

Development Control Committee 4 December 2019

Planning Application DC/19/1712/FUL – 28 - 34 Risbygate Street, Bury St Edmunds

**Date
Registered:** 21.08.2019

Expiry Date: 06.12.2019 (EOT)

**Case
Officer:** Julie Barrow

Recommendation: Approve Application

Parish: Bury St Edmunds
Town Council

Ward: Abbeygate

Proposal: Planning Application - Construction of (i) 50no. apartments (ii) communal facilities (iii) access, car parking and landscaping as amended by plans received 04 November 2019 (increasing number of apartments by 1no.)

Site: 28 - 34 Risbygate Street, Bury St Edmunds, , Suffolk

Applicant: Churchill Retirement Living

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:

With an Officer recommendation of REFUSAL and support from the Parish Council, this application was presented to the West Suffolk Delegation Panel on the 5 November 2019.

Following this presentation, at the request of Ward Member Councillor Jo Rayner, this application has been referred to the Development Control Committee.

A site visit is scheduled for Monday 2 December 2019.

Proposal:

1. The application seeks consent for the construction of 50 retirement living apartments, comprising 34 one bedroom apartments and 16 two bedroom apartments, following the demolition of the existing building on the site. The proposals also includes a communal lounge and patio area, guest accommodation, access, parking and landscaping. The apartments will be constructed as one building with three and a half storeys where it faces Risbygate Street, reducing to three storeys towards the centre of the site before rising to four storeys at the southern end of the site.
2. Amended plans have been received during the course of the application following discussions between officers regarding the scale, form and design of the building. On submission of the amended plans the applicant advised that the design changes had resulted in the increase of the number of apartments from 49 to 50.

Application Supporting Material:

3. The application is accompanied by the following documentation:
 - Location Plan
 - Tree protection Plan
 - Elevation drawings and floor plans
 - Section drawing
 - Distance drawing
 - CGI plans
 - Affordable Housing Statement
 - Air Quality Assessments
 - Arboricultural Assessment & Method Statement
 - Archaeology Desk-Based Assessment
 - Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment
 - Flood Risk Assessment (as amended)
 - Heritage Statement
 - Ground Investigation Report
 - Noise Impact Assessment
 - Planning Statement
 - Statement of Community Involvement
 - Transport Assessment and Transport Technical Note
 - Design and Access Statement
 - Daylight and Sunlight Studies
 - Phase I Land Contamination Assessment
 - Bat Survey
 - Shadowing drawings

- Overheating Risk Assessment
- Sustainability Statement

Site Details:

4. The site is located centrally within Bury St Edmunds with the main retail centre to the east of the site. The site lies to the western end of Risbygate Street and borders Parkway to the west. To the north of the site are residential dwellings including grade 2 listed properties Nos. 81, 82 and 83 Risbygate Street. To the east of the existing access is the grade 2 listed Dementer House with grade 2 listed Nos. 23 -26 Risbygate Street beyond Dementer House. The site adjoins the rear gardens of the terraced residential properties in Nelson Road to the East and the Cattle Market car park lies to the south. The site adjoins the Bury St Edmunds Town Centre to the east with the Victoria Street Conservation area to the west beyond Parkway. Site levels rise from the lowest point adjacent to Risbygate Street to the highest point at the rear of the site by approximately 6m.
5. A late Twentieth Century former bank building currently occupies the site together with an area of hardstanding used for parking with mature trees and shrubs on the southern and western boundaries.

Planning History:

Reference	Proposal	Status	Decision Date
SE/13/0283/ADV	Advertisement Application - Provision of (i) 2 no. non-illuminated fascia signs (ii) 1 no. internally illuminated fascia sign and (iii) 2 no. internally illuminated hanging signs	Application Withdrawn	14.08.2013
DC/18/0562/FUL	Planning Application- 55no apartments with 1 no. ground floor retail unit and parking (following demolition of existing bank and offices)	Application Withdrawn	17.07.2018
SE/06/2870	Advertisement Application - Provision of 3 no. fascia signs on the front and each end of existing entrance canopy, and non illuminated hanging sign as amended by plans received 2 Jan 2007 removing illumination.	Application Withdrawn	03.01.2007
SE/02/2473/P	Planning Application - Provision of two automated teller machines on front elevation	Application Granted	09.08.2002

E/98/2830/A	Advertisement Application - Provision of (i) new halo illuminated name sign on front face of entrance canopy; (ii) non-illuminated lettering on each end of entrance canopy; and (iii) two internally illuminated projecting signs	Application Refused	17.11.1998
E/96/1490/P	Planning Application - Installation of satellite antenna	Application Granted	04.06.1996
E/95/1766/A	Advertisement Application - Provision of (i) Internally illuminated projecting sign; and (ii) internally illuminated shield fascia sign	Application Refused	26.07.1995
E/84/2748/A	Provision of illuminated letters to canopy and 2 hanging projecting signs as amended by letter dated 16th January 1985 and attached plans (see Schedule of Approved Plans)	Application Granted	05.03.1985
E/84/2747/P	Alterations to existing building to provide banking office facilities including provision of canopy as amended by letter dated 16th January 1985 and attached plans (see Schedule of Approved Plans)	Application Granted	05.03.1985
E/83/2642/P	Change of use from retail to bank XOT agreed 28/9/83	Application Granted	11.10.1983
E/80/2856/A	INFORMATION AND LOGOS AND CAR PARK DIRECTION SIGN	Application Granted	13.11.1980
E/79/2617/P	ERECTION OF RETAIL UNIT TOGETHER WITH LANDSCAPING SERVICE YARD AND CAR PARKING	Application Granted	23.10.1979
E/78/1512/P	ERECTION OF SHOWROOM UNIT WITH LANDSCAPING SERVICE YARD AND PARKING	Application Granted	08.11.1978
E/77/3500/P	ERECTION OF 3 SHOWROOM UNITS	Application Withdrawn	07.03.1978

(CLASS 1) WITH
LANDSCAPE AND SERVICE
YARD

Consultations:

6. Historic England – The proposal does raise concerns in terms of effect on the historic significance of the conservation area because of the scale and massing, however, there is no objection on heritage grounds. Recommend conditions requiring that a high quality of materials and detailing are achieved.

On receipt of the amended plans Historic England confirmed that there is no objection to the granting of consent.

7. Bury St Edmunds Society – Support application in sustainable location. Design demonstrates local context and improved approach to Conservation Area. Caters for the older home ownership market. A thorough evaluation of air pollution and noise should be undertaken.

On receipt of the amended plans confirmation received that The Society remains generally supportive but suggests that the omission of high-level flats 42 and 43 would minimise impacts on residents of Nelson Road.

8. Anglian Water – Surface water strategy is unacceptable. Where a brownfield site is being demolished it should be treated as if it was greenfield. Recommend a condition requiring details of a surface water management strategy to be secured by condition.
9. SCC Highways – Holding objection pending receipt of further information in respect of parking and cycle and mobility scooter storage/parking and provision of a travel plan. Some improvements to the local pedestrian and cycle network may be necessary to support sustainable modes of transport.

Following a review of additional information supplied by the applicant SCC Highways has confirmed that it maintains its holding objection. The objection may be removed if the applicant meets the costs of installing a pedestrian crossing on Risbygate Street.

Following confirmation from the applicant that it agrees to construct a crossing on Risbygate Street SCC Highways removed its objection.

10. SCC Archaeology – The site lies in an area where there is potential for medieval and post-medieval archaeological remains. No objection to development proceeding subject a programme of archaeological work being secured by condition.
11. SCC Growth – Capital contribution towards the development of library services of £784.
12. Suffolk Fire & Rescue – Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations. Recommends that fire hydrants be signalled and that consideration be given to the provision of an automatic fire sprinkler system.

