

Development Control Committee 2 September 2020

Planning Application DC/20/0526/FUL - Former Council Offices, 7 Angel Hill, Bury St Edmunds

Date Registered: 20.03.2020 **Expiry Date:** 04.09.2020

Case Officer: Nicholas Yager **Recommendation:** Approve Application

Parish: Bury St Edmunds Town Council **Ward:** Abbeygate

Proposal: Planning Application - (i) Extension to second floor office space to create new office units within the roof space including 11 no. dormers (ii) secondary access and escape stair to the rear on each floor level and (ii) removal of an existing window and creation of a new doorway on north elevation

Site: Former Council Offices, 7 Angel Hill, Bury St Edmunds

Applicant: Emma Harris

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

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Background:

This application was brought before Delegation Panel on the 11/08/2020 following an objection from the Town Council which contrasted with the officer's recommendation for approval. Following Delegation Panel, the application was referred to Development Control Committee.

Proposal:

1. Planning Application - (i) Extension to second floor office space to create new office units within the roof space including 11 no. dormers (ii) secondary access and escape stair to the rear on each floor level and (ii) removal of an existing window and creation of a new doorway on north elevation
2. The use of the building will remain as existing offices. The assessment of this application has to be considered with reference made to the previous approvals on the application site. There have been several previous approvals on the site under reference numbers (SE/09/0296, SE/09/0859, SE/10/0301, SE/10/1449 SE/11/1020 & SE/11/1021).
3. The previous approvals on the site are listed below;

Reference Number	Description
SE/09/0296	Planning Application - a) Change of use from Local Authority Offices (Sui Generis) to (i) 9 no. self contained flats Class C3 (Residential) and (ii) 4 no. office suites Classes B1 (a & b) (Offices, research and development) and A2 (Financial and professional services), and b) associated external alterations including provision of fire escape and minor works to some of the windows to the proposed flats as amended by e-mail dated 20th March 2009 changing name of applicant and supported by information shown on Drawing No. 6226.008/A attached to e-mail dated 30th March 2009 showing details of proposed timber cladding to existing aluminium window frames
SE/09/0859	Planning Application - (i) Erection of fourth floor extension to the existing building facing Lower Baxter Street to provide 2 extra flats (ii) external alterations to existing building including provision of cladding to 1st and 2nd floors, balconies and projecting window
SE/10/0301	Planning Application - Erection of fourth floor extension to the existing building facing Lower Baxter Street to provide 1no. 3 bed flat
SE/10/1449	Planning Application - Extension and alterations to existing second floor to create new office units within the roof space
SE/11/1020	Planning Application - Provision of 1 no. four bedroom flat in place of flats 7 and 8 previously approved on third floor

SE/11/1021	Planning Application - Provision of 1no. three bedroom flat in place of flats 4 and 5 previously approved on second floor
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4. From checking the current plans within this application compared to the approval of SE/10/1449, the main alterations when compared to that approval are the creation of the internal fire escape within the current proposal rather than having an external staircase. The SE/10/1449 approval also showed the insertion of doors and glazing within the roof space which is of a similar nature to the current. However, this application in hand has sought for amended plans which introduced the obscure glazed glass at the roof level. Further, under SE/10/1449, this showed the insertion of four dormer windows to the front elevation and two dormer windows on each side elevation that are the similar to the dormers in this application, with the exception of a single additional dormer on the south side elevation which will be installed with obscured glazed glass.
5. Comparison table of current application (DC/20/0526/FUL) and previous approval (SE/10/1449).

	SE/10/1449	DC/20/0526/FUL
Fire Escape Staircases	External	Internal
Insertion of door and glazing to the roof level	Approved	Amended from the approved permission to include obscured glazed glass
Four dormer windows to the front elevation and two dormer windows on each side elevation	Approved	Amended from approved permission to include a single additional dormer on the south side elevation with obscured glazed glass

6. There have been a total of six neighbour re-consultations during the assessment of this application. This has been due to the high amount of neighbour representations and also from working with the both the applicant and the residents in order to seek to resolve issues that have arisen. The latest re-consultations have been due to the changes to the carparking, bins and cycle storage.

