth and enterprise that recognises the intrinsic character and beauty of the countryside where:
- It will not result in irreversible loss of best and most versatile agricultural land;
 - There will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity; and
 - There will be no significant adverse impact on the local highway network.
35. In this case, the facility proposed encompasses a large single storey hub building with smaller detached buildings to house an individual therapy suite, pets as therapy building and replacement store and animal shelter.
36. The site has historically been residential garden (as opposed to agricultural land) and consequently, we are not considering loss of agricultural land. In respect of the other considerations these will be discussed further within the report.
37. Additionally, the proposed pods will provide self-sufficient short stay accommodation within the site. Whilst they may be used by those accessing the wellbeing centre they could also be booked independently. Policy DM34 seeks to direct overnight visitor accommodation to sites that relate well to the main urban areas and defined settlements and can be made readily accessible to adequate public transport, cycling and walking links. In addition, in rural areas it must also have no significant adverse

impact on nature conservation, biodiversity or the character and appearance of the landscape and be of an appropriate scale.

38. These considerations largely mirror those required under DM5 and consequently will be discussed further below.
39. The Rural Vision 2031 acknowledges that health services have limited resources and community groups and individuals need to take an increasing responsibility, particularly in rural areas. Aspiration 22 aims for villages that are vibrant hubs of activity with health services and activities wherever possible and practical.
40. National Planning policy increasingly refers to the link between good planning and positive impacts on mental health and wellbeing, particularly access to green space. The NPPF at chapter 8 promotes healthy and safe communities which states that planning decisions should *enable and support healthy lifestyles, especially where this would address identified local health and wellbeing needs*. Everyone is aware of the challenges which face the NHS at present and the impact that it has in its staff. This proposal has the potential to offer support to that crisis and assist West Suffolk in achieving their aspirations for locally based facilities. Whilst this must be seen as weighing in favour of the application, the development proposed must comply with the local plan and consequently, whilst the wellbeing centre and the tourism use could be acceptable in principle, this is subject to meeting the policy requirements outlined above.

Visual Amenity

41. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
42. These design aspirations are reflected in policies CS3 and DM2, which state that proposals for all development should create a sense of place and/or local character, recognising key features and special qualities of an area.
43. The garden of Porters Farm is naturally divided into distinct parcels by existing trees and landscaping and the proposal seeks to make use of this natural division. Positioning the Hub building within the central clearing prevents views from the front of the site as well as the host dwelling. The Eastern clearing extends to the rear of the site where the domes are proposed. The central car park is sited to the East of the dividing line of trees screening its view from the rest of the site.
44. Place Services have suggested a landscape visual assessment is submitted to support the application. These studies are useful in determining wider landscape impact of projects in the countryside. In this case, the boundaries of the site comprise established and mature tree planting. To the rear of the site, agricultural land bounds with no public right of way or public highway nearby. Given this, whilst views into the site are not achievable from the countryside, if they were they would be apparent only

to those working on the land as opposed to publicly available vantage points.

45. Concerns regarding the nocturnal character of the site are justified and in response a lighting schematic has been submitted detailing low level lighting throughout the site, albeit full details would be required by condition. The glamping pods would also be fitted with a curtain to prevent unnecessary light pollution.
46. The buildings themselves have been sensitively designed in single storey with pitched roofs and timber cladding. Their simple form and high quality appearance respect the rural nature of the site. Similarly, whilst it is necessary to provide a driveway and associated parking these are specified as a mesh gravel retaining system which is suitable to carry the necessary load required by building regulations and the fire service as well as reducing its appearance as far as possible. Utilising the various clearings in the site to locate buildings and parking areas where they will have least impact ensures a development which will be relatively unobtrusive. Furthermore, removal of the existing store and animal shelter as well as the disused tennis court are likely to improve the overall appearance of the site.
47. The setting is inherently rural and undoubtedly the buildings and associated infrastructure will have a somewhat urbanising effect on the site. Whilst a busy scene is created behind the dwelling with the disused swimming pool, tennis court and outbuildings, the rear of the plot appears tranquil and largely undisturbed. Notwithstanding this, beyond the frontage views of the site are almost entirely obscured by mature landscaping which conditions will ensure is retained. Further conditions will ensure a sensitive lighting scheme is achieved as well as low impact hard landscaping. Any harm in regard to the wider landscape must therefore be considered limited.
48. Therefore, in respect of policies 5 and DM34 the proposal is not considered to have a significant adverse impact on the character and visual amenity of the landscape.

Impact on Listed Building

49. 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. This requirement for the safeguarding of heritage assets and their settings is echoed in local policy DM15.
50. The simple design, minimal scale and use of natural coloured materials appear sensitive to the host building. Prevailing landscape within the site ensures that there is no intervisibility between Porters Farm and the Hub building or longer views. The Conservation Officer acknowledges the benefits to removing existing dilapidated development which detract from the setting of the listed building and raises no objection to the overall development. The proposals would enhance the immediate setting of the listed building and consequently, the proposals are considered to comply with the provisions of policy DM15 and the NPPF.

Impact on residential Amenity

51. Policy DM2 seeks to protect against loss of amenity by reason of noise, light pollution, disturbance, overlooking and traffic as well as residential amenity.
52. A noise impact assessment has been submitted within the application. This has measured the existing background noise level and then taken into account any predicted sound to be made on site and its impact on the nearest receptors. This includes noise from the two proposed air source heat pumps, two air conditioning units, as well as noise from human activity, vehicles idling and car doors slamming. The report concludes that the predicted resultant noise levels from the proposed activities and plant are expected to meet appropriate and reasonable guidance and the relevant noise criteria.
53. At present the applicants have several farm yard animals (ducks, geese, pig, rabbits) which have been rescued over time. The proposal seeks to allow visitors to interact with these animals as a way of informal therapy. The intention is not to increase the number of animals on site which has been raised as a potential for further noise. The plans propose a new animal shelter which has been designed to improve the acoustic separation between adjacent dwellings and the animals.
54. Nearby residents have raised a number of other concerns largely in respect of the impact of the use of residential amenity. It is anticipated that vehicle movements will be limited to set arrival and departure times and it is likely that those immediately adjacent the site frontage will notice this activity.
55. There is the potential for the glamping domes to be rented separately to the wellbeing centre use and if full this could provide 16 additional people on site. The location of these domes on the Eastern boundary provides a separation distance of approximately 190 metres from the nearest dwelling. Intervening landscaping should also assist in dampening any sound emitted.
56. It is acknowledged that some views from direct neighbours may be possible but given the separation distance and single storey nature of the buildings they are unlikely to result in any overlooking or loss of privacy. During the course of the application the proposed store building has been amended to remove windows on the facing elevation which would have provided views into neighbouring gardens.
57. Concerns have been raised regarding ongoing growth of the site and whether a licence could restrict development. Planning permission would be required for any additional glamping domes or buildings as well as any proposal to change the use of the site and buildings within. Any subsequent planning application would be subject to the usual public consultation. Furthermore, concerns have been raised in terms of this development setting a precedent within the village. All applications are considered on their own merits.
58. A condition is recommended to secure a site management plan prior to first use of the centre or pods. This would set out the general timetable of events on site, specify parking and provide contact details for any issues

on site. It will also include 'site rules' for those visiting the site and outline how noise and activity will be controlled so it doesn't cause a disturbance.

59. Overall, whilst it is acknowledged that there will be considerable change to the amount of activity taking place on the application site, given the proposed use which is inherently quiet and mindful, combined with the location of buildings and landscape buffers, the proposal is not considered to result in a significant loss of amenity to local residents.

Highway Safety

60. The NPPF promotes all forms of sustainable transport, advising that development should provide for high quality walking and cycling networks. It goes on to advise that development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

61. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network and policy DM46 confirms that the authority will seek to reduce over-reliance on the car and promote more sustainable forms of transport. DM46 states that all development shall comply with Suffolk Highway Authority parking standards.