13. NHS CCG – Likely to have an impact on primary healthcare provision. Financial contribution of £28,300 required to mitigate the impacts of the proposal.

Following receipt of evidence from the applicant to support likely occupancy rates the contribution has been revised accordingly.

14. Conservation Officer – Site lies within the setting of two Conservation Areas and the views between them and is a prominent corner leading into Risbygate Street. The existing building is of architectural or historic interest. Elevations broken down into scales appropriate to the area and disparity in scales between Parkway and Risbygate Street addressed by introducing a building that turns the corner. Traditional elevational treatments have been used and these should be executed with authenticity. With the use of good quality materials and correct detailing, the proposal could make a positive contribution to the setting of the two conservation areas, enhancing the views between them, without adversely affecting the setting of any listed buildings. No objection subject to conditions relating to materials and detailing.

15. Public Health & Housing – Application considered from a noise impact perspective. A detailed overheating study is required. A whole dwelling mechanical ventilation system should be considered along with higher specified glazing. The noise report states that external amenity noise criteria will not be achieved in some areas of the development. Planning condition required for a construction management plan.

The Public Health & Housing and Environment Teams are reviewing the submitted Overheating Risk Assessment and an update will be provided on the results of the review prior to or at the committee meeting.

16. Environment Team – Require a Phase 1 Land Contamination assessment to be submitted and sight of the supplementary air quality assessment being prepared. Recommend that 25% of spaces are equipped with electric vehicle charging points.

On receipt of a land contamination assessment it has been confirmed that the carrying out of the recommended intrusive investigations can be secured by condition.

Following receipt of an Air Quality Assessment the Team has advised that there is a possibility of residents being exposed to levels of nitrogen dioxide above air quality objectives. Recommend that 'real world' monitoring is undertaken or mechanical ventilation could be fitted. The applicant has confirmed that it will carry out the 'real world' monitoring requested.

17. Energy Advisor – Application supported by a sustainability statement. Welcome the use of a ground source heat pump. Concern in relation to sites proximity to a busy junction often used late at night. Application is also supported by an Overheating Risk Assessment. Experience of other developments in and around the town centre is that external windows, especially adjacent to a busy road, are not openable due to noise issues.

Concerned that given the increasing likelihood of hotter, drier summers, the overheating risk analysis is based upon openable windows plus mechanical

ventilation. Further information is required on the acoustic issues for the site and the investigations carried out and further modelling on overheating taking into account future climate change. A condition is recommended requiring details to be submitted to demonstrate how the development will meet the energy standards set out within Building Regulations.

18. Landscape & Ecology Officer – Highlights erosion of vegetation to west and south of site that contributes to amenity of area. Loss of vegetation and bat foraging opportunities are not properly mitigated.

19. Tree Officer – Trees on western and southern boundaries contribute to locality. Risk to trees to be retained is low if protection measures are implemented. Loss of a number of trees can be mitigated through new planting. Two Sycamore trees on southern boundary are prominent landscape features which possess a notable amenity value. The necessity to remove these trees is unclear and it is recommended that these are retained.

Following receipt of confirmation that one of the Sycamore trees can be retained the Tree Officer is satisfied that there would be no significant adverse effect on visual amenity in the long term

Representations:

20. Site notice posted, advertisement placed in the East Anglian Daily Times and 28 nearby addresses notified. Two responses received to the original plans submitted, with the response received from the occupier of 16 Nelson Road signed by 29 local residents. The responses received are summarised as follows:

17 Nelson Road -

- Four or more storeys will invade privacy and reduce quality of life

16 Nelson Road and residents –

- Welcome redevelopment of Lloyds building and agree that commercial use no longer required
- Concerns about scale and height along Parkway. Comparisons with the multi storey car park are not appropriate
- Flats 42, 43 and 44 will look directly in to residents' homes and gardens on Nelson Road
- Loss of amenity and privacy to Nelson Road residents
- Overdevelopment of site causing overlooking, overshadowing, loss of amenity and some loss of light
- Concerned that construction may damage nearby homes
- Insufficient parking
- References to well served bus routes are misleading. Car travel is the only practical alternative for many shopping trips and out-of-town journeys
- Concerned that development will have a detrimental effect on existing internet connection
- Would like to comment on hours of construction. Previous development in the area has caused dust, air pollution and noise for local residents

- Development rising to four storeys would have a dominating impact on Nelson Road residents and right to private enjoyment of property

Comments received on the amended plans:

16 Nelson Road and residents -

- Revised design has resulted in one less flat along Parkway and the addition of an extra two large flats on Risbygate Street making a total of 50 plus a family flat making 51
- Instead of the development have a 'small element' it has half the proposed flats rising with Parkway and the upper two storeys of flat overlooking Nelson Road
- Due to the raised level of Nelson Road homes above the car park the top flats in particular will have views into residents' gardens and living areas
- If the fourth floor and equivalent height in three storey flats were removed this would result in a loss of only 7 flats and make the development far more acceptable to the residents of Nelson Road. Alternatively if the developer were to lower the land at the car park level and drop the building down along the higher element of Parkway this would again reduce the development to an acceptable height.
- Proposed building is only 2.5m lower than the withdrawn application and is now higher on Risbygate Street than the withdrawn application.
- Increased height can hardly be described as an enhancement to the character of Risbygate Street and an 'urban anchor'
- The removal of the return at the southern end may enhance the view through the site but it does not significantly reduce the impact on Nelson Road, especially for No. 12, where living rooms windows have been added that will overlook
- Cannot see where the four storey element has been significantly reduced. Reference to 'one small section' is misleading
- Cannot see where there is a reduce height to improve privacy
- No assurances received regarding structural compensation in the works will damage properties in Nelson Road
- A reduction in 7 flats would result in an increased parking ratio
- Widespread illegal parking, lack of choice over long/short stay options, insufficient parking provision, cost of parking and road layout are all identified on the Town Masterplan as being a problem
- Continued references to sustainability of transport systems is incorrect. The Masterplan proposal to remove the bus station will mean a longer distance to walk to the bus stops and increased traffic on Risbygate and Parkway, making the proposed pedestrian crossing essential
- Trains are limited and none of the transport options proposed would remove the need for a vehicle to visit local attractions, e.g. National Trust Houses

21. Bury St Edmunds Town Council – Object on the grounds of overlooking, parking, scale of building and poor design of windows. There should be more charging points, sprinklers and provision for affordable housing in the town centre.

Following receipt of amended plans the Town Council confirmed that it maintains its objection on the grounds of poor design and height.

22. Ward Councillor, Councillor Jo Rayner – Request that the application be referred to the Development Control Committee. The Town Council objected on many points and the main concern for residents is the height of the development, which will result in a loss of privacy in their gardens. Residents ask that the development is reduced by removing the top floor.

Number of parking spaces proposed will add pressure to an already challenged area. The development of the Havebury flats is already causing parking difficulties as these flats have no parking provision and the cumulative impact of development should be considered.

Policy:

23. 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.