Application Supporting Material:

7. There have been several alterations to the plans through the application process and therefore many submitted plans have been superseded. The list below states submitted documents that are currently being assessed with reference numbers and dates received.

Plan Type	Reference No:	Date Received
Application Form		20/04/2020
Design and Access Statement		20/04/2020
Horizontal and Vertical Details	114	20/04/2020
Plans, Elevations and Sections	113	20/04/2020
Horizontal and Vertical Details	112	20/04/2020
Plans Elevations and Sections	111	20/04/2020
Horizontal and Vertical Details	110	20/04/2020
Plans, Elevations and Sections	109	20/04/2020
Existing Second Floor and Roof Plans	102	20/04/2020
Amended Existing Ground and First Floor	7360-101A	30/04/2020
Amended Existing Elevations	7360-103A	30/04/2020
Amended Proposed Ground and First Floor	7360-105C	09/06/2020
Amended Proposed Second Floor and Roof Plans	7360-106A	09/06/2020
Amended Proposed Elevations 1 of 2	7360-107B	09/06/2020
Amended Proposed Elevations 2 of 2	7360-108A	09/06/2020
Amended Site and Location Plan	7360-100G	03/08/2020
Mounted Cycle Stand for Southern Elevation		03/08/2020

8. All other documents shown on the website are therefore superseded.

Site Details:

9. The application site is located within the settlement boundary for Bury St Edmunds. The site is located on Angel Hill with car parking located to the front of the site. Suffolk House, located on Lower Baxter Street, is positioned directly behind the application site. The site is located within the conservation area and article 4 area and also within the town centre of Bury St Edmunds. However, the site falls outside of the primary shopping area and the application site is not a listed building. Although the application site is not listed there are a number of listed buildings located with close proximity of the application site. Behind the application site lies the apartments of Suffolk House on Lower Baxter Street, which is residential accommodation.

Planning History:

10. Please see table above in paragraph 7 for planning history.

Consultations:

Environmental Team:

11. The Environmental Team commented on the application that the proposal does not propose a sensitive end use and does not propose any significant ground disturbance and therefore does not represent a risk in relation to land contamination.
12. The Environmental Team comments stated that the application site does not increase the number of car parking spaces and therefore does not require any electric vehicle charge points to help mitigate the impact on air quality.

Highway Authority:

13. The Highway Authority commented on the application stating that the site is located in the town centre within a reach of a wide range of local services and with good public transport links. Therefore, the Highway Authority commented stating they do not wish would restrict the grant of permission.
14. Following a re-consultation, the Highway Authority commented on the application stating no objections subject to the conditions of refuse, recycling bins and cycle storage.
15. A further re-consultation occurred following amended plans which showed additional cycle storage. The Highway Authority confirmed that the amended plans are acceptable, and the conditions remain appropriate.

Public Health and Housing

16. Public Health and Housing commented on the application stating that subject to controls over construction hours and adoption of an approved construction method statement to minimise noise and/or dust during development, there are no objections.
17. Public Health and Housing commented further on the application stating that with the appropriate screening being proposed for the air conditioning fan there are no further comments to make from the comments initially supplied.

Town Council

30/04/2020

18. Clerk used delegated powers - No objection based on information received subject to Conservation Area issues and Article 4 issues.

25/06/2020

19. Bury St Edmunds Town Council objects on the grounds of overlooking, noise and neighbour amenity pending clarification of proposed uses and supply of detailed drawings, including measured sections demonstrating that there will be no impact and no loss of privacy and residential amenity.

Conservation Officer

20. The majority of the works are located to the rear and will have little impact on the character or appearance of the conservation area. The dormer windows to the front and side will be visible. The conservation officer requested an amendment to the size and proportion of the dormer windows within the attic to ensure symmetry and uniformity between windows on the terraced.
21. The agent then confirmed that under application reference number SE/10/1449 there was the insertion of the dormer windows previously and they are therefore extant permissions. The conservation officer then commented in the absence of any significant change in policy that there is no need to insist on revised details under a previously approved extant scheme.