62. In terms of highway impact, at present the site is purely residential and the development proposed will undoubtedly increase traffic to the site. Chedburgh is approximately 5 miles from Bury St. Edmunds and does benefit from a direct link to the A143 and a bus service. However, it is realistic to assume that most visitors accessing the facility will travel by car, given the unique use proposed there is an assumption that some of the users will be travelling from further afield. The site is however accessible on foot with a lit pavement on Queens Lane for those locally to use as well as secure cycle storage provided.

63. Existing accesses at the site will be formalised with dropped kerbs providing an in and out arrangement to the existing gravelled frontage which contains 7 parking spaces. A new driveway will wind through the site consisting of a meshed gravel driveway which leads to a 16 space car park. The accompanying transport statement sets out how the number of spaces was achieved. The central car park would serve the workshop attendees and any external therapists. The front car park would accommodate those in the glamping domes. Given the days envisaged for glamping to take place, users would access the central car park for drop off and pick up, but would not be travelling through the site on workshop days.

64. There are no external areas of hard standing to accommodate additional vehicles so this amount of parking, whilst generous, is thought acceptable and no objections are raised by the Highway Authority.

65. In respect of policy DM5 the Highway Authority are satisfied that there will be no significant adverse impact on the local highway network and due to the location within a defined settlement and with access to public transport

and the main road, as well as a lit and paved footway the proposal complies with the provisions of DM34.

66. The proposals are therefore considered to comply with the provisions of the NPPF, DM2, DM5, DM34 and DM46

Trees

67. DM13 is the primary policy when considering the impact of proposals on landscape features, such as trees and planting, as well as landscape character. Whilst the site is not within an area of particular landscape sensitivity it is crucial that the development respects the rural setting of the locality.

68. The application is supported by a tree survey and arboricultural impact assessment. The report states that several trees will be removed and these are categorised as C or U. As such, no objection is raised to their removal. 14 replacement trees have been suggested to ensure there is no loss to tree cover. All works proposed to retained trees is in line with British standards. Furthermore, whilst there is some encroachment into root protection areas the mitigation measures outlined are considered appropriate.

69. Consequently, the application accords with DM13 in that all tree removals and works thereon are considered acceptable and will ensure no adverse impact to the well treed character of the site.

Ecology

70. When determining applications, the Local Planning Authority has a statutory duty to consider biodiversity under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006. The NPPF within section 15, para 180 seeks to conserve and enhance biodiversity and suggests that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.

71. At a local level, this is exhibited through policies DM11 and DM12. The NPPF as well as DM12 seek to ensure that all developments provide ecological enhancements.

72. There are no sites of international or national importance within or directly adjacent to the site. However, there are habitats within the application site including hedgerows and trees which contribute to the biodiversity of the site and have the potential to support protected species.

73. A preliminary Ecological Appraisal has been submitted which confirms that the proposed development will not directly impact or cause the loss of habitats suitable for use by protected species. Mitigation measures during construction have been outlined and will be captured within a condition.

74. On this basis, the application is considered to result in a biodiversity net gain with a condition recommended to secure the delivery of these enhancements in accordance with policies DM11, DM12 and the NPPF.

Other Issues

75. The site is located in flood zone 1 which is at the least risk of flooding. However local residents have raised concerns in respect of surface water flooding and foul drainage. The drainage hierarchy states that sewerage should be connected to the mains if it is available. Given that this connection is available and Anglian Water have confirmed there is capacity to accommodate it, this is the correct drainage method. In terms of surface water drainage this is provided on site to manage the additional flow.
76. Paragraph 107 of the NPPF states that local parking standards for residential and non-residential development policies should take into account e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Paragraph 112 of the NPPF states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
77. Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points).
78. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge all in new dwellings.
79. Electric vehicle charge points are shown on the proposed layout, totalling 15% of the spaces onsite and it is recommended that prior to first use these spaces are provided with charge points.

Conclusion:

80. The development proposed involves some urbanisation of the site which at present is predominantly laid to grass. The infrastructure associated with the development requires a considerable length of driveway and parking areas in addition to the buildings themselves. Furthermore, this indicates the amount of traffic likely to access the site. Only 5 miles from Bury St. Edmunds, the site has an innately rural character which would be subject to considerable change as a result of this development. As such, the recommendation has to be a balanced one.
81. The site is almost entirely enclosed by established trees and hedging, such that views into the site are severely limited. As a consequence, there is extremely limited harm to the wider landscape character. The buildings have been designed to be high quality and sensitive to their location within the grounds of a heritage asset. Their simple discreet form and positioning within the clearings of the site ensure they remain unobtrusive. Consultees have not raised objections to the application, albeit a number of finer details are required and secured by condition. The proposal is considered to enhance the setting of the listed building, preserve the internal landscape features of the site, protect ecology and not have an adverse

impact on highway safety. It is acknowledged that those residents close to the site will experience change as a result of activity within the site. Given the limitation of visibility from these dwellings, combined with the nature of the proposed use any loss of residential amenity is considered to be marginal.

82. The proposal to provide a non-medical wellbeing facility to those working for the national health service is a unique offering. It meets the aspirations within the Local Plan to provide healthcare facilities within villages and by individuals as opposed to relying on the currently struggling system. Indeed, it is the tranquil setting and rural character which is so integral to this particular development. Therefore, whilst acknowledging the dis-benefits discussed within this report and giving them adequate weight in the balance of considerations, the benefits are considered to outweigh these.

83. Having regard to the local plan and national planning policy, the application is considered to be in compliance with policies DM1, DM2, DM5, DM11, DM12, DM13, DM15, DM34, DM46, CS3, RV1 and the NPPF and recommended for approval.

Recommendation:

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

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

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

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

Reference number	Plan type	Date received
TP075- 1000 REV 5	Existing site plan	22.11.22
TP075- 1110 REV 1	Existing plans	22.11.22
TPO75-1050 REV 11	Proposed site plan	26.1.23
TPO75-1051 REV 9	Proposed site plan	26.1.23
TP075- 1100 REV 1	Proposed plans	22.11.22
TP075- 1105 REV 1	Proposed plans	22.11.22
TP075- 1115 REV 2	Proposed plans	26.1.23
TP075- 1120 REV 2	Existing and proposed plans	26.1.23
F40	Proposed plans	26.1.23
F50	Proposed plans	26.1.23

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

- 3 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors' vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The

development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

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

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

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

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

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

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

- 6 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. It shall

also 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 or retained trees removed, dying or becoming seriously damaged or diseased within five years of planting/commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 All mitigation measures and/or works shall be carried out in accordance with the details contained in the version two of the Preliminary Ecological Appraisal (Samsara Ecology, January 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include 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.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 8 Prior to first use of the site 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 plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

- 9 Prior to first use of the hub building a Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

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

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

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

writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 No development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.

- (i) details of the design, materials and colour/finish for the garage door in the south-west elevation
- (ii) details of the cladding, including its colour/finish, and clay tiles for the garage
- (iii) details of the works to be carried out to the swimming pool to convert it to a store
- (iv) details of the welcome, entrance and exit signs at the front of the site, including their sizes, materials, colours and any supports required

The works shall be carried out in full accordance with the approved details unless otherwise subsequently 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 and DM16 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.

- 14 No other part of the development hereby permitted shall be commenced until the existing vehicular accesses has been improved, laid out and completed in all respects in accordance Suffolk County Council's standard access drawing DM03, with a minimum entrance width of 4.5 metres and appropriate signage for entry and exit and made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

- 15 The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

- 16 Before the accesses are first used, visibility splays shall be provided as shown on Drawing No. TP075-1050, Rev. 9 with an X dimension of 2.4 metres and a Y dimension of 59 metres to the nearside edge of the carriageway for the 'Exit Only' access 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.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safe including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

- 17 Prior to the development hereby permitted being first occupied, the existing vehicular accesses 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.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

- 18 The use shall not commence until the area(s) within the site shown on Drawing No's. TP075-1050 Rev. 11 and TP075-1051 Rev. 9 for the purposes of manoeuvring and parking of vehicles including electric vehicle charging infrastructure has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway and promote sustainable modes of travel.

