



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/19/005

Development Control Committee 3 January 2019

Planning Application DC/18/1443/FUL – No's 2-4 St. Andrews Street North and Land to Rear of No's 106-108 Risbygate Street, Bury St. Edmunds

Date Registered:	13.08.2018	Expiry Date:	08.10.2018
Case Officer:	Britta Heidecke	Recommendation:	Approve Application
Parish:	Bury St Edmunds Town Council (EMAIL)	Ward:	Risbygate
Proposal:	Planning Application - (i) Change of use from shops and offices A1/B1 to 3no. dwellings - 2-4 St Andrews Street North (ii) 2no. dwellings (demolition of existing accommodation/garage building and partial boundary wall) - Land to rear of 106-108 Risbygate Street		
Site:	No's 2-4 St. Andrews Street North and Land to Rear of No's 106-108 Risbygate Street, Bury St. Edmunds		
Applicant:	Thingoe Developments Limited		

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.

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Background:

The application is before the Development Control Committee following consideration by the Delegation Panel. It was referred to Delegation Panel because the Officer recommendation for APPROVAL conflicts with an objection from the Town Council. Moreover, the Ward Members (Risbygate) have expressed concerns.

A site visit is proposed to take place on Thursday 20 December.

Proposal:

1. The proposal consists of two elements: (i) the conversion of 2-4 St Andrews Street North from mixed uses (A1 and offices) to three town houses with the retention of an A1 shop in the basement extending below no's 2,3 and 4 and (ii) the redevelopment of the yard off Risbygate Street with two new residential units following the demolition of the existing building.

Site Details:

2. The application site is located within the town centre, primary shopping and conservation area of Bury St Edmunds. It comprises of no's. 2-4 St Andrews Street North, which was originally built as 3 houses, but currently comprises of a mix of shops and offices. No. 2 is office space on all 3 floors, No. 2a is a basement shop extending below no's 2, 3 & 4. No's. 3 & 4 are ground floor shops and No. 4a are first and second floor offices.
3. The second part of the site, known as land to the rear of No's. 106-108 Risbygate Street sits directly behind no's 2-4 St. Andrews Street North. It is currently occupied by a two storey garage with a first floor over and a narrow access off Risbygate Street, which also serves the rear of the properties on Risbygate Street.
4. As set out in the design and access statement this building predates 1885, with historic mapping showing it existing within a range of other similar buildings along the northern site boundary. The most like conclusion is that these buildings were possibly stables or cart sheds associated with the grand houses on Risbygate Street. It is known that the last of the other buildings was demolished within the last 30 years.

Planning History:

5.

Reference	Proposal	Status	Decision Date
E/88/2873/LB	Conservation Area Application - Demolition of substandard single storey building to allow existing building to be extended and converted into 4 no. flats as proposed by planning application E/88/2872/P	Application Refused	07.09.1988
E/88/2872/P	Conversion and erection of extension of existing building to form 4 no. flats (including demolition of substandard single storey building)	Application Refused	07.09.1988

E/87/1695/P	Section 32 Application - Retention of slate roofed canopy and other works to garage block	Application Granted	30.04.1987
E/87/1257/P	Change of use of part of garage block to builder's workshop with store over (on a temporary basis)	Application Refused	09.04.1987

Consultations:

6. Strategic Housing Team: Has no comments to make regarding the above application as this development will not trigger affordable housing as part of our CS5 policy.
7. Public Health and Housing: Have in principal no objection to the proposed development, however due to the limited space available in the locality and existing residential and commercial properties being in close proximity recommend a condition requiring the developer to submit a Construction Method Statement, restricted construction hours and no flood lights.
8. SCC Archaeology: Based on the information of current landuse, buildings and the small scale of the proposal, the proposed development would be unlikely to have a significant impact on archaeological remains.
9. Conservation Officer: No objection subject to conditions (see section on Heritage Impacts below.)
10. Highways: No objection to the amended scheme which includes a pedestrian passage way separate from the vehicular access.
11. Environment team: Are satisfied that the risk from contaminated land is low. No objection. Suggest advice note.