Ward Member Cllr Joanna Rayner

06/08/2020

- 22. I have been contacted by a resident of Suffolk House on Lower Baxter street acting on behalf of a number of residents. The residential flats sit behind the site subject to the planning application.*
- 23. I understand that this is predominantly a resubmission of a previous application in 2010 with an amendment to bring the proposed rear external fire escape staircase now internally, with the fire door exiting the same location. This has caused some concerns for the residents and I understand that restrictions can be placed on the fire door to ensure it is only used for the intended purpose and ensure it does not become an informal entrance to 7 Angel Hill resulting in increased footfall into the pedestrian entrance to Suffolk House properties. I would support those restrictions to be agreed on this fire door.*
- 24. The remaining concerns are around the addition of doors and windows to the roof area. Since the last planning application, in 2017 there was a land transfer and a number of covenants were placed on the property and the residents believe that this planning application breaches these covenants. I would like to propose that a decision is deferred on this application to allow time for the applicant and residents to clarify/resolve the outstanding queries relating to the covenants.*

Representations:

25. Objections have been received from;
- Morehouse Farm, Boxted Bury St Edmunds.
 - Manor Cottage, The Street, Brundish, Woodbridge
 - 8 Suffolk House, Lower Baxter Street, Bury St Edmunds.
 - 1 Suffolk House, Lower Baxter Street, Bury St Edmunds.
 - 2 Suffolk House, Lower Baxter Street, Bury St Edmunds.
 - 3 Suffolk House, Lower Baxter Street, Bury St Edmunds
26. These objections can be summarised as follows;
- Inaccurate floor plans.

- Proposed internal fire escape and fire door causing harm to the amenity apartment 8 Suffolk House by virtue of noise and disturbance.
- Atrium would lead to the potential for overlooking effects, harming amenity of residents.
- Access to flat roof, would lead to general use for congregation and therefore lead to harm upon the amenity of the residents.
- Overlooking effects caused by the proposed office expansion.
- Ownership of the cycle storage.
- Congestion of alleyway with bins, cycle storage and safety.
- Covenants/ private legal disputes.
- Inaccuracies of plans.
- Electric charging points
- Illegal/ Car Parking Congestion
- Location of Air Conditioning Unit
- The southern elevation would be better suitable for the proposed internal fire escape.
- Internal disabled access

Support comments from;

All Saints Hotel, Fornham St Genevieve, Bury St Edmunds

- Plans show the external fire escape in the 2010 permission.
- Right to alter the building.
- We retained a fire escape route from the offices through the apartment building.
- Communal access route to the apartment from Angel Hill is within our ownership.

All the consultation responses received can be read in full on the West Suffolk website.

Policy:

27. 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.

28. 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:

Joint Development Management Policies Document 2015

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Creating Places Development Principles and Local Distinctiveness

- Policy DM7: Sustainable Design and Construction
- Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11: Protected Species
- Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM16: Local Heritage Assets and Buildings Protected by an Article 4 Direction
- Policy DM17: Conservation Areas
- Policy DM46: Parking Standards

St Edmundsbury Core Strategy 2010

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity

Bury St Edmunds Vision 2031

- Policy BV1 Presumption in Favour of Sustainable Development

Other Planning Policy:

29. National Planning Policy Framework (2019)

30. 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:

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

- Principle of Development
- Impacts on the Conservation Area / Character of the Area

- Impact on Amenity
- Highway Considerations
- Biodiversity
- Other Matters
- Third Party Comments

Principle of Development

32. The Committee are reminded of the obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 for decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. NPPF policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.
33. The proposed development, which seeks an extension to the second floor office space to create new office units within the roof space including 11no. dormer windows, secondary access and escape stair to the rear and the removal of an existing window and creation of a new doorway on north elevation, must be considered in relation to policy DM2. DM2 states that development will be generally acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity. Along with policy CS3, policy DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
34. The application site lies within the town centre for Bury St Edmunds within an existing mixed commercial and residential area and within the settlement boundary for Bury St Edmunds, where development is considered to be broadly sustainable and where new development should be focused. The proposal seeks alterations that in many cases are identical to an extant approval granted under SE/10/1449. The main alterations compared to that approval are the creation of the internal fire escape within the building rather than having an external staircase, as shown on the extant approval. This proposal also seeks to allow for proposed doors and glazing within the roof space.
35. Noting the town centre location, and the economic benefits of approval, whilst also being mindful of the extant permission, which will be discussed in more detail below, the proposed development is considered to accord with the relevant planning policies and the principle of development is acceptable.