- 19 The use shall not commence until the area(s) within the site shown on Drawing No. TP075-1050 Rev. 11 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

- 20 Prior to first use of the development hereby approved:
- i) All of the noise protection and mitigation measures and recommended best practices associated with the development as detailed from paragraph 6.29 Mitigation Measures in the Healthy Abode (HA) Acoustics NOISE IMPACT ASSESSMENT OF PROPOSED WELL-BEING CENTRE at PORTERS FARM, QUEENS LANE, CHEDBURGH, SUFFOLK IP29 4UT, REFERENCE HA/AE395/V1, Date of Report 9 November 2022 shall be completed in their entirety in accordance with the approved details.
 - ii) The completion of the works shall be verified on site by a specialist noise consultant and the Local Planning Authority shall be notified in

writing of the completion and verification of the works.
Thereafter the approved works shall be retained.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 Deliveries to the site shall only take place between the hours of 07:00 and 19:00 Mondays to Saturdays with any deliveries outside of these times unloading at the front of the site at Porters Farm.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with Policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 22 The holiday let units hereby permitted shall be occupied only as holiday letting accommodation or to support the wellbeing centre and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning Use Classes Order 1987 as amended or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that Order). The development shall not be occupied as a person's sole or main place of residence. Each letting as holiday accommodation shall not exceed a period of three weeks nor shall the unit be let or occupied to any one individual or party for a period exceeding four weeks in total within any 12 month period. On commencement of the holiday let use hereby permitted, the owners/operators of the holiday let units shall keep at all times an up-to-date Register of all lettings which shall include the name and address of the person or party occupying the accommodation during each individual letting. The Register shall be made available for inspection on demand by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM34 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 6 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 23 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. TP075 1050 Rev. 11 and TP075-1051 Rev. 9 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

- 24 Prior to first use of the well-being centre or holiday lets hereby approved, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan will outline the 'site rules' and how they will be implemented to ensure noise and activity is adequately controlled. This will include a general timetable of workshops, any other

use and parking.

The development shall be implemented and operated in accordance with the site management plan with any changes approved in writing by the local authority.

Reason: To protect the amenity of the area, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

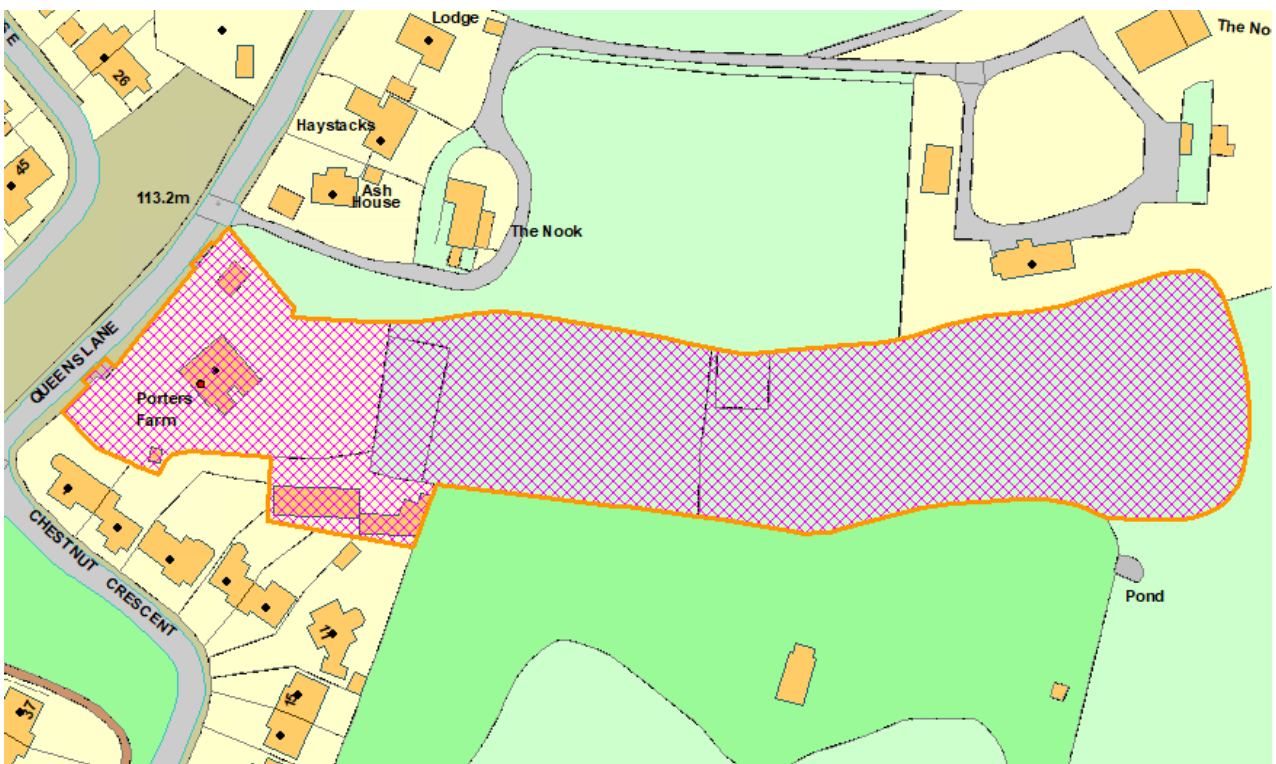
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/2034/FUL](#)

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DC/22/2034/FUL – Porters Farm, Queens Lane, Chedburgh



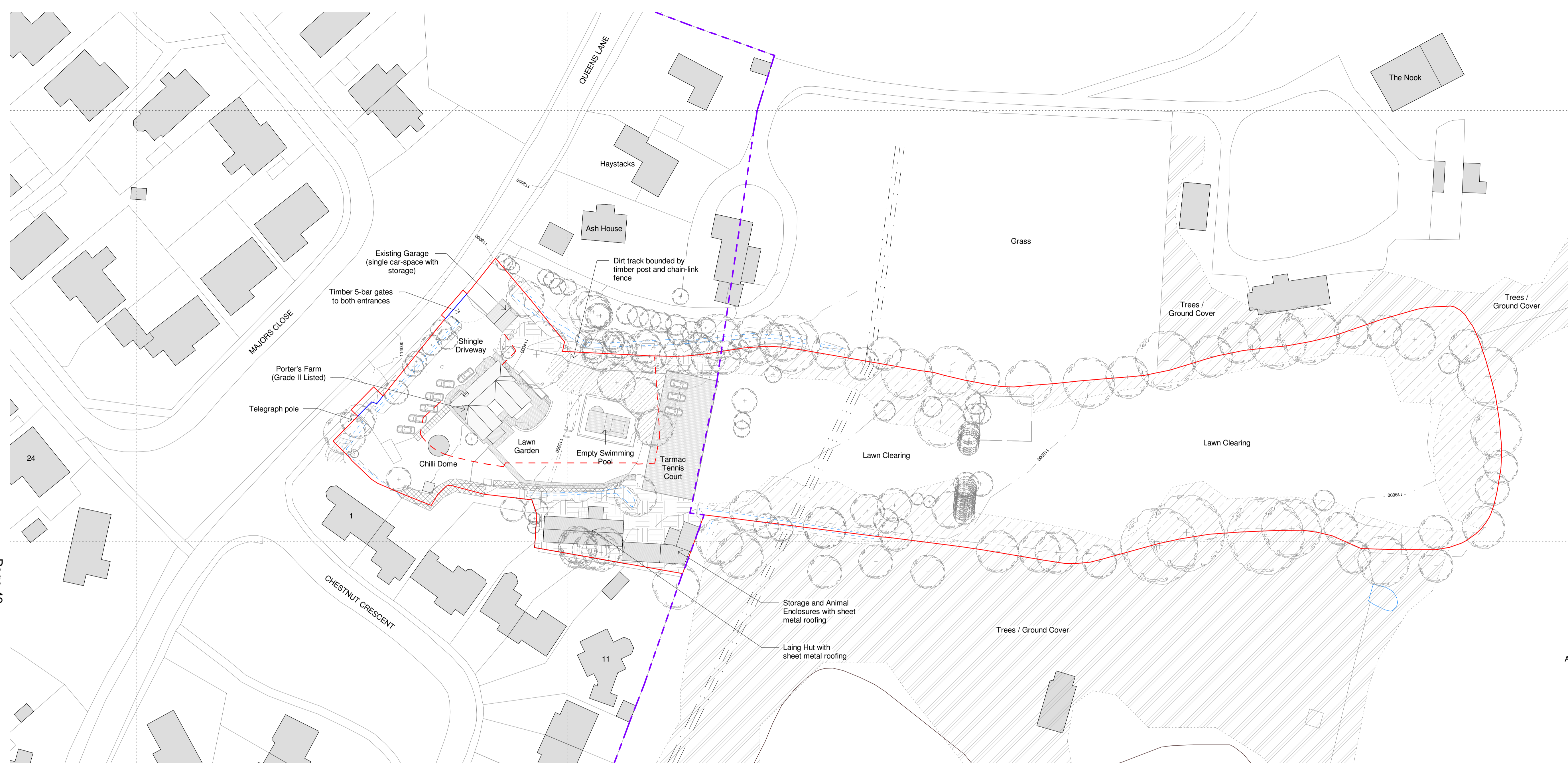
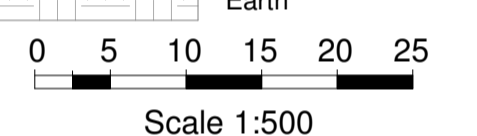
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This drawing is for information only and not to be used for construction. The architect is to be informed of any errors before work proceeds.