Representations:

12. Bury St Edmunds Town Council: Object on the grounds of –
 - Damage to buildings of historical interest
 - Overlooking and overshadowing of adjacent properties and loss of amenity
13. Representations have been received from three neighbouring properties on Risbygate Street, which share the same access. The comments can be read in full as part of the online file. They raise the following summarised concerns:
 - Disruption the shared access for business and living accommodation
 - Issues of land ownership/ common areas
 - Highways safety and parking issues within the yard
 - Noise and dust
 - Health and safety during construction
 - Loss of part of historic wall
 - Disruption of Drainage, Water, Electricity and Gas
 - Loss of direct sunlight and view

14. Private issues between neighbours, such as land disputes, damage to property, private rights of access etc. and problems arising from the construction period, e.g. noise, dust, construction vehicles etc. are not a material planning consideration. However, in response to the neighbour comments received the applicant has amended the site plan to omit a small area of dispute, to demonstrate that the proposed development does not rely on any land which is not within the applicants control or otherwise have a legal right of access over. Following these changes a distance in excess of 6m still remains behind the proposed parking bays which meets Suffolk County Standards. The response from the applicant also confirms that the overhang of land below the existing canopy is within the building owner's demise and not part of the common yard. The proposed building therefore occupies only land within the applicant's sole control. The applicant's agent has also acknowledged the restraints that the common yard brings and stated that services would most likely go through St Andrews Street North and not down the existing access. The applicant has also committed to minimise disruption, dust and nuisance during construction and has agreed to a condition to secure a construction management plan to help address the concerns, as also suggested by the Council's Public Health and Housing team.
15. The concerns with regards to impacts on heritage assets, residential amenity and highways matters are being considered below.
16. Furthermore, comments in support of the proposal have been received from the Bury Society. The Society generally supported the revitalised façade which could make a positive contribution to the street scene. However, they suggested that the third parking space should be omitted, the wall retained and the rear yards for the properties on St Andrews Street North kept at their current size to be truly sustainable.
17. Otherwise, the Society supports the re-development of the yard and the general design approach but to reduce possible concerns of overlooking, suggest that the eaves line might be dropped, and Velux style lights substituted on the new-build extension. The Society also suggests that any approval should be conditional that the new dwellings may not be occupied until the resurfacing works to the rear service yard, including storm drainage, are fully completed.
18. The comments from the Society are noted. However, in the view of officers it cannot be insisted upon the omission of the third parking space given a small yard per dwelling would be retained, which is considered acceptable in this urban context.
19. Due to the already limited floor space within the units at the rear of Risbygate Street dropping the eaves height would further reduce the available internal floor area with full head height and would therefore not, in the opinion of officers, be realistic. This in any event is not considered to be an issue given the separation between the properties. (see assessment of impact on residential amenity below)

Policy:

20. 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:

Bury St Edmunds Vision 2031

- Vision Policy BV1 - Presumption in Favour of Sustainable Development
- Vision Policy BV2 - Housing Development within Bury St Edmunds

St Edmundsbury Core Strategy

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

Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM7 Sustainable Design and Construction
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM17 Conservation Areas
- Policy DM35 Proposals for main town centre uses
- Policy DM22 Residential Design
- Policy DM35 Proposals for main town centre uses
- Policy DM46 Parking Standards

Other Planning Policy:

National Planning Policy Framework 2018

Officer Comment:

21. The issues to be considered in the determination of the application are:
- Principle of Development
 - Heritage Impacts and Visual Amenity
 - Residential Amenity
 - Highways matters
 - Other matters

Principle of Development

22. The first element of the proposal involves the conversion of the ground, first and second floors of No's 2, 3, 4 & 4a (currently with an A1 use and B1 office) into three town houses, as the buildings were intended when originally built. The scheme would provide two two-bed and one one-bed properties on St Andrews Street North and one two-bed and one one-bed dwelling within the yard. The basement shop (no. 2a) will be retained as a shop. With the exception of the ground floor shop units at no's. 3 & 4 change of use from office to C3 residential of the remaining buildings could be sought through the prior notification process. The main issue for this part of the proposal is therefore the proposed change of use of the A1 units.

23. The site lies within the Primary Shopping Area (PSA) and Town Centre boundary as shown on the policies map, where the following policies apply

CS10, DM35, BV1 and BV2. The site lies outside the primary shopping frontage so by default within the secondary shopping frontage where there is a more diverse range of uses. Policy BV2 of the Bury St Edmunds Vision 2031 states that planning permission for new residential development and residential conversion schemes should be granted, where it is not contrary to other planning policies.