24. 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:

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
- Core Strategy Policy CS5 - Affordable Housing
- Core Strategy Policy CS9 - Employment and the Local Economy
- Core Strategy Policy CS10 - Retail, Leisure, Cultural and Office Provision
- Core Strategy Policy CS14 - Community infrastructure capacity and tariffs

Bury St Edmunds Vision 2031

- Vision Policy BV1 - Presumption in Favour of Sustainable Development
- Vision Policy BV25 - Conserving the Setting and Views from the Historic Core
- Policy BV27 Bury St Edmunds Town Centre Masterplan

Joint Development Management Policies Document

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM13 Landscape Features

- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas
- Policy DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM23 Special Housing Needs
- Policy DM35 Proposals for main town centre uses
- Policy DM37 Public Realm Improvements
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards

Other Planning Policy:

25.National Planning Policy Framework (2019)

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer Comment:

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

- Principle of Development
- Cultural heritage
- Residential amenity
- Access and car parking
- Drainage and flood risk
- Landscaping and ecology
- Other planning matters

Principle of development

26.The site is located within the established settlement boundary for Bury St Edmunds and as such the principle of development is acceptable subject to all other material planning considerations being satisfied.

27.The most recent use of the site is as a bank and associated offices (call centre). For the purposes of the Use Classes Order this includes a mixture of Class A2 financial and professional services and Class B1 offices. The proposed use is wholly residential and, unlike previous proposals (submitted by a different applicant) the scheme does not include any element of commercial space. Although not a Primary Shopping Frontage, the site does fall within the Primary Shopping Area and Policy DM35 applies. Policy DM35 recognises that the use of upper floors of buildings within such areas can be

used for accommodation but the focus of the Policy is protecting the vitality and viability of town centres.

28. It is accepted that the location of the site is such that the main footfall is on the opposite side of Risbygate Street due to the light controlled pedestrian crossing on Parkway, such that retail use may not be viable.
29. Policy DM30 seeks to protect existing employment land and sets out the circumstances in which a non-employment use may be acceptable. The policy sets out a number of circumstances in which a non-employment use may be considered acceptable. These include where there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements and where an alternative use or mix of uses would provide other sustainability benefits that would outweigh the loss of an employment site.
30. The applicant has undertaken a review of employment sites on offer within the town and has presented a list of over 32 different employment sites offering a range of sizes and locations available for use within the town. In addition, the growing Suffolk Business Park has a number of units available. The St Edmundsbury Employment Land Review (May 2017) concludes that there is sufficient supply of B class floorspace to meet demands and that whilst the best performing employment sites should be retained, beyond these a selective approach could be undertaken to 'condensing' other office and industrial sites drawing upon market feedback.
31. The Bury St Edmunds Town Centre Masterplan is an adopted Supplementary Planning Document. For the purposes of the Masterplan, the site lies within both Area 3 (St Andrews Quarter) and Area 6 (Parkway). However, for the purposes of the Masterplan the site is specifically mentioned in the context of the Risbygate Junction in Area 6. A key aspiration of the Masterplan is to redefine the character of Risbygate as a key historic gateway and to introduce mixed use development to the frontage of Risbygate, Parkway and the corner of the junction. Taken in isolation the proposed scheme conflicts with this aspiration, however the masterplan areas are much wider than this site and it is considered that the redevelopment of this site in the manner proposed does not rule out mixed use development elsewhere.
32. It is noted that the proposal involves the provision of older persons' accommodation and the need for such accommodation will be a factor in the determination of this application. Policy DM23 supports the provision of new accommodation for elderly and/or vulnerable people on sites deemed appropriate for residential development. Such proposals are required to meet the following criteria:
- The proposed development should be designed to meet the specific needs of residents including requirements for disabled persons where appropriate;
 - Inclusion of appropriate amenity space for residents of an acceptable quantity and quality;
 - The location of the development should be well served by public transport, community and retail facilities; and
 - The proposed development does not create an over concentration of similar accommodation in any one street area.

33. The applicant is an experienced provider of older persons' accommodation and the development is designed as such with areas of internal and external amenity space. As is discussed in detail below the site is considered to be located in a highly sustainable location and whilst it is acknowledged that there is a similar type of development to the north-west of the site at Lacy Court, the addition of older persons' accommodation on this site is not considered to result in an over concentration of similar accommodation in any one street area.
34. It is considered that the applicant has addressed the requirements of Policies DM35 and DM30 in relation to town centre uses and the loss of an employment site. Whilst there is some conflict with the adopted Bury St Edmunds Masterplan, its status as planning guidance means any conflict attracts limited weight against the proposal. The proposed development meets the requirements of Policy DM23 in relation to special housing needs and it is considered that the principle of development is acceptable subject to all other material planning considerations being satisfied, which are discussed further below.

Cultural and built heritage

35. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;
In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
36. Section 72(1) of the same Act states;
...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
37. Policy DM15 relates to proposals to alter, extend or change the use of a listed building, or development affecting the setting of a listed building. Applicants are required to demonstrate a clear understanding of the significance of the building and/or its setting, alongside the potential impact of the proposal on that significance.
38. Policy DM17 sets out the criteria attached to development within, adjacent to or visible from a conservation area. Such development should preserve or enhance the character or appearance of the conservation area or its setting, and views into, through, and out of the area. Proposals should be of an appropriate scale, form, height, massing, alignment and detailed design which respect the area's character and its setting. In addition proposals should demonstrate a clear understanding of the significance of the conservation area and/or its setting, and assess the potential impact of the proposal on that significance.
39. Policy BV25 states that the council will seek to preserve or enhance the townscape and landscape setting of the Bury St Edmunds Town Centre Conservation Area.

40. Policy DM2 seeks to ensure that development proposals recognise and address the key features, characteristics, townscape character, local distinctiveness and special qualities of an area. Proposals should not adversely affect the distinctive historic character and architectural value of the area. The Policy also requires proposals to produce designs that respect the character, scale, density and massing of the locality. Policy DM22 seeks to ensure that similar design principles are incorporated into residential schemes.
41. The site's eastern boundary adjoins the Bury St Edmunds Town Centre Conservation Area and views of the site are afforded from the Victoria Street Conservation Area that lies to the west of the site, beyond Parkway. The site lies within the setting of the two conservation areas and the views between them. A number of grade II listed buildings are located in close proximity to the site, with the proposed development due to share a streetscape with these buildings.
42. The applicant has submitted a Heritage Statement with the application that assesses the character of the Conservation Areas and the effect of the development on these designated heritage assets.
43. The Heritage Statement states that the setting of the Town Centre Conservation Area by Risbygate Street is characterised by the roundabout on the modern bypass (Parkway) and surrounding modern coarse grain development. The proposed development would be of a large mass set within its own plot. This mass would not be perceived from within the public realm of the Conservation Area as the largest part of the building faces onto Parkway, which itself is characterised by modern development of a large mass. However the design of the building has incorporated elements that allows it to fit into the character and appearance of the streetscape when viewed from Risbygate Street. This is achieved through its scale, mix of materials and the appearance of individual buildings which respect the refined elevations that characterise Risbygate Street.
44. The Heritage Statement goes on to state that the proposed building will enhance the current views between the two Conservation Areas and removes a building which currently stands out in contrast due to its design and materials. The assessment goes on to state that the proposal will better reveal the historic fabric of the Grade II Listed Demeter House to the east of the application site and will not detract from the historic and architectural interests of the listed buildings situated on Risbygate Street.
45. The assessment reaches a conclusion that the scheme will enhance the contribution the application site currently makes to the setting of the identified listed buildings and the Conservation Areas. Further, it considers that no designated heritage assets or their settings will receive harm to their heritage significance as a result of the proposal.
46. Historic England describes Risbygate Street as comprising buildings mainly of commercial use and two to three storeys in height with dormers being prevalent. There is a mixture of historic and modern buildings along the street with varied building styles and features which adds interest to the character of the area. It is acknowledged that the site presently contains a modern building of little architectural or historic interest.