Notes

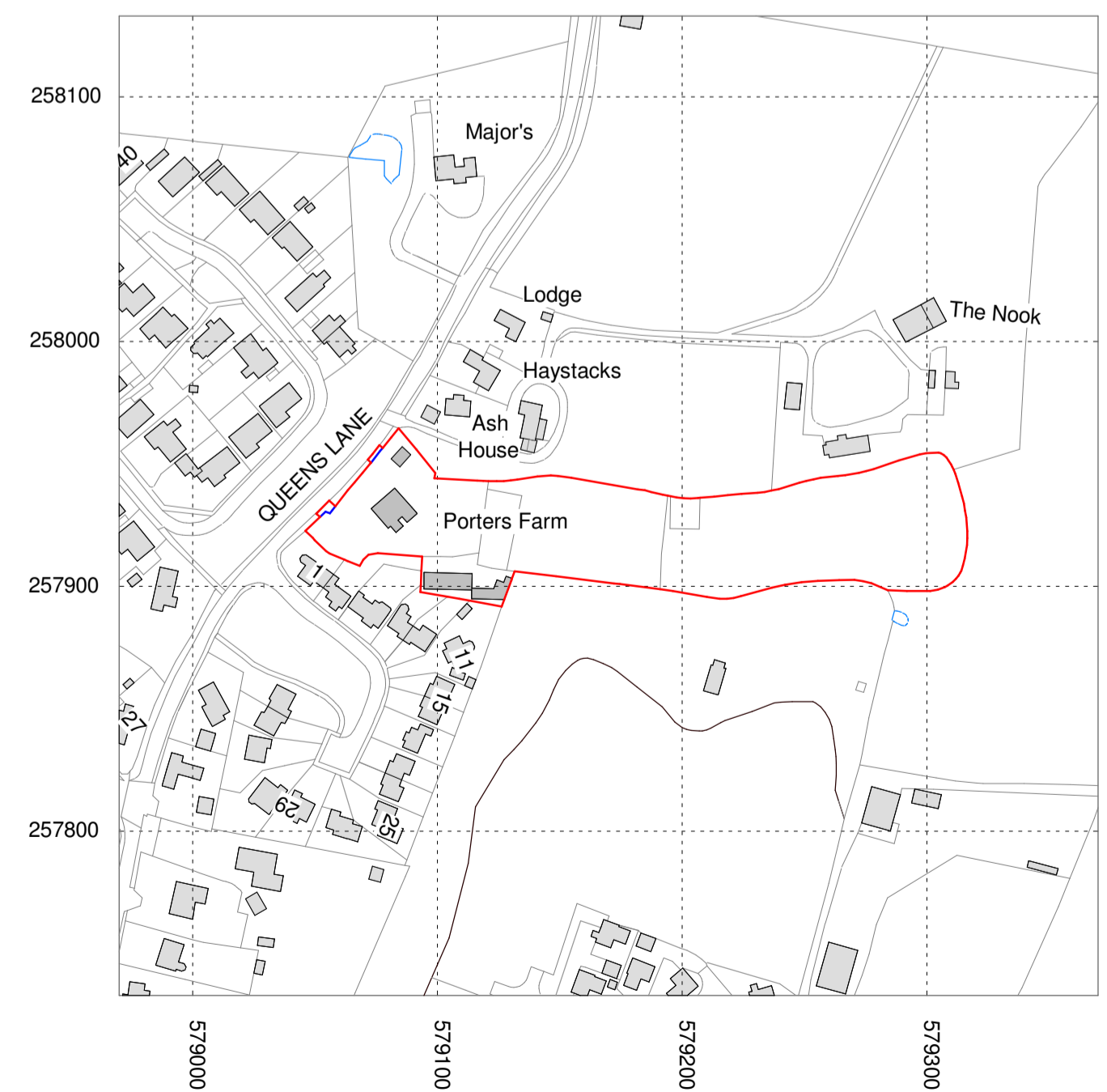
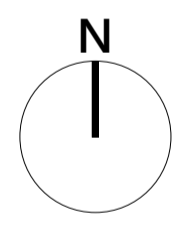
Site / Floor Plan Key

- Application Boundary
- Site Ownership Boundary
- - - Notional separation between private residential areas and the proposed wellbeing centre
- - - Chedburgh Settlement Boundary (estimated)
- - - Surface water ditch
- - - Bank edge
- - - Overhead Lines (11kV)
- Fire engine tracking - to be read in conjunction with supporting information by EAS Transport
- - - Tree removals
- Gravel paths / driveway
- Grasscrete
- Tarmac / Similar
- No-dig 3D cellular system to protect root areas. Ground levels raised to suit (nom. 150mm increase) - see proposals by Ligna Consultancy
- Gravel retention system as Terram Bodpave 85 or similar
- Paths / Hardstanding
- Patio (porcelain planks)
- Pebble border with french drain system below to connect to sitewide positive drainage system
- Hedges
- Plants / Groundcover
- Earth

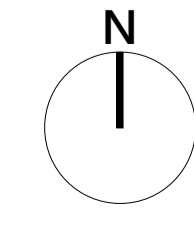


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2 Existing Site Plan
1 : 500



1 Location Plan
1 : 2500



Rev	Date	Description	Drwn	Chkd
5	15.11.2022	Planning Submission	MP	-
4	04.11.2022	Planning Review	MP	-
3	21.10.2022	General revisions	MP	-
2	28.05.2021	Home Chestnut added	MP	-
1	26.05.2021	First Issue	MP	-

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Project
Porter's Farm, Queens Lane,
Chedburgh, IP29 4UT

Drawing
Location Plan, Existing Site Plan

Drawing Number
TP075 - 1000

Scale(s)	First Issue	Date	Drwn	Chkd
As Indicated	26.05.2021	A1	MP	-

Status
Planning Application

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Development Control Committee 7 June 2023

Planning Application DC/22/0361/HH – The Old Post Office, Bury Road, Flempton

Date registered:	7 November 2022	Expiry date:	5 January 2023 EoT Requested 9 June 2023 (unconfirmed)
Case officer:	Tamara Benford-Brown	Recommendation:	Refuse application
Parish:	Flempton cum Hengrave	Ward:	Risby
Proposal:	Householder planning application - replacement wall to front elevation.		
Site:	The Old Post Office, Bury Road, Flempton		
Applicant:	Mrs Charlotte Partridge		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Tamara Benford-Brown

Email: tamara.benford-brown@westsuffolk.gov.uk

Telephone: 01284 757133

Background:

This application is before Development Control Committee following a referral from Delegation Panel on 18 April 2023.

The Parish Council have made comments in support of the proposal which is contrary to the Officer's recommendation for refusal.

