



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/025

Development Control Committee 7 June 2018

Planning Application DC/18/0655/FUL – Eastgate Bungalow, Eastgate Street, Bury St Edmunds

Date Registered:	23.03.2018	Expiry Date:	18.05.2018 (EOT agreed)
Case Officer:	Britta Heidecke	Recommendation:	Approve Application
Parish:	Bury St Edmunds	Ward:	Eastgate
Proposal:	Planning Application - Demolition of bungalow and shed		
Site:	Eastgate Bungalow, Eastgate Street, Bury St Edmunds		
Applicant:	St Edmundsbury Borough Council		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Britta Heidecke
Email: britta.heidecke@westsuffolk.gov.uk
Telephone: 01638 719456

Background:

This proposal is presented before the Development Control Committee as the applicant is St. Edmundsbury Borough Council.

The Town Council do not object and the application is recommended for APPROVAL.

Proposal:

1. The application proposes the demolition of a single storey brick building with a pitched tiled roof from the late 1970s, which was originally built as gardeners mess and office with toilets and drying room, serving the council nursery gardens. It further proposes the demolition of a timber shed, open sided shelter and the remains (i.e. dwarf brick walls) of a number of frames and greenhouses within the site of the former plant nursery.
2. The application proposes no below ground level work and any future development will not take place without prior liaison with and the approval of the County Archaeologies and Historic England.

Application Supporting Material:

- APPLICATION FORM
- LOCATION PLAN
- COVERING EMAIL
- PHOTOGRAPHS OF EXISTING BUILDINGS

Site Details:

3. The application site is within the town centre and conservation area of Bury St Edmunds, south of Eastgate Street, across and just east of the river Lark. Abbey Gardens lie immediately to the West.
4. The application site forms part of the Scheduled Ancient Monument (SAM) 'Bury St Edmund's Abbey: including the monks' cemetery and outer precinct and vineyard walls'.
5. The grade II listed cottage 141 Eastgate Street and the St Edmundsbury Bowls Club abuts the site to the east.
6. Vehicular access is from Minden Close, a timber bridge allows pedestrian access from Eastgate Street and a gate on the most southern corner of the site allows pedestrian access to Abbey Gardens.

Planning History:

7.

Reference	Proposal	Status	Decision Date
SE/09/0421	Conservation Area Consent - Demolition of bungalow and associated wooden sheds	Application Withdrawn	11.08.2009

E/76/2159/P	BOILER HOUSE TO HEAT GREENHOUSES AND MESS AT NURSERY GARDENS	Application Granted	10.08.1976
E/76/2158/P	SINGLE STOREY BUILDING INC GARDENERS MESS AND OFFICE WITH TOILET AND DRYING ROOM	Application Granted	10.08.1976

Consultations:

8. Members of the public and statutory consultees were consulted in respect of the scheme as submitted. The following is a summary of statutory comments received in response.
9. Environment Team: Have no comments on, or objections to, the proposals.
10. Public Health And Housing: Have no objections but suggest conditions to restrict demolition times and security lighting.
11. Town Council: No objection based on information received subject to Conservation Area issues and Article 4 issues.
12. Ward Councillor: No comments received.
13. Conservation Officer: The bungalow and shed are modern buildings which do not make a positive contribution to the character or appearance of the conservation area or the setting of the listed walls of the Abbey Gardens. I therefore have no objection to their removal.
14. Historic England: Historic England has been involved in extensive pre-application discussions with regards to the Eastgate Nursery site, and supports this application.
15. Ecology and Landscape Officer: No objection (verbally)
16. SCC Archaeology: no objection subject to condition.

Representations:

17. No third party comments have been received.

Policy:

18. The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:
 - Vision Policy BV1 - Presumption in Favour of Sustainable Development
 - Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
 - Core Strategy Policy CS2 - Sustainable Development

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM17 Conservation Areas
- Policy DM20 Archaeology

Other Planning Policy:

- National Planning Policy Framework (2012)

Officer Comment:

19. The issues to be considered in the determination of the application are:
- Principle of Development
 - Impact on Conservation Area and Scheduled Ancient Monument (SAM)
 - Archaeology
 - Biodiversity
 - Residential amenity
 - Other matters

Principle and Impact on the Heritage Assets

20. The application seeks permission for the demolition of the redundant bungalow building and structures within the application site to enable the opening up of the site to the general public as a public open space, as an extension to the existing Abbey Gardens public open space.
21. The application site is within the town's conservation area and forms part of the Scheduled Ancient Monument (SAM) 'Bury St Edmund's Abbey'.
22. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. The NPPF places great importance on the protection and enhancement of the historic environment, as an important element of sustainable development.
23. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas, and

also various undesignated assets including archaeological sites and unlisted buildings which are of local interest.