Impacts on Conservation Area / Character of the Area

36. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.

37. Policy DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve and enhance the character and appearance of the Conservation Area.
38. The former council offices is not a listed building but is in a highly visible and sensitive location in the heart of the town centre conservation area. The majority of the proposed works are located to the rear and will have little impact on the character or appearance of the conservation area.
39. The dormer windows to the front and side elevations will be visible. The conservation officer confirmed no objections to the principle of the proposed windows as there are a number of examples of dormers within the locality and this proposal will not affect symmetry and uniformity between terraces. However, concerns were raised that the size / proportion of the proposed windows are at odds with the architectural style of the building where ground and first floor windows are often found to be roughly the same size whilst second floor attic windows are typically lit by square windows. The conservation officer then confirmed that the attic windows should therefore be reduced in size to form square dormers replacement the rectangular windows that are proposed.
40. The agent confirmed that the details approved are extant from the previous permission of SE/10/1449 and therefore can be implemented. The conservation officer confirmed that due to the extant SE/10/1449 permission and in absence of any significant change in policy and where the details of dormer windows were approved by a planning permission condition relating to dormer windows the applicant can therefore implement the approved scheme and therefore this application in hand is acceptable, with a neutral effect upon the conservation area. The insertion of the additional ground floor door is also otherwise acceptable noting its modest size, discrete positioning, and the overall scale of the building.
41. The other elements of the proposal are largely to the rear with limited public views. It is therefore considered that the development on balance is acceptable and will not have adverse impacts on the character of the area noting the previous extant permission as a 'fall back' position, therefore in proving accordance with policies DM2 and DM17.

Impacts on Amenity

42. The proposal includes the creation of the internal fire escape and door to the north side of the application site. The door's entrance will lead onto an alleyway in the shared space between the residents of the apartments of Suffolk House, Lower Baxter Street and the office users. This requires careful consideration with respect to impacts on amenity, in particular upon apartment no.8 Suffolk House, Lower Baxter Street. Apartment 8 is a single aspect apartment with a window and doorway element to its living room in close proximity to the position of the doorway now proposed, and with only high-level windows to other rooms within the property. Noting this context, and the already enclosed positioning of No. 8, very careful consideration must now be given to this matter.

43. The internal fire escape will lead to the creation of a door in close proximity to the window and front door of apartment no. 8. As advised, this is the apartment's only entrance and source of natural light, other than the small high-level windows.
44. Looking at the history of the application site there is an external fire escape shown on all the residential conversion plans, across a number of different approval references (SE/09/0296, SE/09/0859, SE/10/0301, SE/10/1449, SE/11/1020 & SE/11/1021). For whatever reason this external fire escape was never provided. However, the external fire escape is in fact 'extant' and so this fact is a strong material consideration in our assessment here as the owner could technically install the external fire escape without any further consent from the LPA. It is considered therefore, quite firmly, that the internal staircase and the fire escape door now contained within this proposal would be an improvement to the previous approvals of the external staircase and would therefore in fact benefit the amenity of the occupiers of those adjacent dwellings.
45. In the case of the external fire escape shown on the extant plans, this includes an externally sited open fire escape staircase situated close to the rear elevation of Suffolk House, and which would bring users of the staircase in very close proximity to the windows on the south facing elevations of Suffolk House. This extant position is considered to have a more profound adverse effect upon amenity than would the installation of an internal only fire escape as now proposed. Furthermore, the position at which the users of the extant external fire escape would reach ground floor level is very close to the position now proposed for the external door, meaning that the adverse effects upon No. 8 are considered, at worst to be neutral, but perhaps modestly beneficial, noting that more of the pedestrian journey would now take place indoors than outside.
46. It must also be noted that the external courtyard area is within the control of the applicant, with rights of access granted to the occupiers of Suffolk House. There is already an external door to Angel Hill located off this courtyard, and there are no controls or other reasons why the owners of Angel Hill, should they chose at their discretion, could not seek to utilise this already as a secondary or even a main entrance to their premises. Noting the effects this might have upon amenity, and the lack of control against such happening, this is also considered material in carefully analysing this matter.
47. As a consequence, the proposal is therefore considered to be in accordance with DM2, when assessed against the material extant fall-back position of an external fire escape route. The external staircase was granted before the conversion of the residential apartments of Suffolk House Lower Baxter Street. However, this is not strictly relevant. It is shown on those earlier approvals, which have themselves been implemented, thus having the effect of keeping this external fire escape route extant and capable of conversion. The weight Officers attach to this fact is considerable in this matter.
48. It is considered that on balance due to the extant external staircase 'fall back' position, which would itself lead potentially to significant harm to the amenities of the occupiers of a number of properties at Suffolk House, that the internal staircase and door way is an improvement to the extant scheme and would help