Proposal:

1. The application seeks planning permission for an already constructed (retrospective) replacement wall at the front of the dwelling known as The Old Post Office. The replacement wall measures between 0.87m – 0.99m in height and sits in a slight curve around the front of the dwelling and around to the side gate. From the application form it states that construction of the replacement wall began on 30 August 2019 and was completed on 31 October 2019. Following the serving of an enforcement notice, a planning application was submitted.

Site details:

2. The application site, known locally as 'The Old Post Office', comprises of a two-storey residential dwelling located along Bury Road in Flempton. The Old Post Office is one of three dwellings in a cluster, which sits on the northern side of Bury Road/A1101 and towards the south-east of Flempton House. The site sits prominently within the Flempton Conservation Area and the dwelling itself is Grade II Listed.

Planning/Enforcement history:

3. Following construction of the wall without planning permission, an enforcement case (EN/19/0346) was opened. An enforcement notice was served and took effect from 28 March 2022. The notice requires the wall to be demolished, including the entrance gate and remove all resultant debris from the demolition, leaving it clean and tidy. A 6 month compliance period was given. This enforcement notice has not been appealed and remains extant.
4. Information in this report relating to enforcement is provided for background information only. Whilst the application is retrospective, the local planning authority must assess the application on its merits taking into account national and local planning policy and any other material considerations in the usual way.

Consultations:

5. Parish Council:

Support.

6. Ward Councillor:

Councillor Susan Glossop (Risby Ward) – No formal comments received but Councillor Glossop was in attendance at the Delegation Panel meeting.

7. Conservation Officer:

This application is for the retention of the front boundary wall which was erected without the benefit of planning permission and is the subject of an Enforcement Notice. The property is a listed building located in a prominent position within the Flempton Conservation Area.

The previous wall was not of any special interest and there is therefore no objection to its removal. The new wall should, however, be of appropriate design and materials to preserve or enhance the character or appearance of the conservation area.

I acknowledge that the previous wall was not particularly appropriate for its situation in front of a listed building and within the Flempton Conservation Area. When the wall was in need of replacement, however, the opportunity to replace it with a new wall of a more appropriate design and materials would be sought. The adjoining wall is of flint construction with gault (pale cream) brick quoins and a canted brick and triangular coping. This wall continues some considerable distance along the road towards the church. The boundary wall to Flempton House, opposite, is also of gault brick laid in Flemish bond, which is a traditional brick pattern. These walls also use lime mortar for the pointing which has a lighter appearance than regular cement. Red brick walls with grey cement pointing and half-round copings, as used on the existing wall, are therefore not prevalent in this part of the conservation area or forming the boundaries of listed buildings.

Photos of flint walls with red brick quoins and copings are submitted with the application but it does not state where these are in the context of the application site or the conservation area.

When considering applications within conservation areas and which affect the setting of listed buildings, the Council is required to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area and preserving the setting of listed buildings. Local plan policies also require the use of materials which harmonise with the character of the area. The wall as built is not typical of that part of the conservation area so fails to comply with these requirements.

The wall causes less than substantial harm to the setting of the listed building and the character and appearance of the conservation area. I therefore advise that permission should be refused in accordance with the requirements of JDMPD policies DM15 Listed Buildings, in particular d, e and g, and DM17 Conservation Areas, in particular a, b, f and g. In addition, there are no public benefits deriving from the new wall which would outweigh the harm it causes and the new wall does not enhance or better reveal the significance of the listed building or the conservation area. It therefore fails to comply with the requirements of NPPF paragraphs 202 and 206.

8. SCC Highway Authority:

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

Representations:

9. No public representations received.

Policy:

10. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

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

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM15 Listed Buildings

Policy DM17 Conservation Areas

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

Core Strategy Policy CS3 – Design and Local Distinctiveness

Other planning policy:

12. National Planning Policy Framework (NPPF)

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

provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

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

- i. Principle of Development
- ii. Impact on Character and Appearance of the Dwelling and Surrounding Area
- iii. Impact to Neighbouring Amenity
- iv. Impact to Listed Building
- v. Impact to Conservation Area

Principle of Development

14.In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the NPPF 2021 are also a key material consideration.

15.Paragraph 11 of the NPPF (2021) (as well as policy DM1) states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.

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

17.The dwelling is located within a curtilage which is able to accommodate the replacement wall, without overdevelopment occurring, and given the nature of the proposal, no adverse impact on neighbouring amenity is anticipated.
Therefore, the principle of development is considered to be acceptable. Matters relating to design and impact on the character of the building and surrounding area will be considered below.

Impact on Character and Appearance of the Dwelling and Surrounding Area

18.Policies DM2, DM24 and CS3 all seek to ensure that proposals respect the character, scale and design of the host dwelling and the surrounding area.

19. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based. It also states that they should maintain or create a sense of place, preserve or enhance the setting of conservation areas and not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.
20. The replacement wall which has been built comprises of red brick with grey cement and half-round copings. Other boundary walls within the immediate and surrounding area comprise of flint with gault (pale cream) brick quoins and a canted brick and triangle coping as seen at Thatch End, the immediate neighbour towards the north-west. In addition, The Old Post Office sits opposite Flempton House, the boundary wall around this building comprises of gault bricks laid in Flemish Bond – a traditional brick pattern and lime mortar has also been used.
21. In light of this and assessing this information against policy DM2, the wall which has been built at the front boundary of The Old Post Office uses materials and a design which do not relate to the features and character of other surrounding walls in the immediate area. The design of the wall and use of red brick is in stark contrast to the wall outside the immediate neighbours both towards the north-west and opposite.
22. It is for these reasons that the design, character and materials of the replacement wall are not considered to accord with policy DM2 and consequently cannot be supported.

Impact to Neighbouring Amenity

23. Policy DM2 states that developments will not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated; and/or residential amenity.
24. Furthermore, policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
25. As the wall has replaced a previous existing boundary wall, it is not considered that impacts to neighbouring amenity would arise.

Impact to Listed Building

26. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses.
27. Policy DM15 refers to listed buildings, and states that proposals to alter, extend or change the use of a listed building, or development affecting its setting, will be permitted where they can demonstrate a clear understanding of the significance of the building, contribute towards the preservation of the building, are not detrimental to the buildings character

or historic special interest, are appropriate in scale, form and design, use appropriate materials and respect the setting of the listed building (inward and outward views).

28. Comments have been received from the Conservation Officer who has recommended the application be refused. The replacement wall does not accord specifically with criteria d, e and g of policy DM15 which directly relates to respecting the character and setting of the Listed Buildings. The replacement wall has been built using modern materials and presents a design that is not in-keeping with the dwelling's history or other walls in the surrounding area.
29. As the application is for a replacement wall to a Listed Building and is within a Conservation Area, the Conservation Officer advised that the tests of paragraph 202 and 206 of the NPPF (2021) apply. The paragraphs state:
- 202: "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 including, where appropriate, securing its optimum viable use."*
- 206: "Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably"*
30. The wall causes less than substantial harm to the setting of the listed building. In addition, there are no public benefits deriving from the new wall which would outweigh the harm it causes and the new wall does not enhance or better reveal the significance of the listed building. It therefore fails to comply with the requirements of the NPPF paragraphs 202 and 206 as well as policy DM15.

Impact to Conservation Area

31. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
32. Policy DM17 requires that proposals within Conservations Areas should preserve or enhance the character of the Conservation Area and retain important natural features such as open spaces, plot divisions, trees and boundary treatments which contribute to the special character of the area and demonstrate a clear understanding of the significance of the Conservation Area.
33. The Old Post Office sits within a cluster of three dwellings on the northern side of Bury Road in Flempton. Bury Road runs through the village with the cluster of dwellings positioned prominently within the public domain and Conservation Area.