24. Paragraph 137 states that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance, treating favourably those proposals that preserve those elements of setting that make a positive contribution to, or better reveal, the significance of the asset. Likewise paragraph 141 makes provision for developers 'to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact'.
25. Policy CS2 and CS3 seek (inter alia) to create a high quality, safe and sustainable environment which enhances the quality of the public realm and to conserve or enhancing the historic environment including archaeological resources.
26. Historic England confirmed in their consultation response that '*The elements earmarked for demolition do not make a positive contribution to the monument or its setting and therefore would be an enhancement in policy terms as set out in paragraph 137. The demolition is also necessary for the re-development of this area, and we also support the ambitions of the council to re-establish beneficial public use and re-establishing public access. It is within the area of the scheduled monument and therefore Scheduled Monument Consent will be needed for the work, in particular any ground works associated with the demolition of the structures and their foundations. We also recommend a condition is applied to the application that requires a programme of archaeological work under paragraph 141, to accompany the demolition works.*'
27. Moreover, the Councils conservation officer confirmed that the building and structures propose to be demolished are modern buildings which do not make a positive contribution to the character or appearance of the conservation area or the setting of the listed walls of the Abbey Gardens. As such the conservation officer had no objection to their removal.
28. On the basis of the above the proposal is considered to comply with relevant local and national policy and as such is acceptable in principle.

Archaeology

29. The site is located within an area of high archaeological potential. SCC Archaeology note that the proposal is not to undertake groundworks without discussion with Historic England/SCC. However, SCC Archaeology would be particularly concerned with the grubbing of any foundations, as archaeological remains may survive in and around them. SCC Archaeology therefore recommend a pre-commencement condition for the details of the works to be submitted for approval by the LPA and if appropriate to secure a Written Scheme of Investigation, in accordance with the requirements of the NPPF (Paragraph 141) and policy DM20.

Biodiversity

30. The NPPF confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible.
31. The proposal has been assessed with regards to Policy DM11 Protected Species. The building and structures subject to this application postdate 1970 and have no obvious cracks and crevices. They are not considered likely to provide potentially suitable roosting habitat and no trees are proposed to be removed as part of this proposal. The Council's Ecology Officer has raised no objection to the application.
32. In accordance with policy DM12, which seeks to ensure biodiversity enhancements from all developments, bat enhancement measures will be secured by condition.

Impact upon Residential Amenity

33. National and local policy seek to safeguard residential amenity. The proposed demolition has the potential to impact on the residential amenities of Eastgate Cottage, some 30m to the east and properties in Minden Close. Public Health and Housing have no objection to the proposal but recommend conditions to restrict the works to sociable hours and restrict security lighting. Subject to these conditions the proposal is not considered to have a significant adverse impact on the amenities of nearby neighbours, in accordance with policy DM2 and policies within the NPPF.

Other Matters

34. No changes to the vehicular or pedestrian access are proposed as part of this application. The proposals, due to their scale, are not considered to have a significant impact on the local highways network and comply with DM2 and the NPPF in this respect.

Conclusion:

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

Recommendation:

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

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

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

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

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

Reference No:	Plan Type	Date Received
n/a	Location Plan	23 Mar 2018

- 3 Within three month of commencement bat enhancement measures shall be installed and thereafter retained as so installed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with the provisions of Policy DM12 of the Joint Development Management Policies.

- 4 The site demolition works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays, Public or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the area.

- 5 No security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties.

Reason: To protect the amenity of the area.

- 6 No development shall take place within the area indicated [the whole site] until the applicant has submitted details of the works to be approved in writing by the Local Planning Authority, and if appropriate based on those details, secured the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a) The programme and methodology of site investigation and recording.
- b) The programme for post investigation assessment.
- c) Provision to be made for analysis of the site investigation and recording.
- d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e) Provision to be made for archive deposition of the analysis and records of the site investigation.
- f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g) The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks

associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy CS2 of St Edmundsbury Core Strategy 2010, policy DM20 of the Joint Development Management Policies Document and the National Planning Policy Framework (2012).

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/0655/FUL](https://www.stedmundsbury.gov.uk/DC/18/0655/FUL)