47. Historic England makes comparisons between the current scheme and a previous scheme submitted in 2018 and notes that as this proposal is for a large single block of building issues of massing arise. The approach taken in his case to break up the mass of the building by lending something of the appearance of a series of town houses and terraces to the main elevations. The more traditional architectural treatment employed makes the new building more sympathetic to the historic context especially on the corner of Risbygate.
48. Despite the treatment of the principal elevation it remains the case that the building would read as a single block as the floor levels align across the whole elevation and the fenestration pattern is highly regimented. This is as a result of the internal layout and the way the apartments are linked. Historic England takes the view that due to the rising ground at the Cattle Market end of the site the building would appear as a very sizeable block in views from the Parkway roundabout. However, it considers that good quality materials and treatment in the detailing could improve the resulting building.
49. Historic England advised that as originally submitted, the proposal raises concerns in terms of effect on the historic significance of the conservation area due to the scale and massing of the building. However it raises no objection to the application in principle.
50. Following receipt of Historic England's comments and subsequent discussions between the applicant and officers amended plans were submitted to address the issues of bulk and mass that had been raised. The revised design goes some way to addressing the bulk and mass of the Parkway elevation. The extent of the fourth storey has been reduced and there is now one element remaining in order for the lift core to reach the top floor. The return at the end of the building has been removed and the south-west corner has been filled in, straightening the elevation and making it more simplistic and less dominant. Chimneys have been added and the roof form streamlined.
51. Officers considered that the Risbygate Street element of the building could be strengthened to provide a key focal point on this important gateway site that lies in between the two conservation areas. The height of the corner element has therefore been raised to redefine and enhance the character of Risbygate Street and the applicant refers to the changes as creating an 'urban anchor'.
52. Historic England has confirmed that it has no objection to the granting of consent based upon the amended plans.
53. The Conservation Officer acknowledges that the site is large and agrees with the approach taken to avoid a monolithic structure by breaking the elevations down into scales more appropriate to the area. The stepped rooflines also help assimilate the building into its surroundings. The Conservation Officer further comments that the disparity in scales between Parkway and Risbygate Street has been overcome by reducing the heights towards Risbygate Street and introducing a building that turns the corner with a curved elevation, which is a very traditional detail.

54. In order to be fully successful, it is important that the traditional elevational treatments proposed are executed with authenticity to reflect the character and appearance of the two conservation areas. Large-scale details are therefore required by condition, including window details, render colour and the positioning of chimneys. With the use of good quality materials and the correct detailing the Conservation Officer believes that the proposed development could make a positive contribution to the setting of the two conservation areas, enhancing the views between them. It will also provide an attractive gateway building into Risbygate Street and reflect its traditional architecture without adversely affecting the setting of any listed buildings.
55. As stated above, Historic England suggests that the proposal raises concerns in terms of effect on the historic significance of the Conservation Areas because of the scale and massing of the building. It is considered that any adverse effects would result in very minor harm to the Conservation Areas. Any harm would be partially offset by the quality of the proposed replacement building and localised in extent and therefore 'less than substantial' within the meaning of the National Planning Policy Framework (NPPF). Paragraph 196 of the NPPF requires such harm to be weighed against the public benefits of the proposal.
56. The proposal would provide fifty homes for older persons in a location very close to the town centre. This represents a significant contribution towards specialist housing of this type in a highly sustainable location as such would be considered a public benefit. The proposed building would be built to better environmental standards than the existing building and, as discussed further below, the applicant has gone some way to quantifying these benefits. The proposal would result in modest benefits to the construction industry and future residents are likely to spend locally. Such benefits also attract moderate weight.
57. When giving considerable importance and great weight to the special regard to the desirability of preserving or enhancing the character and appearance of the conservation areas and the preservation of the nearby listed buildings and their settings, it is considered that any modest harm would be outweighed by the cumulative public benefits. As such there would be no conflict with Paragraph 194 of the Framework and the harm to the designated heritage assets has a clear and convincing justification.
58. As previously stated, the existing building on the site is of no architectural or historic interest and its removal will not adversely affect the settings of the Conservation Areas or any listed buildings. It is considered that the proposal responds to the unique characteristics of the area and respects the settings of the designated heritage assets. The scale and bulk of the building will be broken down through the use of the elevational details and as such is not considered to result in significant harm to the setting of the Conservation Areas and listed buildings. The proposal also responds well to the townscape character of the area, using traditional detailing and materials. It is therefore considered that the proposal complies with the requirements of Policies DM2, DM15, DM17, DM22 and BV25.
59. Policy DM20 states that on sites of archaeological interest, or of potential archaeological importance, provided there is no overriding case against

development, planning permission will be granted subject to satisfactory prior arrangements being agreed.

60. The Suffolk County Council Archaeological Service has advised that the site lies in an area where there is potential for medieval and post-medieval archaeological remains. It does not object to the development proceeding subject a programme of archaeological work being secured by condition.

Residential amenity

61. Policy DM2 makes reference to the need for all development proposals to ensure that they do 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. The avoidance of development that adversely affects residential amenity is also a requirement of the policy, however, it accepts that mitigation measures may be taken into account.

Impacts on future residents of the development

62. Policy DM22 requires new dwellings to be of high architectural quality, meaning that they are fit for purpose and function well, providing adequate space, light and privacy. In addition, Policy DM23 requires specialist housing accommodation to include appropriate amenity space for residents of an acceptable quantity and quality.
63. Policy DM14 states that development will not be permitted where, individually or cumulatively, there are likely to be unacceptable impacts arising from, inter alia, air quality and compliance with statutory environmental quality standards.
64. The site is located in a prominent position alongside Parkway, one of the key routes in and out of the town centre. The applicants have therefore considered the effects of noise and air quality on future residents of the development.
65. A Noise Assessment submitted with the application identifies the north and west boundaries of the development area as low to medium risk in terms of the significance of noise impact. Notably lower noise levels were measured towards the east and south boundaries due to building mass screening, where a negligible to low risk was determined.
66. Good acoustic design has been prioritised to limit noise levels in rooms on the more affected facades of the development, however, given the proximity of the units to Parkway, there is limited opportunity to mitigate noise levels here. Nevertheless, the appropriate specification of glazed façade elements and provision of attenuated background ventilation enables windows to remain closed and normal ventilation requirements to be achieved. Windows on these elevations will still be openable and could be opened as a matter of personal preference or for purge ventilation.
67. The external communal courtyard areas on the eastern side of the development will be afforded some screening from the building itself and the Noise Assessment indicates that noise levels are expected to remain

below guidance levels in these areas. Noise levels on some private patios will be above guidance levels where they are exposed to traffic on Parkway.