34. The replacement wall has been constructed in both design and materials which are not prevalent in this particular part of the Conservation Area. Consequently, the replacement wall is not in-keeping with the surrounding area and is in stark contrast to other walls in the area. The Conservation Officer has highlighted that the wall does not accord with criteria a, b, f and g of policy DM17.
35. Officers acknowledge that the previous wall which was included at the time of the buildings listing in 1983, was not particularly appropriate to the conservation area and was also of a modern design. However, as this wall was beyond repair and was in need of replacement, special consideration should have been taken to acknowledge or make reference to the character of the conservation area and other walls nearby. The design and materials, such as flint, gault brick and triangular copings would be more appropriate. The current replacement wall does not have any of these features and little justification has been given to support the design and materials used within the application.
36. As noted above, the Conservation Officer advised that the tests of paragraph 202 and 206 of the NPPF (2021) apply. The wall causes less than substantial harm to the character and appearance of the conservation area. There are no public benefits deriving from the new wall which would outweigh the harm it causes. The new wall does not enhance or better reveal the significance of the conservation area. It therefore fails to comply with the requirements of the NPPF paragraphs 202 and 206 and policy DM17.

Conclusion

37. Under Section 66 (1) and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, there is a requirement for the decision maker to have special regard to the desirability of preserving or enhancing both Listed Buildings and Conservation Areas.
38. In the case of this application, the wall has been replaced without the consent of the Local Planning Authority. There also remains an extant enforcement notice. The Conservation Officer has confirmed that the replacement wall does not accord with the criteria within both policy DM15 and DM17 and therefore the application cannot be supported by the Local Planning Authority.
39. Furthermore, although the principle of replacing the front wall is considered to be acceptable, the design and details of what has been constructed is not considered to comply with the relevant development plan policies and paragraphs 202 and 206 of the National Planning Policy Framework (2021) and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis, the application is recommended for refusal.

Recommendation:

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

1. The Old Post Office is Grade II Listed and sits in a prominent location within the Flempton Conservation Area. Red brick walls with grey cement pointing and half-round copings, as used on the replacement wall, are not prevalent in this part of the conservation area or forming the boundaries of listed buildings. The replacement boundary wall is not considered to be in-keeping with the surrounding Conservation Area and does not respect the setting of the Listed Building. The wall causes less than substantial harm to the setting of the listed building and the character and appearance of the conservation area. There are no public benefits deriving from the new wall which would outweigh the harm it causes, and the new wall does not enhance or better reveal the significance of the listed building or the conservation area. It therefore fails to comply with the requirements of NPPF paragraphs 202 and 206, policy DM2, DM15, DM17 and DM24 of the Joint Development Management Policies Document 2015 and Policy CS3 of the St Edmundsbury Core Strategy 2010.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0361/HH](https://www.stedmundsbury.gov.uk/DC/22/0361/HH)

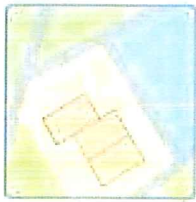
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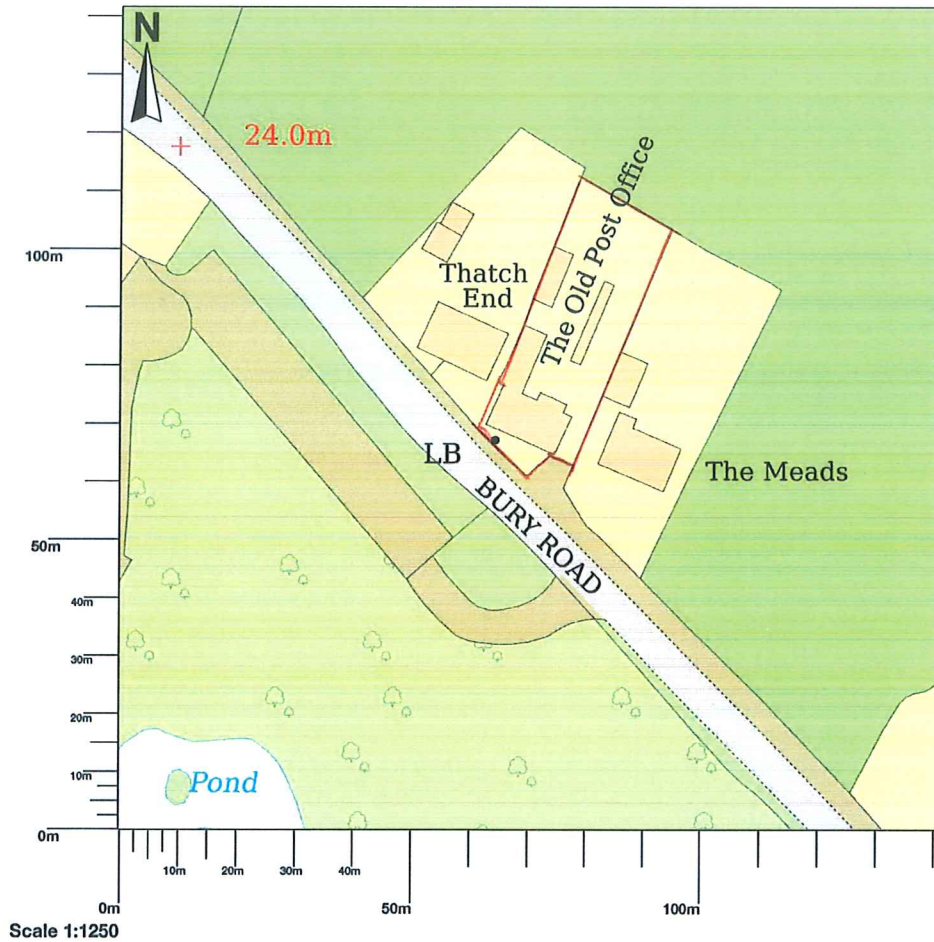
DC/22/0361/HH – The Old Post Officer, Bury Road Flempton



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The Old Post Office, Bury Road, Flempton, Bury St. Edmunds, IP28 6EG



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Development Control Committee

7 June 2023

Planning Application DC/23/0285/LB – The Athenaeum, Angel Hill, Bury St Edmunds

Date registered:	22 February 2023	Expiry date:	21 April 2023 EOT 09 June 2023
Case officer:	Amey Yuill	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate
Proposal:	Application for listed building consent - a. replacement of metal corrugated roof coverings with slate covering and works to hip and ridge details; b. new guttering; c. treatment and repair of failed existing roof structural timbers; d. access and thermal improvement to existing mezzanine		
Site:	The Athenaeum, Angel Hill, Bury St Edmunds		
Applicant:	West Suffolk Council (Colin Wright)		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Amey Yuill

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Background:

The application is presented to the Development Control Committee for determination due to the proposal being on land which is owned by West Suffolk Council which is also the applicant.

Proposal:

1. Listed building consent is sought for the replacement of metal corrugated roof coverings with slate covering and works to hip and ridge details, the installation of new guttering, repair to failed existing roof structural timbers, and access and thermal improvement to the existing mezzanine.

Application supporting material:

2.
 - Application Form
 - Design and Access Statement
 - Schedule of Works
 - Statement
 - Structural Survey
 - Biodiversity Checklist
 - Biodiversity Survey and Report
 - Location Plan (Drawing No. WSC6005BF01-30194-20-001)
 - Block Plan (Drawing No. WSC6005BF01-30194-20-004)
 - Existing Elevations, Floor Plans and Sections (Drawing No. WSC6005BD01-30194-20-002)
 - Proposed Elevations, Floor Plans and Sections (Drawing No. WSC6005BD01-30194-20-003)

Site details:

3. The Athenaeum, a Grade I Listed Building, is located within the Bury St Edmunds Town Centre and settlement boundary and Conservation Area, fronting the Angel Hill car park.
4. The site sits in close proximity to the Abbey Gardens site, which is a Scheduled Ancient Monument (SAM) pursuant to the Ancient Monuments Act 1953 and is within the medieval grid of Bury St Edmunds.
5. The building dates from the 17th Century and has been altered over time, with it being established as The Athenaeum in 1853.
6. Originally the building was a large 3-storey house, however it was converted into an Assembly House in 1714. The building was remodelled in 1789, when it was reduced to 2 storeys and again between 1803-5 when major alterations included the present north front, facing Angel Hill, and the ballroom, which rises the full height of the building.