24. The policies cited above support the focus of retail uses within the PSA, seeking to achieve a balance between A1 uses and non-A1 commercial uses. Change of use of ground floor A1 units will only be permitted if the balance of retail vitality and viability is not likely to be harmed and all the criteria are met. Where these criteria are met it allows change of use to other main town centre uses. The policy states (inter alia):

The change of use of ground floor A1 units within a Primary Shopping Area, to other appropriate main town centre uses, will therefore only be permitted if the balance of retail vitality and viability is not likely to be harmed and all of the following criteria are met:

- a. the proposal will not result in three or more non-A1 units in adjoining premises within the Primary Shopping Area;*
- b. the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and the street scene and its setting in terms of its materials, form and proportions;*
- c. the proposal will not remove existing or potential beneficial use of upper floors; and*
- d. the proposal will not adversely affect the amenity of the surrounding area by virtue of noise, litter, congestion on pavements, or disturbance arising from late night opening.*

25. The proposed change of use will not fully meet criteria a and b of that policy. However, it must be noted that both No. 3 & 4 St Andrews Street are no greater than 20sqm each and do not benefit from shop frontages. They very much retain the residential character of their previous and original use as dwellings.

26. The design and access statement offers further justification for the loss of the small retail units as they have been empty for a number of years, due to them being of poor quality, in a sub-prime location and not having traditional shop frontages or disabled access. It is argued that this and the limited scope for signage would in all likelihood only attract low quality occupiers such as mobile phone accessories, vape shops or takeaway food outlets, which is contrary to St. Edmundsbury Borough Councils' adopted Masterplan for the area. Although it is acknowledged that these types of occupiers are necessary within the town, it is argued that adequate provision already exists within the town or within the Saturday & Wednesday markets.

27. Whilst the proposal therefore does not strictly conform with policy DM35 it is the view of officers that the loss of very limited A1 floor space at the edge of the primary shopping area, outside of the primary shopping frontages and within a building which does not benefit from typical shop frontages, will not materially harm the vitality and viability of the town centre. It is therefore considered that the degree of conflict with this policy would be modest and in this case would only attract a limited amount of weight against the development in the planning balance.

28. The second element of the proposal, (ii) the redevelopment of the yard behind 104-106 Risbygate Street with two residential units, utilising previously developed land within a highly sustainable town centre location accords with the objective of the new NPPF and the government's agenda for growth, which emphasises the use of brownfield sites and more effective use of land. As such the proposal is acceptable in principle subject to other material planning consideration.

29. The other main considerations in this case are: heritage impacts and visual amenity; impacts on residential amenity; and highways impacts.

Heritage Impacts and Visual Amenity

30. The site is within the conservation area and No's 104 to 108 Risbygate Street are grade two listed buildings. It has been established that the building within the yard and the boundary walls are not curtilage listed, however the walls are restricted by an article 4 direction. The significance of the walls is therefore to be understood to inform the acceptability of works to the walls.

31. The councils' conservation officer made the following comments:

'The proposed development includes the demolition of the existing outbuilding and the construction of a replacement building together with extensions to provide further accommodation. The replacement building is similar in scale and footprint to that which currently exists and historic maps indicate further development to the west previously existed.'

32. *There are remnants of earlier brickwork to suggest the existing outbuilding dates back to the 19th century. The building has however been significantly altered and its significance in terms of its contribution to the character and appearance of the conservation area is such that its retention is not insisted. I therefore has no objection to either the demolition of the existing building or the reconstruction of something of a similar scale as proposed.'*

33. *The design of the proposed development is simple in form incorporating traditional materials. Both design and materials ensure the development is subservient in character and appearance appropriate to the setting of the listed buildings and the historical development which formally existed.'*

34. *The development will however involve the demolition of the wall to the east of the site serving as boundaries to the rear of properties fronting onto St Andrews Street North. This will inevitably result in a degree of harm due to the partial loss of an historic wall to make way for parking. The open fronted cartlodge serving the main development will also be visible from Risbygate Street however as this arrangement currently exists and the proposed development will result in an overall visual improvement, as seen from Risbygate Street, the development will at the very least preserve the character and appearance of the area.'*

35. The scheme proposes to use a traditional palette of materials such as natural slate, clay pantiles, red facing brickwork and boarding with the traditional appearance of ancillary domestic buildings or cart lodges/ stables associated with and located to the rear of larger period houses. The development

follows the historic pattern of development and thereby creates a sense of place.