benefit the amenity of the occupiers. It is therefore considered that noting this the application in hand is an improvement to the residential amenity and therefore acceptable and in accordance with policy DM2.

49. This proposal also seeks to allow for proposed doors and glazing within and at the roof space. The roof space is located in front of the residential accommodation of Suffolk House. Despite the close proximity (around 8 metres) much of the glazing will not allow a direct view into the residential apartments located behind the property due to the proposed glazing being of obscured glass and the positioning and height of the proposed glazing. Third party comments have been received which have showed concerns for this element of the proposal and that the glazing and doors within the roof space would lead to overlooking effects. Officers have sought amended plans which have replaced the glass with obscure glazing to the apartments to overcome the concerns. The barrel-vaulted roof allows light as existing into the central common office area and would remain as existing. The newly proposed doors at the roof level would not be used other than for fire escape since there is no reason for them to be used otherwise. Further, the walkway and access across the roof of the earlier application is in fact extant anyway, adding further weight in support.
50. It is therefore considered, following the amended plans which replaced the windows with obscure glazing, that on balance the development would not materially harm the occupiers of Suffolk House to a level that would justify a refusal of permission and therefore is acceptable and in accordance with DM2. Further, the obscure glazing has been included as a condition for completeness.
51. Public Health and Housing commented on the application stating that are no objections to the proposal subject to controls over construction hours and adoption of an approved construction method statement to minimise noise and/or dust during development, which is considered to be reasonable. Public Health and Housing who also take the lead in audible disturbance commented regarding the location of the air conditioning unit has been moved away from the residential property of no.8 Suffolk House with the amended plans submitted and a screen has been proposed to protect any harmful effects by virtue of noise to the residents. Public Health and Housing confirmed that the location and screening of the air conditioning unit is acceptable. The screening of the air conditioning unit will be conditioned to ensure that it is provided and retained to ensure protection of the any residential amenity.
52. The proposal will lead to the introduction of four dormer windows located on the front (east) elevation of the application and two on each of the side (north and south) which matches the SE/10/1449 permission. However, the side (south) elevation will include a new dormer window of obscured glass. These additions will not create any overlooking effect to their positioning and distance from neighbouring amenity.
53. Looking at the history of the site the remainder of the premises do not have any conditions attached that restrict times of opening hours of the offices. Therefore, it is not considered that a condition limiting hours on the new roof offices is necessary. Further, without a conditioning limiting the opening hours on the whole application site it would cause difficulties to enforce such a condition.

Therefore, in this instance it is not considered necessary to impose an opening hours condition.