Planning history:

Reference	Proposal	Status	Decision date
SE/05/02444	Listed Building Application - Internal and external	Application Granted	9 February 2006

alterations including (i) alterations to front entrance door with ramp (ii) demolition and erection of new partitions and formation of openings (iii) new lift and modification of stairs (iv) erection of two storey extension (following demolition of 1930's extension) (v) enlargement of gateway onto Athenaeum Lane and (vi) partial demolition of boundary wall and reconstruction to form new exit to yard as amended by letter and drawing nos 0524/11A & 12A received 22nd November 2005 indicating revisions to plant provision, inclusion of pair of roof mounted extracts, and provision of cold store cupboard to lounge bar and supported by information contained in letter and drawing nos 0524/SK30, 0524/04B & 20A received 28th November. 2005.

SE/05/02443	Regulation 3 Application - Erection of two storey and single storey extensions (following demolition of existing), formation of ramp at entrance portico and new yard gates	Application Granted	31 January 2006
E/90/3130/LB	Listed Building Application - Provision of external floodlighting consisting of 4 ground-mounted floodlights set behind plinth of boundary wall as amended by plan received 16th November 1990 which omits 3 high level bulkhead lights	Application Granted	20 December 1990
E/90/2834/LB	Listed Building Application - Provision of internal timber and glazed fire screen required by County Fire Officer	Application Granted	19 October 1990

E/88/1077/LB	Listed Building Application - (i) Demolition of redundant chimney stack and reconstruction of valley gutter; (ii) replacement of kitchen ceiling and cornice detail and (iii) removal of partitions within present toilets and replacement along with renewal of fittings	Application Granted	10 March 1988
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Consultations:

7. **Conservation Officer** – No objection and no conditions required.
8. **Historic England** – Supportive to the majority of the works, however, concerns have been raised regarding the works to the mezzanine floor as it is unclear whether the mezzanine floor fabric is historic and whether the proposals would impact it.
9. **Joint Committee of the National Amenities Society** – No comments received.

Representations:

10. **Town Council** – Stated that based on information received and subject to any Conservation Area and Article 4 issues Bury St Edmunds Town Council recommended approval of the application.
11. **Ward Member** – No comments received.
12. **Neighbour Representation** – No representations 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.
14. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM15 Listed Buildings

- Policy DM17 Conservation Areas

- Core Strategy Policy CS2 - Sustainable Development

- Core Strategy Policy CS3 - Design and Local Distinctiveness

- Vision Policy BV1 - Presumption in Favour of Sustainable Development

Other planning policy:

15.National Planning Policy Framework (NPPF)

16.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:

17.The issues to be considered in the determination of the listed building consent application are:

- Principle of development
- Impact on Listed Building
- Impact on Conservation Area
- Highway safety
- Other Matters

Principle of development and impact on Listed Building

18.Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architecture or historical interest which it possesses.

19.Paragraph 199 of the National Planning Policy Framework (2021) (NPPF) states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that 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.

20.Paragraph 200 states that any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing

justification and substantial harm to or loss of assets of the highest significance, notably scheduled monuments...grade I and II* listed buildings should be wholly exceptional.

21. Paragraph 202 states 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 including, where appropriate, securing its optimum viable use.
22. Policy DM15 of the Joint Development Management Policies Document (2015) (JDMPD) states that proposals to alter, extend or change the use of a listed building or development affecting its setting will be permitted where they are of an appropriate scale, form, height, massing and design which respects the existing building and its setting. In this case the building is Grade I listed.
23. The proposal involves re-roofing of the Athenaeum South (Chair) Store to rectify water ingress issues caused by incomplete and poor roof coverings. Water ingress has caused the roof structure and mezzanine to deteriorate. The corrugated roof sheeting therefore needs to be replaced with slate and the structure repaired on a like-for-like basis as required.
24. Internally, there is a mezzanine floor which currently covers most of the space. The proposal is to extend the mezzanine floor to infill the remaining void, replace the existing decking and ceiling boards, insulate and include a hatch in the new part of the mezzanine for inspection and maintenance purposes. The works to the mezzanine would improve the thermal efficiency of the store whilst still ensuring the roof space is well ventilated through the provision of traditional cast iron airbricks at each end.
25. It is noted that whilst Historic England supported the majority of the proposal, they did raise concerns regarding the proposed access and thermal improvements to the mezzanine floor, as they stated it is currently unclear whether the mezzanine floor fabric is historic and whether the proposals would impact it. However, following consultation with the Conservation Officer and discussions between the Conservation Officer and applicant, it has been concluded that they are satisfied that the information provided is sufficient.
26. It has been advised by the Conservation Officer that the decking and ceiling are both modern linings - the ceiling is a decorated wood-fibre board and the floor deck and fascias are a dense chipboard with a plywood cover strip at the junction between the two. The removal of these is therefore considered to not result in the loss of any historic fabric and would enable any moisture in the structure to dry out. The existing mezzanine structure itself would not be altered other than for the provision of breathable insulation between the joists.
27. The works proposed are deemed to be appropriate to the historic fabric and would enhance its significance in the opinion of the Conservation Officer and it has therefore been advised that they have no objection to the application. It has been advised that sufficient information has been submitted with the application, so no conservation conditions are required.

Impact on Conservation Area

28. Policy DM2 and DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area.
29. The Planning (Listed Buildings and Conservation Areas) Act 1990 (under Section 72) requires special attention to be paid by the decision maker to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
30. The application site sits within the Bury St Edmunds Conservation Area, therefore, impact upon the Conservation Area as a result of the proposal has been considered during the course of the application. With the proposed works being internal and to the roof of the building, views of the development will be limited. In addition, the Conservation Officer has advised they have no concerns regarding the proposal's impact upon the Conservation Area, therefore, is considered to be compliant with policy DM2 and DM17.

Highway Safety

31. Policy DM2 of the Joint Development Management Policies Document seeks to ensure that proposals maintain or enhance the safety of the highway network.
32. Due to the site being located adjacent to the Angel Hill car park, Suffolk County Council Highway Authority were consulted during the course of the application.
33. The Highway Authority provided comments raising no objection to the proposal, however, did recommend a condition requiring the submission of a Demolition and Construction Management Strategy prior to any works commencing on the site, in the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This has been agreed with the applicant and is considered reasonable by officers due to the site's location.

Other Matters

34. Where a local authority wishes to carry out their own development requiring listed building consent for the demolition, alteration or extension of a listed building in their area, and the following conditions are met, the authority must refer the application to the Secretary of State instead of determining the application itself:
 - a) The authority has notified Historic England and the National Amenity Societies of the application in accordance with any direction issued by the Secretary of State under section 15 (5) of the Planning (Listed Buildings and Conservation Areas) Act 1991;

b) The authority has received an objection to the application from any of the above bodies within 21 days of the date of issue of the notice; and

c) The authority does not propose to refuse the application.

35. So, in this case, notwithstanding that the building is owned by the Authority, there is no requirement to refer the matter to the Secretary of State since no objections have been received either from Historic England or any Amenity Society.

36. Policies DM1, CS2 and BV1 seek to secure sustainable development for all proposals. This proposal is for the repair of the roof to prevent further water ingress and the works to the mezzanine would improve the thermal efficiency of the store whilst still ensuring the roof space is well ventilated, therefore, is considered to comply with the sustainable development policies.