36. On the basis of the above the proposed re-development of the yard therefore accords with the requirements of policy DM15 and DM17 as it will have no adverse impact on the setting of the listed buildings but result in an overall visual improvement and as such enhance the character and appearance of this part of the conservation area.
37. Works proposed to 2-4 St Andrews Street North involve both internal and external alterations. The property is not listed but is located within the Town Centre Conservation Area. No's 2-4 is part of a larger terrace formerly 1-4. Number 1 has undergone significant alteration to include the insertion of a shopfront at ground floor level many years ago and consequently compromises the uniformity the terrace once displayed. The proposals involve the reinstatement of traditional sashes and the removal of the existing wall coating both of which are to be encouraged.
38. The scheme has been amended to address concerns raised by the conservation officer with regards to the proposed replacement of an original door opening with a window. The amended scheme proposes the retention of the existing door opening, reinstating a traditionally detailed four panelled door with upper panels glazed to supplement the light from the existing window opening to the sitting room. The conservation officer has no objection to the amended scheme and concluded that the proposed development fronting onto St Andrews Street North will enhance the character and appearance of the conservation area.
39. Overall, it is considered that the re-development of the yard and the changes proposed to the property fronting onto St Andrews Street North would considerably improve the views from Risbygate Street and the appearance of this part of St Andrews Street North and would therefore have a positive effect on the character and appearance of the conservation area in accordance with policies DM2, DM17 and the guidance contained within the NPPF. Furthermore, it is considered that this positive impact on visual amenity would weigh in favour of the development as a material consideration in the planning balance.

Residential Amenity

40. Policy DM2 of the Joint Development Management Policies Document 2015 requires all proposals for development to take mitigation measures into account so as to 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 and type of traffic activity generated.
41. There are a number of residential properties close to the site, which have the potential to be affected by the proposed development. Those most likely to be affected are the residential and commercial properties off Risbygate Street.
42. There has been some concern from neighbours over the re-development of the yard. The main objections from neighbouring occupiers concern disruptions from the construction, the use of the narrow shared access drive

and potential obstruction of parking spaces, the introduction of overlooking and loss of light. The development is situated north of the existing properties on Risbygate Street and given the subservient scale and the stand-off in excess of 20m overshadowing, loss of light or outlook are not considered to be a significant issue, not least noting the town centre context. The proposal would involve the introduction of a number of windows and these will increase the level of actual and perceived overlooking to the neighbours, but not at a level that officers consider would justify a refusal.

43. There are no windows in the northern elevation besides two small roof lights within the vaulted ceiling. The only window in the western gable is obscure glazing serving a bathroom and the kitchen window in the west elevation will overlook parking areas. The level of harm that this would cause to amenity is therefore considered to be negligible.
44. The main windows are in the southern elevation of the proposed two units, facing the rear of the properties on Risbygate Street. However, with a standoff in excess of 20 metres from windows in the south elevation of the proposed development to windows in the rear of 106-108 Risbygate Street the relationship is such that it is not considered to cause unacceptable impacts on neighbour amenity by reason of direct window to window overlooking or loss of outlook. For reference, other LPA's which have adopted a design SPD, like for example East Cambridgeshire or Basingstoke, suggest that the distance between rear inter-visible windows to be a minimum of 20 metres. This is a common rule of thumb to prevent unacceptable overlooking. The proposed eastern gable end, although in close proximity to the rear of the properties on St. Andrews Street North, represents no greater impact on amenities than the existing site layout. Given the stand-off between the interfacing properties and considering the context of the town centre location it is considered that the proposal would not have any significant adverse effects on amenity.
45. On the basis of the above the proposals are considered to comply with policy DM2 and DM22 in this respect.

Highways matters

46. Policy DM46 of the Joint Development Management Policies Document states that the authority will seek to reduce over-reliance on the car and to promote more sustainable forms of transport and that in town centres and other locations with good accessibility to facilities and services, and/or well served by public transport, a reduced level of car parking may be sought in all new development proposals.
47. The proposed three dwellings on St Andrews Street North would have no associated off-street parking. However, the site is within the town centre in walking distance of local shops and amenities, including the bus station and the railway station. There is a loading bay outside the property and otherwise double yellow lines restrict parking on this part of St Andrews Street. Given the existing traffic restrictions it is unlikely that the development would lead to road parking in the immediate vicinity that could cause inconsiderate and unsafe obstructions to the surrounding road or footpath. Officers are also mindful of the fact that the buildings were originally constructed as dwellings and were used as such for decades, before diversifying into alternative commercial uses.