68. The maintenance of acceptable noise levels in certain units is dependent upon windows remaining closed and the use of passive background ventilation. As the development will be occupied by vulnerable persons the Public Health and Housing Team requested a detailed overheating study for the development to be submitted.
69. An Overheating Risk Assessment was subsequently submitted, which accounts for the elderly nature of the potential occupants and it considers the possibility of windows being opened at a higher internal temperature than is considered typical, accounting for external noise and more elderly occupants. The Public Health and Housing Team, in conjunction with the Environment Team is reviewing the document, with comments made regarding the fact that the assessment is based upon openable windows. Further information relating to how the building internal temperatures will be maintained and the potential impacts on energy consumption has been requested. An update in relation to these matters will be provided prior to or at the Development Control Committee Meeting.
70. The applicant has submitted an Air Quality Assessment, which has been reviewed by the Environment Team. The assessment details modelling undertaken to predict levels of nitrogen dioxide, with results indicating that levels at the façade of the building are just below acceptable levels. The Environment Team has noted that the results are a model and real world results may be influenced by factors outside the control of the model. Given the possibility of residents being exposed to levels of nitrogen dioxide above the air quality objectives, the Environment Team has recommended that real world monitoring is undertaken to validate the model and ensure robust results. If required mechanical ventilation could be fitted to ensure residents on the Parkway elevation have access to clean air.
71. The applicant has agreed to a period of 6 months real world monitoring and the Environment Team is satisfied that this can be secured by condition, along with any mitigation measures that are deemed necessary as a result of the monitoring.
72. The applicant has submitted detailed studies in relation to noise, overheating and air quality. The Environment Team is satisfied that subject to appropriate mitigation measures being put in place future residents will not be subjected to unacceptable levels of noise or exposed to unacceptable levels of Nitrogen Dioxide. Further discussions are taking place in respect of overheating, however, similar mitigation measures can be employed to address this issue if considered necessary. On balance, and subject to the conditions recommended by the Public Health and Housing and Environment Teams it is considered that the proposed development will provide acceptable levels of amenity and comfort to future residents.

Impact on existing residents

73. A number of local residents have raised concerns over the scale and mass of the proposed building and its impact upon the properties adjoining the eastern boundary on Nelson Road. In particular the residents feel that the

proposal will cause overlooking, overshadowing, loss of amenity and some loss of light.

74. During the course of the application amendments have been made to the scheme to reduce the height of the central section of the building, however, it remains a four storey building in places. A balcony proposed on the original plans has been removed and the return at the southern end of the building has been removed, which significantly improves the relationship with No. 12 Nelson Road. The southern end of the proposed building is now located approximately 20m from the rear of No. 12, which itself sits much closer to the boundary with the site than the other dwellings on Nelson Road. A separation distance of 20m is generally considered acceptable to maintain a satisfactory relationship between residential dwellings.
75. The dwellings in Nelson Road are closely knit, with small rear courtyard gardens. The boundary wall that runs the length of the eastern boundary encloses the rear gardens and due to the level difference between the application site and Nelson Road the majority of the proposed building will be obscured from view from within the courtyard gardens. There will be views of the building from the rear facing first floor windows on Nelson Road, however, there will be a separation distance in the region of 30m between windows, a distance that is considered to be acceptable to prevent any significant loss of privacy. Whilst it is accepted that there will be some perception of being overlooked, the separation distance proposed is such that this is not considered to result in an unacceptable impact on residential amenity and given that this is a town centre location, it is not uncommon for a close knit grain of development to be prevalent. Indeed, there is a separation distance of approximately 15m between the front facing elevations of the dwellings on Nelson Road.
76. The proposed building maintains a similar relationship with No. 27 Risbygate Street to the existing, with a two storey element alongside the access and a separation distance of 7.4m between the two buildings. The proposed building steps up to three-and-a-half storeys at its moves towards the junction with Parkway, where there is a separation distance of approximately 10m. There is one west facing window on No. 27, however, given that this is at a similar height as the top of the two story element of the proposed building it is considered that there will be a satisfactory relationship between the two buildings.
77. A separation distance of 15-16m is maintained between the north facing elevation of the proposed building and the dwellings on the northern side of Risbygate Street. Again, given the urban setting of the site it is considered that a satisfactory relationship is proposed.
78. A daylight and sunlight assessment has been submitted in respect of the effect of the development on neighbouring properties. The assessment analysed the light that will be received on the windows of neighbouring properties and concludes that all neighbouring windows pass the relevant Building Research Establishment (BRE) diffuse daylight and direct sunlight tests. In addition it concludes that the development also passes the BRE overshadowing to gardens and open spaces test.
79. Officers were concerned that the assessment did not fully demonstrate the extent of overshadowing that may be caused by the development and

further information was requested from the applicant. This was received in the form of a series of shadow images for the existing and proposed scenarios. The images are taken at 8am, 12 noon, 4pm and 8pm on 21st March, 21st June, 21st September and 21st December. The images demonstrate that the orientation and location of the existing and proposed buildings is such that there will be no greater impact on overshadowing on the dwellings in Nelson Road than the current situation.

80. Comments were received from the local residents to the amended plans stating that they did not feel that the amendments reduced the impact of the proposal on their amenity. They remain concerned that the height of the building is such that it will result in a loss of privacy through overlooking. Changes made to the southern end of the building resulted in two additional living room windows facing eastwards towards No. 20 Nelson Road. These windows are needed for ventilation given that the other windows serving these rooms are south facing. The applicant has however agreed to obscurely glaze these windows to reduce the perception of overlooking.
81. Local residents have asked that they have the opportunity to comment on hours of construction and have cited the fact that they have experienced disruption from recent developments in the vicinity of Nelson Road. As recommended by the Public Health and Housing Team the submission of a Construction Method Statement can be secured by condition. The Method Statement will set out the hours of construction and address matters such as the control of construction noise and dust.
82. The redevelopment of the application site is likely to result in some short-term disruption to local residents, however, such matters can be controlled to a certain extent by planning conditions. The concerns raised by residents in relation to overlooking and overshadowing have been considered by officers and a number of changes have been made to the proposal as a result. On balance it is considered that a satisfactory relationship between the proposed building and existing dwellings can be created such that the proposal will not result in a significant adverse effect on the residential amenity of existing residents.
83. As detailed above it is also considered that future residents will enjoy a satisfactory level of amenity and the proposal therefore complies with the relevant development management policies in this regard.

Access and car parking

84. Policy DM2 requires all development proposals to produce designs that provide access for all, and that encourage the use of sustainable forms of transport through the provision of pedestrian and cycle links, including access to shops and community facilities. In addition, developments should, in accordance with standards, maintain or enhance the safety of the highway network. Policy DM45 requires the submission of a Transport Assessment appropriate to the scale of development and the likely extent of transport implications.
85. Policy DM46 states that the Council will seek to reduce over-reliance on the car and promote more sustainable forms of transport. All proposals are required to provide appropriately designed and sited car and cycle parking

in accordance with adopted standards current at the time of the application. The Policy goes on to say that in town centres and other locations with good accessibility to facilities and services, and/or that are well served by public transport, a reduced level of car parking may be sought.

86. The Transport Assessment submitted with the application highlights the proximity of the site to key services and facilities. The town centre is located approximately 400m to the east of the site with access on foot via Risbygate Street and through the Cattle Market car park. There is also access to a variety of healthcare services within close proximity, many of which are within an acceptable walking distance, as are a number of bus stops. The bus services stopping close to the site are considered to be reasonable and likely to serve the needs of future residents. Bury St Edmunds Rail Station is also located approximately 900m north of the site should residents wish to make use of rail services.
87. The existing vehicular access off Risbygate Street will be utilised for the development with 23 parking spaces proposed within the development. This equates to 0.46 parking spaces per unit. A cycle and mobility scooter store and charging point is also proposed to serve future residents and visitors to the site.
88. The current Suffolk Guidance for Parking states that retirement developments are expected to deliver 1 parking space per dwelling together with 2 cycle spaces for 8 units, 2 powered two wheel vehicle spaces and 1 space per two dwellings for mobility scooters. In addition, 0.25 spaces per dwelling for visitors are required. To comply with the County Council's parking standards a total of 63 parking spaces are required.
89. The Guidance goes on to state that the advisory residential parking guidance is the minimum required, however a range of factors will be taken into account. For main urban areas a reduction to the parking guidance may be considered where a proposal has been designed to be exceptionally sustainable in transport terms and which effectively promotes an overall reduction in the use of high emission vehicles. The Guidance defines main urban areas as those having frequent and extensive opportunities for public transport and cycling and walking links, close proximity to local services and on street parking controls at all times.
90. The applicant's Transport Assessment identifies the fact that sections of Risbygate Street have parking restrictions, and due to the proximity of the junction, no parking is permitted on the south side of the carriageway. There are double yellow lines that run from the roundabout between Risbygate Street and Parkway for the whole of Risbygate Street and then onto St Andrew's Street North, Brentgovel Street and St Andrew's Street South. On the north side of the carriageway there is a parking bay outside Wilko, which can accommodate two vehicles and operates 1-hour maximum parking with no return within 3 hours. There is a further parking bay located to the east of the application site on the north side of the carriageway that operates with similar restrictions. Nelson Road to the east of the site is Permit Holders parking only.
91. The Transport Assessment also details the nearby off-street parking opportunities with 862 short stay spaces at the Cattle Market Car Park, 592

long stay (weekday only) spaces in the Parkway multi-storey and 363 flexi-stay spaces in the St Andrews Car Park.