Conclusion:

37. 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:

38. It is recommended that listed building consent be **APPROVED** 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:

Reference number	Plan type	Date received
WSC6005BF01-30194-20-001	Location Plan	21 February 2023
WSC6005BF01-30194-20-004)	Block Plan	21 February 2023
WSC6005BD01-30194-20-002	Existing Elevations, Floor Plans and Sections	21 February 2023
WSC6005BD01-30194-20-003	Proposed Elevations, Floor Plans and Sections	21 February 2023
	Schedule of Works	21 February 2023

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

- 3 A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include compound, welfare, access, loading and parking

arrangements for contractors' vehicles and delivery vehicles (locations and times) and a methodology for avoiding deposits from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

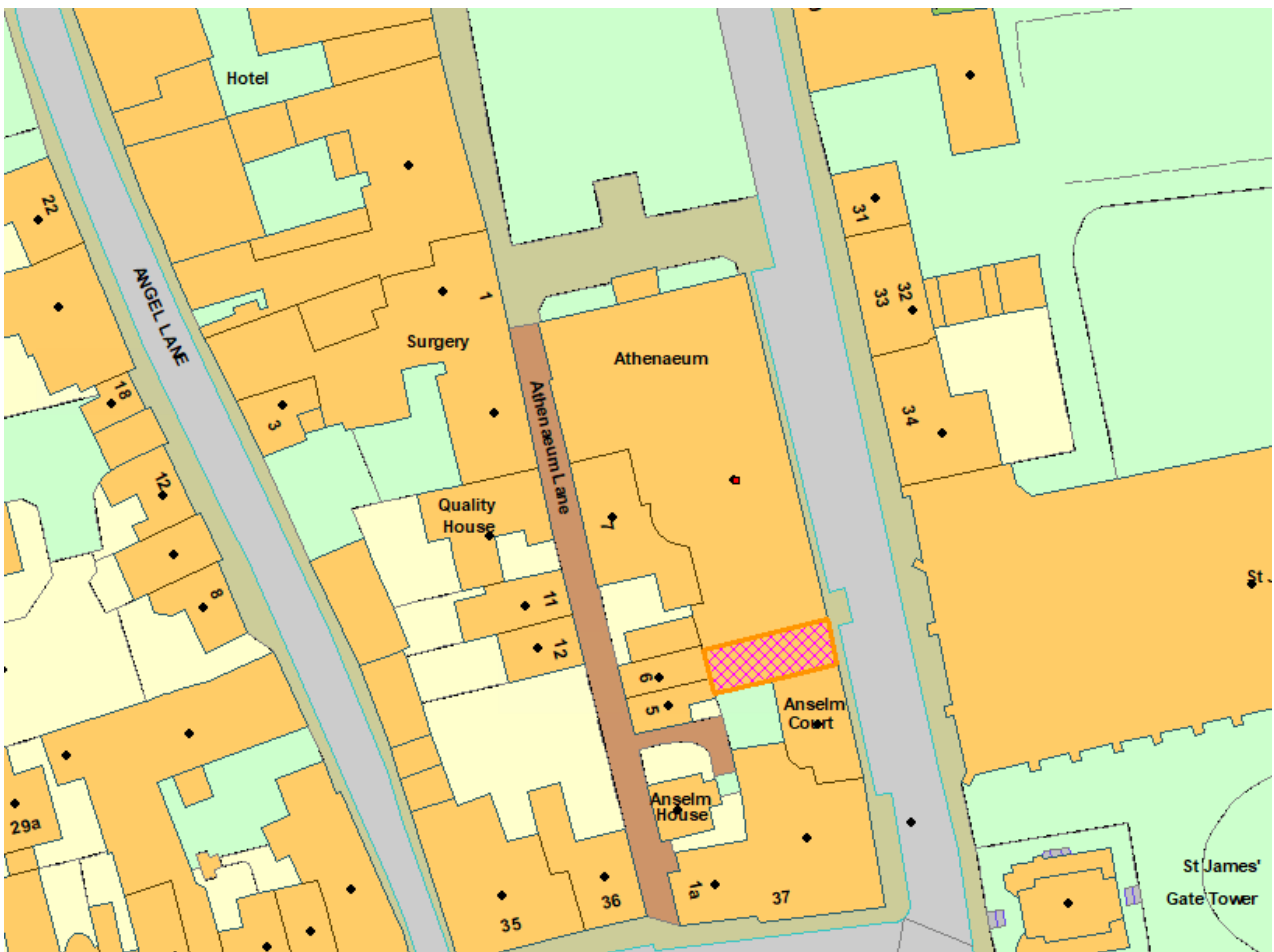
Documents:

39. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/0285/LB](#)

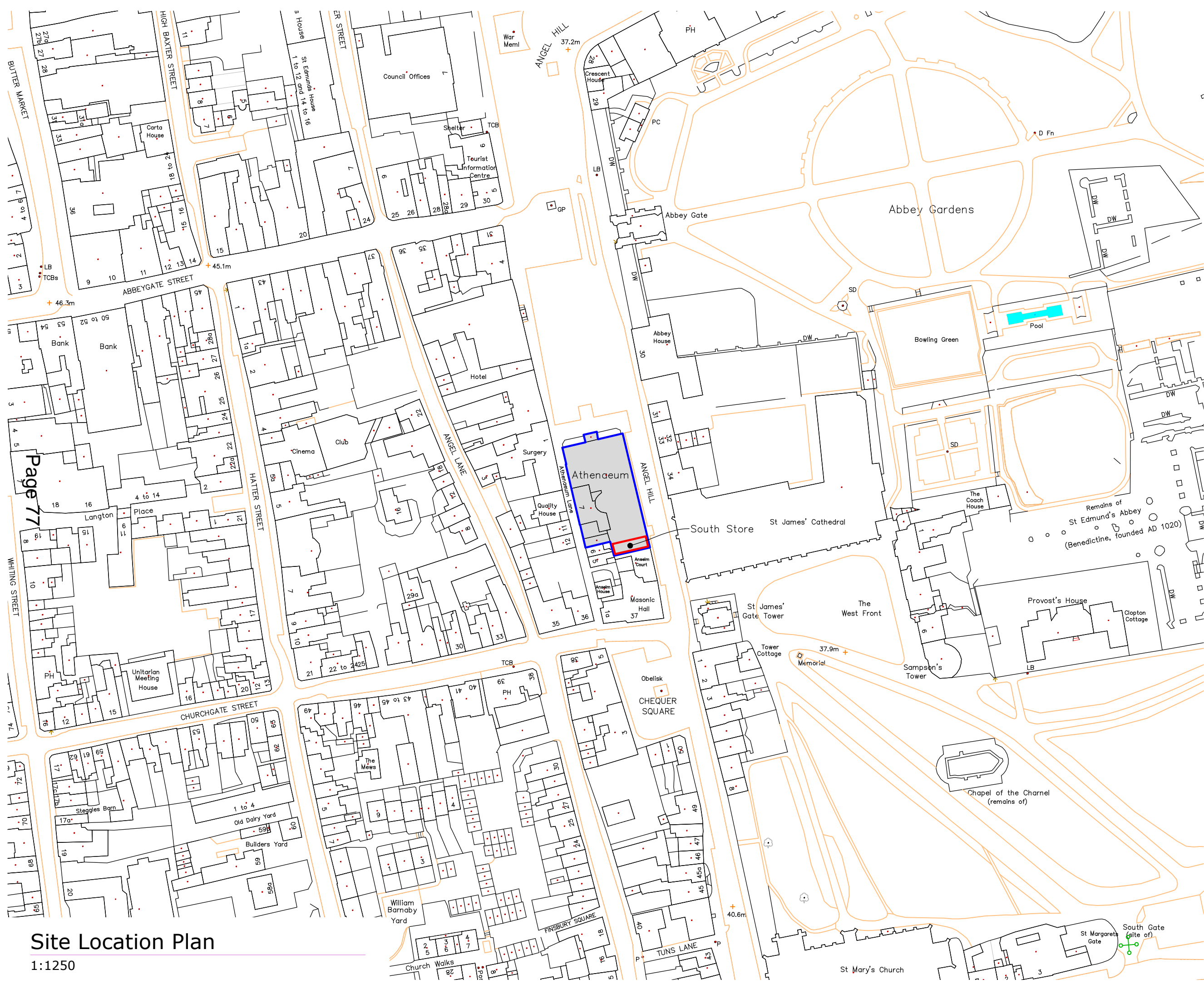
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DC/23/0285/LB – The Athenaeum, Angel Hill, Bury St Edmunds



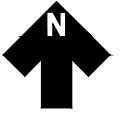
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Site Address:
 The Athenaeum
 1 Angel Hill
 Town Centre
 Bury St. Edmunds
 IP33 1LU

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Site Location Plan

1:1250



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

Project:
**Athenaeum South (Chair) Store
 Roof Upgrade**
 Title:
Site Location Plan

Scale: 1:1250 @ A3	Drawing Size: A3
Date: JUL 22	Drawn By: KLS
File No.:	Revision:
WSC6005BD01-30194+20-001	

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