Highway Considerations

54. At paragraph 110, the 2019 NPPF provides that applications for planning permission should enable safe use of public highways so far as possible for all. The extent to which this is required will of course be dependent upon and commensurate to the scale of development proposed. This supports paragraph 109 of the NPPF which states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or if the cumulative impacts on the road network would be severe.
55. Several re-consultations occurred with the Highway Authority due to minor changes in the proposal which altered the addition and locations of the cycle storage and the bin locations. The Highway Authority initially responded with a 'no objection' to the proposal. On the 17/07/2020 the Highway Authority commented on the application noting the revised plan now includes two areas of cycle storage facilities. The Highway Authority suggested two conditions that the areas for refuse/recycling bins should be provided and the use shall not commence until areas for cycle storage should be retained for no other purposes.
56. Following these comments, the cycle storage and relocation of bin storage changed on the southern elevation. The Highway Authority were re-consulted which commented stating that it appears cyclists may have difficulty passing by the commercial bin storage because of the width restriction by the bin store and therefore is not clear that the proposed cycle storage and commercial bin storage can co-exist in this location and further details were required. Following these comments, a further amended plan No. 7360-100G and a cycle storage photograph was submitted which provided that the bins and cycles can co-exist in this location. The Highway Authority commented that the application was acceptable and that conditions remained from the previous letter dated 17th July 2020 remain, which is considered reasonable in this instance.
57. Accordingly, the application is judged to be sufficiently compliant with policies DM2 and DM46 with respect to highway safety and parking provisions, subject to the imposition of conditions securing the provision and retention thereafter of the bin and cycle storage details shown on the submitted plans.

Ecology Matters

58. As required by the National Planning Policy Framework (2019) at paragraphs 8c, 170 and 175 the LPA have a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12.
59. In this instance, the proposal is located within an existing commercial curtilage and does not result in the loss of any valued landscapes; a material conflict with policies DM10, DM11 or DM12 has not therefore been identified.

Other Matters

60. The Environmental team commented on the application stating that the proposal is not a sensitive end use and does not propose any significant ground disturbance and therefore does not represent a risk in relation to land contamination. Further, the proposal does not increase the number of car parking spaces and therefore the proposal is not considered to require any electric vehicle charge points.

Third Party Comments

61. A number of third-party / ward member comments have been received in relation to private covenants. All matters from both supporters and residents relating to private covenants / legal disputes are private matters and are therefore outside of the planning system.

62. Comments have been received regarding refuse bins that the site block plan did not show the difference between the resident's bin shelter / location and the commercial bin storage/location area. Amended plans have been provided by the agent which showed the commercial bin storage area to the southern side of the site and the bin residential area to the north of the site. The Highway Authority have confirmed this is acceptable.

63. Comments have been received in relation to the floor plans of the neighbouring residents being inaccurate. The resident properties are off site and therefore the applicant does not need to show these within this application. However, the relationship of the properties has been fully assessed and officers have visited the site viewing from within the residential buildings. Officers are satisfied that sufficient information existing in order for a careful judgement of the effects of this proposal to be assessed.

64. A number of third party representations have objected on the grounds that the new offices would create an internal staircase and fire escape door that is near the front window and door of no. 8 Suffolk House, and which would be harmful to the amenity of the occupiers of Suffolk House. Please refer to the amenity section within the report as these comments have already been discussed, particular noting the difference between the extant external staircase and the proposed internal staircase.

65. Comments have also been received from neighbours that the proposed doors and glazing at roof level will be harmful to amenity, as a result of overlooking. However, all of the glazing will not allow a direct view into the dwellings, despite their close proximity, but Officers have sought amended plans which have replaced the glass with obscured glazing opposite the apartments to overcome the concerns raised. The barrel-vaulted roof allows light as existing into the central common office area and would remain as existing. The newly proposed doors at the roof level would not be used other than for fire escape since there is no reason for them to be so used otherwise. Further, the walkway and access across the roof of the earlier application is in fact extant anyway, adding further weight in support as previously discussed.