92. Suffolk County Council, as Highway Authority, recommended refusal of the application in its original form due to what it considers to be a severe under provision of all forms of parking. In making reference to its own guidance document the Highway Authority considers that the applicant has not demonstrated that the proposal has been designed to be 'exceptionally sustainable'.

93. The Highway Authority has suggested that if the following measures were implemented that it may be able to support the proposal:

- Installation of a formal pedestrian crossing on Risbygate Street;
- Safe accessible pedestrian access from the dwellings to the town centre;
- Mobility scooter storage and charging, cycle storage and powered-two-wheeler parking to the level required; and
- Electric vehicle charging points to the level recommended in the guidance.

94. The Highway Authority also points out that it is aware of some issues of obstructive parking on Risbygate Street and that Blue Badge holders are exempt from some parking restrictions. The installation of a formal crossing will reduce the ability for Blue Badge holders to park on Risbygate Street. Local residents have also raised concerns that the streets around Risbygate are under considerable pressure for residents within permit parking areas.

95. The applicant has submitted information in respect of a number of its developments across the country and highlights the fact that the average number of parking spaces per development is 0.42, below that being offered in Bury St Edmunds. It also highlights the fact that a recent approval for a similar retirement complex in Haverhill was on the basis of 18 parking spaces for 50 units. The Highway Authority did not object to this provision and the applicant suggests that the Haverhill site is not in such a sustainable location.

96. Comparisons can also be made with the Cross Penny Court extra care housing scheme on Cotton Lane, which provides 19 spaces for 56 units, a ratio of 0.33. As with the current proposal, this site is located close to a public car park and given that it offers extra care it can be expected that there will be a higher number of staff travelling to the site. Lacy Court is located close to the application site and is a similar retirement complex that offers 14 spaces for 40 units, a ratio of 0.35. Whilst it is acknowledged that these schemes were permitted prior to the current guidance and development management policies being in place the LPA is unaware that any difficulties are experienced in the vicinity of these developments due to parking provision.

97. The LPA has considered the Highway Authority's request for a formal crossing on Risbygate Street and has some concerns that it is not CIL compliant, i.e. it is not necessary, justified and directly related to the development. It has been pointed out to the Highway Authority that future residents are unlikely to be as dependent on reaching routes to work given the retired nature of the occupants and that bus services and the facilities

and services on offer in the town centre can be reached without crossing Risbygate Street. The Highway Authority points to an existing issue in relation to Blue Badge holders parking on the double yellow lines and the LPA does not consider that it is reasonable to address an existing problem by requiring this development to deliver a crossing that will restrict this form of parking. It is also questionable whether the amount of footfall generated by this development could justify meeting the full costs of providing the crossing. Thus the fairly related in scale and kind under CIL seems to fail.

98. The Highway Authority has pointed to the need for safe accessible pedestrian access from the development to the town centre. There is pedestrian access directly from the Risbygate Street access, travelling eastwards on the southern side of Risbygate Street and westwards by travelling along Parkway and through the Cattle Market Car Park. The applicant has also indicated that the levels of cycle and mobility scooter storage could be increased along with the provision of space for powered-two-wheeler parking. Such matters could be addressed through the submission of further details secured by planning condition.
99. The applicant has continued discussions with the Highway Authority regarding the provision of a crossing on Risbygate Street and has now agreed to provide this. The LPA maintains its position that the provision of a crossing is not directly related to this application and whilst desirable, it would not be reasonable to make it a condition of consent being granted. Both the applicant and the Highways Authority accept this position and intend to make the necessary arrangements themselves to deliver the crossing. Whilst the crossing will be a benefit to the scheme given that it is not strictly necessary to make the development acceptable it attributes only limited weight in favour of the proposal.
100. The applicant has a significant amount of experience in delivering accommodation for older persons. Its scheme, including the number of parking spaces, has been carefully designed taking into account the operational knowledge of the applicant. The applicant is confident that sufficient parking provision is being provided and it is necessary to balance the need for car parking with the need to deliver usable external amenity space for residents. The site is considered to be in a highly sustainable location with good access to facilities and services and is well served by public transport. On street parking restrictions prevent anti-social parking in the area and the presence of a number of public car parks close by ensures that visitors are well served. On this basis it is considered that a deviation from the standards set out in the Suffolk Guidance for Parking is supported by Policy DM46 and that the development as proposed is acceptable in relation to traffic and parking.

Drainage and flood risk

101. Policy DM6 states that proposals for all new development will be required to submit schemes appropriate to the scale of the proposal detailing how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere.
102. The site is located in Flood Zone 1, where the majority of development should be directed.

103. A Flood Risk Assessment (FRA) has been submitted with the application that has been updated following receipt of comments from Anglian Water. Anglian Water's surface water management policy states that where a brownfield site is being demolished the site should be treated as if it was greenfield. No historic right of connection will exist and any sewer connections should be treated afresh.
104. An amended FRA states that the surface water drainage strategy will be based on a restricted discharge to the public surface water sewer beneath Risbygate Street. A deep lined voided subbase system will be required beneath a permeable surface for the onsite access road and car parking areas. A planning condition is proposed requiring further details of the system to be submitted, with further consultation with Anglian Water and the Lead Local Flood Authority at that stage.
105. Foul water will be discharged by gravity to the existing public foul sewer located beneath Risbygate Street. Anglian Water has confirmed that foul drainage from this development is in the catchment of Fornham All Saints Water Recycling Centre that will have available capacity for these flows.
106. Subject to the imposition of appropriate planning conditions in relation to the submission of detailed drainage strategies it is considered that the proposal complies with the requirements of Policy DM6.

Landscaping and ecology

107. Policy DM13 states that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value. Proposals should demonstrate that their location, scale, design and materials will protect and where possible enhance the character of the landscape.
108. As discussed in detail above, the application site is a brownfield site located close to the town centre and in a prominent position alongside Parkway. The site is surrounded by urban form and the majority of the site is devoid of any landscape features. However, there is an extensive area of planting alongside the western boundary, which falls within the extent of the highway and thus under the control of the Highway Authority. This area has become overgrown and is in need of some maintenance and the applicant has indicated that it would be willing to carry out some maintenance in the course of carrying out the development. The Highway Authority has indicated that it would be willing to allow the applicant to carry out works subject to the appropriate legal agreement being in place.
109. There are also a number of trees along the western and southern boundaries of the site, many of which contribute a wide range of benefits to the locality. The Tree Officer has confirmed that the arboricultural impact of the development on trees shown to be retained is considered to be low if the proposed tree protection measures set out within the submitted arboricultural report are adhered to.
110. A number of trees will need to be removed to facilitate the development and this is considered acceptable subject to mitigation through replacement planting as shown on the submitted landscaping plan. The Tree Officer did

however raise an objection to the loss of two mature Sycamore trees adjacent to the southern boundary. The applicant has reviewed this area of the development and has confirmed that one of the trees can in fact be retained. The Tree Officer is satisfied with this response and again, it is expected that a replacement will be planted within the development for the tree that will be lost.