48. Given the location of the development, with traffic controls on the part of the highway where the building is located, it is reasonable to assume that in this case those looking to move into the properties would do so in the full knowledge of the absence of any nearby parking facilities and as such would be those who do not rely on the use of a private motor.
49. Alternatively, yearly season tickets for the long stay carpark on St Andrews Street and private garaging within the town would provide possible options for those looking to retain a car. The proposed development will provide cycle storage for all dwellings within the rear yards, details of which could be controlled by condition.
50. The proposed two new residential units in the yard would utilise the existing narrow vehicular access from Risbygate Street and all units would benefit from a pedestrian passageway through St Andrews Street North. The two units (one one-bed room and one two-bedroom) would be provided with three parking spaces, two within the cart lodge and one perpendicular to the access following partial demolition of the wall along the rear of St Andrews Street North. The proposal therefore would provide parking in accordance with the parking standards.
51. The vehicular access is only approx. 2.3m wide at the entrance to the site and follows an under path to the rear of Risbygate Street. Parking at the front of Risbygate Street is restricted by double yellow lines. The access serves the properties 105 to 108 Risbygate Street and the application site.
52. The Highway Authority initially was concerned about the substandard access as the only means of access to the proposed new development. However, there are currently two parking spaces within the existing building and in the area proposed for development. In fact if the area fenced off at present was still used for parking it would provide more parking space than what is proposed. So whilst the access is substandard, it is an existing access and the proposed development is not considered to result in an intensification of the use of that access.
53. The scheme has been amended to provide a pedestrian passageway through St Andrew Street North, suitable for pushchairs, bicycles and bins and therefore the proposal would provide an alternative to the shared use of the vehicular access, thus reducing any conflict. The agent has confirmed that all units would be provided with a key or code for the gate, and the provision of the access and its retention can be conditioned.
54. The applicant has also provided a parking survey to show the use of the yard and also a swept path analysis to demonstrate that a family sized car can turn within the area available so that the site can be left in forward gear. Due to the narrowness of the access it is reasonable to assume that any vehicle significantly larger than that, like the typical groceries and other delivery vans would not attempt to enter the site. Instead, the applicant argues, instructions could be provided at the time an order is placed that deliveries can be via the passageway through St Andrews Street North.
55. The Highway authority subsequently raised no objection to the application subject to standards conditions. Whilst overall the proposal may not enhance highways safety, on the basis of the above the amended proposal

will maintain the safety of the highway and provide parking in accordance with the current standards. As such the proposal will comply with policy DM2(I) and DM46 and will have no unacceptable adverse impact on highways safety to justify refusal.

Other matters

Archaeology

56. SCC Archaeology commented that *'the site is within the historic suburb of Risbygate, and the new build lies in the corner of what might be a historic plot. There is also a structure of unknown date shown on the plot on Thomas Warren's 1740 map of the town. However, there were other buildings on the site shown on later maps, and I would anticipate some build up of soils against the boundary wall, which doesn't look earlier than 18th century as far as I can tell from the photos.'*

57. Based on the information of current land use, buildings and the small scale of the proposal, in the view of SCC Archaeology the proposed development would be unlikely to have a significant impact on archaeological remains. On balance a programme of work is not requested.

Affordable Housing:

58. In accordance with the new NPPF and policy CS5 the current scheme for 5 units falls below the threshold for affordable housing or developer contributions. There will therefore be no requirement for any affordable housing provision.

Sustainable construction and ecological enhancements:

59. Policy DM7 states (inter alia) that all proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to the broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques.

60. DM7 specifically requires all new residential development to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to sustainable design and construction. Therefore a condition will be needed to ensure compliance with policy DM7.

61. Section 3.4.2 of the Suffolk Guidance for Parking states that "Access to charging points should be made available in every residential dwelling." Policy DM2(I) and DM46 seek to ensure compliance with the parking standards and to promote more sustainable forms of transport. The new NPPF at para 105 seeks to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and para 110 (d) states 'Within this context, applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.' On this basis it is recommended that a condition is attached to the permission to secure that one parking space per new dwelling will have a vehicle charging point.

62. The building to be demolished is of a construction which has the potential to be used by bats. However, following Natural England standing advice it is less likely that bats are present in this town centre context which is effected by artificial light levels and not near woods or water. The application site is also not within a recorded 200m priority species buffer for bats. However, species recorded in the 200m priority species buffer are Swift, Starling and House Sparrow. However, all wild birds in the UK are protected under the Wildlife and Countryside Act 1981 (Amended) and provided the demolition takes place outside the nesting season the proposal is not likely to have an adverse impact on protected species.