111. Subject to appropriate conditions relating to the submission of details of replacement planting and additional landscaping being incorporated within the external amenity areas it is considered that the proposal responds well to the landscape character of the area and complies with Policy DM13 in this regard.
112. Policies DM11 and DM12 relate to protected species and the mitigation, enhancement, management and monitoring of biodiversity. A Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment has been submitted with the application. The bat survey concludes that it's possible that removal of vegetation would result in the loss of foraging opportunities for low numbers of common species of bats and this will likely result in a minor negative impacts on the individuals using the site.
113. The Assessments include some mitigation measures, which can be secured by condition. Given that one of the mature Sycamore trees is now being retained, it is considered that the proposal will not result in an adverse effect on biodiversity and complies with Policies DM11 and DM12 in this regard.

Other planning matters

Affordable housing

114. Policy CS5 requires developments of 10 dwellings or more to provide 30% of the units as affordable dwellings. The applicant has the benefit of applying vacant building credit to the development, which results in the affordable housing target being reduced to 20.3%.
115. Paragraph 61 of the NPPF requires LPAs to assess the size, type and tenure of housing needed for different groups in the community (including older people) and this should be reflected in planning policies. Paragraph 62 states that where a need for affordable housing is identified planning policies should specify the type of affordable housing required and expect it to be met on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. This approach is mirrored in the Council's affordable housing SPD.
116. In 2017 the applicant secured consent via appeal for a retirement complex in Haverhill, which has very recently been completed. The main issue considered by the Inspector was the delivery of affordable housing. The Inspector determined that the scheme would not lend itself to affordable units being part of the development due to the practicalities in relation to service charges and management arrangements. In that case there was also a local priority for the delivery of family-sized affordable homes.
117. In the light of the appeal decision the applicant has taken a similar approach to affordable housing and has, following the application of vacant building

credit, offered the sum of £545,087.71 towards the provision of off-site affordable housing. The Council's Planning Obligation Officer has confirmed that this figure is acceptable and CIL compliant. It is therefore considered that given the similarities between the Haverhill and Bury St Edmunds sites that a financial contribution in lieu can be robustly justified and the proposal therefore complies with Policy CS5 and the Council's SPD in this regard.

Contaminated land

118. The application is supported by a Desk Study Appraisal that provides a summary of the history and environmental setting of the site and the surrounding area and provides a conceptual site model and risk assessment. The report provides recommendations for intrusive investigations. The Environment Team has reviewed the report and agrees that further investigative work can be secured by condition. The proposal therefore meets the requirements of Policy DM14 in this regard.

Sustainability and energy use

119. At the request of officers a Sustainability Statement has been submitted with the application. The Statement sets out the applicant's view on the sustainability credentials of the development, including its location close to the town centre and with good access to public transport. In addition the Statement refers to features such as 'communal' shopping and the provision of a refuse and recycling store.
120. The applicant has committed to meet the water consumption requirements set out in Policy DM7 and the Statement sets out that all of the applicant's schemes are designed and built beyond the national minimum standards as set out in the building regulations. Low energy lighting is proposed and a communal Ground Source Heat Pump will be installed.
121. The Council's Energy Advisor has reviewed the Statement and welcomes the use of a Ground Source Heat Pump together with the commitment to exceed building regulations. As detailed earlier in this report the Overheating Assessment is still being considered by officers, however, it is anticipated that any further information required can be secured by condition.

NHS England

122. The NHS West Suffolk Clinical Commissioning Group has reviewed the application and takes the view that the development is likely to have an impact on the services of four main GP practices within the vicinity of the site and one branch surgery. These GP practices do not have capacity for the additional growth resulting from the development.
123. The CCG has put forward a proposal to seek a financial contribution of £28,300 towards the expansion of services at the Angel Hill Surgery. This figure is based upon a projected population growth of 120 residents. The applicant has however submitted evidence to suggest that the average occupancy of its developments is 1.25, resulting in an anticipated occupancy of 63 people for 50 dwellings. The applicant therefore calculates that the contribution should be no more than £15,109.32.

124. The CCG has indicated that it accepts the evidence submitted by the applicant and that it will recalculate the contribution accordingly.

Library contribution

125. Suffolk County Council is seeking a contribution of £800 towards library stock. The applicant has confirmed that it will make this contribution.

Other concerns raised by local residents

126. Local residents have raised concerns that construction activities may cause damage to existing heritage buildings in the area. Neither Historic England nor the Conservation Officer raise this as a concern and any damage caused would need to be dealt with as a civil matter between the parties.
127. Residents have also raised concerns that the development will have a detrimental effect on their existing internet connection. No evidence has been submitted to support this assertion and it is expected that the developer will liaise with service providers to deliver the necessary infrastructure capacity.

Planning balance

128. The site is located within the established settlement boundary where the principle of development is acceptable. The redevelopment of this redundant brownfield site will make a positive contribution to this key gateway location in the town and deliver much needed homes for older persons. It is accepted that retaining a commercial use on the site is unlikely to be viable and that the residential re-use of the site is appropriate. The proposal therefore accords with the development plan in this regard.
129. Historic England suggests that the proposal raises concerns in terms of effects on the historic significance of the Conservation Area due to the scale and massing of the building. However, any resultant harm is considered to be minor and less than substantial. The proposal attracts significant public benefits in the form of the redevelopment of a site that does not currently contribute positively to the character and appearance of the conservation and in the form of the provision of housing for older people. Additional benefits in the form of the short-term boost to the construction industry and long term economic benefits from spending by future residents in the local economy also add weight in favour of the proposal.
130. The proposal is likely to have an effect on the residential amenity of nearby occupiers during the construction phase, however, such effects are short-term and can be managed by condition and therefore attract limited weight against the proposal. The outlook from the rear of dwellings on Nelson Road will change as a result of the proposal, however it is considered that due to the separation distances proposed that the development will not result in any significant adverse effects on amenity, thus this does not attract significant weight against the proposal.
131. Given the site's location adjacent to Parkway and the orientation of the proposed building some future residents may be exposed to high levels of noise and overheating dependent on the location of the units. However, subject to further monitoring it is considered that the necessary engineering

solutions can be put into place to bring levels down to acceptable point and that on balance future residents will enjoy a satisfactory level of amenity.

132. The Highway Authority has raised concerns in relation to the number of car parking spaces being provided on site. However, it is considered that measures such as the provision of cycle and mobility scooter stores together with the close proximity of the site to the town centre and local car parks is such that the level of parking will not result in any significant adverse effects on the local highway network. The applicant has offered to provide a pedestrian crossing on Risbygate Street, however, the LPA do not consider that this is necessary to make the development acceptable in planning terms and its provision therefore attracts limited weight in favour of the proposal.
133. The proposal does not raise any concerns in relation to drainage and flood risk and subject to the implementation of a suitable landscaping scheme, does not raise any issues in relation to landscape or ecology. Similarly matters in relation to contaminated land can be addressed by condition.
134. The applicant has agreed to make an off-site contribution towards affordable housing, together with a contribution towards healthcare in Bury St Edmunds and library provision. These matters attract further weight in favour of the proposal.
135. On balance it is considered that the proposal meets the economic, social and environmental elements of sustainable development and that the benefits of the scheme outweigh any minor adverse effects identified.

Conclusion:

136. 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:

137. It is recommended that planning permission be **APPROVED** subject to the completion of the s106 Agreement and 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 No above ground development shall take place until a scheme for the provision of fire hydrants within the application site has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for firefighting and community safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 3 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:
 - i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) 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
 - iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during construction
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
 - x) 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.

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.

- 4 Prior to first occupation, at least 25% of car parking spaces in private communal parking areas shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations. The Electric Vehicle Charge Points shall be rated to provide at least a 7kWh charge, retained thereafter and maintained in an operational condition.

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 and the Suffolk Parking Standards.

- 5 Prior to commencement of development details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is pre-commencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.

- 6 No development shall take place on site until 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. Timetable for the site investigation to 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 DM20 of the

West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

- 7 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 6 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A site investigation scheme,
- ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
- iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 9 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future

end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 10 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.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 11 No above ground development shall take place until an Air Quality Assessment based on at least 6 months of on-site monitoring has been submitted to, and approved in writing by, the Local Planning Authority. The Air Quality Assessment will provide an assessment of the likely levels of nitrogen dioxide and particulate matter (PM10 & PM2.5) pollution at the facades of the proposed structure and provide mitigation measures where any Air Quality Objectives are modelled as being breached. Any mitigation measures shall be implemented as approved.

Reason: To protect future residents from unacceptable levels of air pollution in line with National Planning Policy Framework (NPPF), paragraph 170.

- 12 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:

- i) Measures for the protection of those trees and hedges on the application site that are to be retained,
- ii) 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,
- iii) 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.

- 13 Prior to commencement of development a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained within the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy 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.

- 14 Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the

area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DM2, 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.

- 15 No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.

Reason: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies DM2, 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.

- 16 Prior to commencement of development details of the proposed access (including the position of any gates to be erected and visibility splays provided) shall be submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to occupation of the development. Thereafter the access shall be retained thereafter in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time, 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. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 17 The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that the access is designed and constructed to an appropriate specification 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.

- 18 Prior to the development hereby permitted being first occupied, the proposed access onto Risbygate Street and any other access shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time,

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.

- 19 Before the development is commenced details of the areas to be provided for storage, presentation and collection of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out 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 or presented on the highway causing obstruction and dangers for other users 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.

- 20 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 No above ground development shall take place until details of the internal vehicular access/es and footpaths, (including widths, layout, levels, gradients, surfacing and means of surface water drainage), have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard and to ensure that satisfactory access is provided for the safety of residents and the public, 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.

- 22 Condition: All HGV and Construction traffic movements to and from the site over the duration of the demolition and construction period shall be subject to a Construction 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.

The Plan shall include, but not be limited to;

- Routing for HGV and delivery vehicles
- Means to ensure water, mud and other debris cannot flow onto the highway
- Means to ensure sufficient space on-site will be provided for the parking and manoeuvring of construction and delivery vehicles.
- Means to ensure sufficient space is provided on-site for the storage of materials, equipment and other demolition and construction facilities.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV and construction traffic in sensitive areas, in the interest of highway safety, 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.

- 23 No above ground development shall take place until details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage, mobility scooter storage and charging, powered-two-wheeler parking and EVCP connectivity have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would be detrimental to highway safety and to promote more sustainable means of travel.

- 24 Prior to first occupation, details of the Part L compliance a BRUKL documentation shall be submitted to and approved in writing by the Local Planning Authority. Details shall include information on ventilation, lighting, heating and cooling and unregulated loads. Any areas in which the proposed energy strategy might conflict with other requirements set out in the Development Plan should be identified and proposals for resolving this conflict outlined.

Reason: To ensure that the development meets DM7 of the Joint Development Management Policies Document and can demonstrate that the details of how it is proposed that the site will meet the energy standards set out within national Building Regulations.

- 25 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) Detailed drawings at a scale of not less than 1:5 showing the window head and sill details and vertical cross-sections showing the projections and mouldings of the elevations and window recesses
 - ii) Samples of external materials and surface finishes, including the render colours
 - iii) Specification for any works required to the existing brick and flint boundary walls

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.

- 26 Before any new services are installed or any existing services are relocated (in each case including communications and telecommunications services) details thereof (including any related fixtures, associated visible ducts or other means of concealment) shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out in complete accordance with the approved specification.

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

- 27 No mechanical and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the special character, architectural interest and integrity of the conservation areas in accordance with policy 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.

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

(i) Sample panel(s) of all new facing brickwork/ flintwork shall be constructed on site showing the proposed brick types, colours, textures, finishes/dressings of the flint; face bond; and pointing mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority;

i) The materials and methods demonstrated in the sample panel(s) shall be approved in writing by the Local Planning Authority.

The approved sample panel(s) shall be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the conservation areas in accordance with policy 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.

- 29 No works involving the installation of 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 windows to be

used (including details of glazing bars 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 conservation areas in accordance with policy 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.

- 30 No works involving the installation of external 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 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. 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 conservation areas, in accordance with policy 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.

- 31 No development above ground level shall take place until details of the treatment of the boundaries of the site have been 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.

Reason: To protect the special character, architectural interest and integrity of the conservation areas, in accordance with policy 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.

- 32 No works involving the installation of the proposed substation shall be carried out until details of the external appearance of the substation have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect the special character, architectural interest and integrity of the conservation areas, in accordance with policy 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.

- 33 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 soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2, DM12, DM13 and DM17 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.

- 34 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, DM13 and DM17 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.

- 35 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

- 36 Prior to occupation details of biodiversity enhancement and mitigation 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. The measures shall be based on the Ecological Design Principles and Enhancement Opportunities set out in the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment dated August 2019 prepared by Tyler Grange Ltd. 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.

- 37 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
40034BS/PL09 REV A	Sections	04.11.2019
40034BS/PL011 REV A	CGI Image	04.11.2019
40034BS/PL012 REV A	CGI Image	04.11.2019
40034BS/PL013 REV A	CGI Image	04.11.2019
40034BS/PL014 REV A	CGI Image	04.11.2019
40034BS/PL03 REV A	Ground Floor Plan	04.11.2019
40034BS/PL08 REV A	Proposed Elevations	04.11.2019
40034BS/PL01	Site Location Plan	04.11.2019
40034BS/PL010 REV C	Other	20.11.2019
40034BS/PL02 REV B	Existing & Proposed Block Plans	20.11.2019
40034BS/PL04 REV B	Proposed First Floor Plan	20.11.2019
40034BS/PL04 REV B	Proposed Second Floor Plan	20.11.2019
40034BS/PL05 REV B	Roof Plans	20.11.2019
40034BS/PL06 REV B	Proposed Elevations	20.11.2019

- 38 Each of the apartments hereby permitted shall be occupied only by:
- Persons aged 60 or over; or
 - A spouse/or partner (who is themselves over 55 years old) living as part of a single household with such a person or persons; or
 - Persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died; or
 - Any other individual expressly agreed in writing by the Local Planning Authority.

Reason: To ensure the development is only occupied by those persons for which the development has designed. It is on upon this basis that the development has been assessed and found to be acceptable and in compliance with the Development Plan.

- 39 The east facing living room windows of Units 31 and 44 as shown on Drawing No. 40034BS/PL04 Rev B shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall be retained in such form in perpetuity.

Reason: In order to ensure that residential amenity is not adversely affected, 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.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/1712/FUL](#)