63. However, Policy DM12 requires all new developments to include biodiversity enhancements commensurate with the scale of the development. In this case no special reference was made to biodiversity. However, these details can be secured by condition.

Conclusion:

64. The development proposal has been considered against Development Plan Policies and the objectives of the National Planning Policy Framework and the government's agenda for growth. The application has also been assessed having regard to the special statutory duty placed on local planning authorities in respect of conservation areas.

65. The site is in principle acceptable for new residential development within the yard and on St Andrews Street at upper floors, subject to conformity with other relevant Development Plan policies. In this regard, those policies in relation to visual and residential amenity, conservation areas and those that ensure highway safety are central to the consideration of the application.

66. Due to the residential use at ground floor on St Andrews Street North there is a modest degree of conflict with policy DM35. However, for the reasons set out in this report the degree of weight that this would attract, given the small size of the A1 units, the absence of shop frontages and the retention of a retail unit in the basement, is minimal.

67. Given the urban context of the site and the degree of separation of the existing and proposed properties in excess of 20m there would not be unacceptable overlooking to weight against the development in the planning balance.

68. The properties on St Andrews Street North would not benefit from any off-street parking, thus this element of the proposal would not meet the Suffolk Guidance for Parking Standards. The new units in the yard would be provided with three parking spaces, which is accords with the adopted standards. Taking account of the wider policy context, the flexibility built into the parking guidance, the emphasis on sustainable development in the NPPF and the low likelihood of any harm to highway safety in this specific context arising as a result in the reduction in parking, it is considered that the weight to be attached to the conflict with the parking standards, would be notably reduced in this case. This is supported by the absence of a highways objection.

69. There are a number of benefits associated with the proposal, which would carry weight in favour of the development, most notably through the

creation of additional dwellings in a sustainable town centre location, the economic benefits associated with construction phase and the improvement in visual amenity and the character of this part of the conservation area. Taken together these benefits are considered to weigh significantly in favour of the development.

70. On balance, it is considered that marginal loss of retail space and the lack of off-street parking for the properties on St Andrews Street North when weighed against the benefits of the broad compliance with Development Plan policies and the presumption in favour of sustainable development would not warrant the rejection of the proposals. As such, the application is recommended for approval.

Recommendation:

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

- 1 The works to which this consent relates must be begun not later than 3 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:

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

Reference No:	Plan Type	Date Received
1181-05	Proposed Elevations & Floor Plans	24.07.2018
1181-07	Existing Elevations	24.07.2018
1181-02 Rev.B	Layout	12.11.2018
1181-03 Rev.A	Proposed Floor Plans	12.11.2018
1181-4 Rev. B	Proposed Elevations	12.11.2018
1181-01 Rev.A	Location & Block Plan	04.09.2018
1181-06	Proposed Elevations	24.07.2018

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

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

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

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

- 5 No development above slab level shall take place until samples of the external materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 The use shall not commence until the areas within the site shown on Drawing No. 1181-02 Rev B for the purposes of manoeuvring and parking of vehicles and for secure cycle storage have been provided and thereafter those areas 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 in order 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 to ensure the provision of secure cycle storage.

- 7 The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 1181-02 Rev B shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

- 8 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 and only those construction measures and procedures agreed shall be implemented by the developer. The Statement shall provide for:
- o Noise and dust management responsibilities and measures
 - o Monitoring and auditing procedures
 - o Complaints response procedures

o Community liaison procedures

Reason: To ensure the satisfactory development of the site and 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. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

- 9 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.

- 10 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 prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy 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.

- 11 Before development above slab level commences details of noise attenuation treatments, in line with current Building Regulations, between the basement shop and approved residential units above shall be submitted to and approved in writing by the Local Planning Authority. Such agreed measures shall be installed prior to first occupation

Reason: To ensure sufficient protection and prevention of noise transfer between the commercial and residential aspects of the building to protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 The passageway shown on the block plan drawing no. 1181-02 Rev.B (received 12.11.2018) shall be made available for use to all residential units hereby approved, prior to their first occupation, and thereafter retained as so provided.

Reason: To ensure safe pedestrian access to the rear of the development is available to all users, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

- 14 The dwelling(s) hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

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

- 15 Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1443/FUL](https://www.suffolk.gov.uk/DC/18/1443/FUL)

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