66. The applicant has confirmed they have ownership to the walkway between the bin and cycle storage and the car parking to the front of the application site this has been shown in the red line drawing and the certificate. An ownership declaration has been signed with the application. Members will note the potential fall back implications of this, in relation to the use of this courtyard for visitors to No. 7 Angel Hill, as discussed above.
67. Third party comments have been received in relation to the provision of an electric vehicle charging point. However, the Environmental team commented on the application stating no objection and that the application does not increase the number of car parking spaces and therefore does not require any electric vehicle charge point to help mitigate the impact of air quality.
68. Third party comments have been received in relation to increased levels of car parking congestion caused by the proposed development. Suffolk County Council as the Highway Authority have confirmed no objections to the application. Amended plans were provided which show increased levels of cycle storage on the northern and southern side of the building and the Highway Authority confirmed the application was acceptable and no material conflict with the surrounding Highway or parking. Further, the location is within a town centre location where other public transport or sustainable means of travel are available and the proposal retains the 10 available car parking that currently are provided for the offices.
69. Third party comments have been received in relation to the proposed air conditioning unit having harmful amenity effects on the apartment of No. 8 Suffolk House, Lower Baxter. Amended plans have been received which have moved the air conditioning unit away from the apartment of No. 8 Suffolk House and a proposed screen is shown on the plans. Public Health and Housing who take the lead in audible disturbances were consulted on the amended plans and confirmed that the amendments were acceptable. As discussed above, a condition is imposed which ensures the provision and retention of the proposed screen.
70. Third party comments have been received in relation to a compromise that the southern elevation would be more suitable for the internal staircase instead of the northern elevation. Officers consider due to the extant external staircase on the northern elevation that the removal of this external staircase with an internal staircase is an improvement to the previous extant permission. In any event, it is for the Local Planning Authority to consider the application as submitted before us, on its own merits.
71. Third party comments have been relation to disabled access within the building. The agent has confirmed that there is a disabled toilet at ground floor. The fire escape stair can be ambulant disabled at and the main stairway is similarly ambulant disabled standard.

Conclusion:

72. The detailed objections received in relation to this application have been taken into consideration in the assessment of this matter, and as part of the planning balance. Noting the extant permissions and the resultant fall-back position it is

considered the development will improve the amenity effects from the external fire escape staircase to the internal fire escape staircase. Further, the additional glazing to the roof will not lead to any overlooking effects and the glass will be obscured glazed, thereby ensuring effects remain at a level that is considered acceptable. Furthermore, it is also considered that the amenity effects arising will not be materially more harmful than those already arising from the present lawful use and previous extant permissions, and that a refusal on such grounds would again not bear scrutiny.

73. Officers are also mindful of the economic benefit of providing additional office accommodation within a suitable town centre location, which adds weight in support of approval.

74. 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:

It is **RECOMMENDED** that planning permission be **Approved** subject to the following conditions:

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

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

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

Plan Type	Reference No:	Date Received
Application Form		20/04/2020
Design and Access Statement		20/04/2020
Horizontal and Vertical Details	114	20/04/2020
Plans, Elevations and Sections	113	20/04/2020
Horizontal and Vertical Details	112	20/04/2020
Plans Elevations and Sections	111	20/04/2020
Horizontal and Vertical Details	110	20/04/2020
Plans, Elevations and Sections	109	20/04/2020
Existing Second Floor and Roof Plans	102	20/04/2020
Amended Existing Ground and First Floor	7360-101A	30/04/2020
Amended Existing Elevations	7360-103A	30/04/2020

Amended Proposed Ground and First Floor	7360-105C	09/06/2020
Amended Proposed Second Floor and Roof Plans	7360-106A	09/06/2020
Amended Proposed Elevations 1 of 2	7360-107B	09/06/2020
Amended Proposed Elevations 2 of 2	7360-108A	09/06/2020
Amended Site and Location Plan	7360-100G	03/08/2020
Mounted Cycle Stand for Southern Elevation		03/08/2020

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

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) Measures to control the emission of dust and dirt during construction
 - ii) Noise method statements and noise levels for each construction activity including piling and excavation operations

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

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

5. Before the development hereby permitted is first occupied/brought into use, all the proposed doors and glazing within the roof space shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights and shall be retained in such form in perpetuity.

Reason: To prevent the overlooking of adjacent properties 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

6. Prior to the first use of the development;

The noise protection measures provided by screening in association with the air condition unit detailed in plan 7360-700G shall be completed in their entirety in approved details.

To ensure that the residential development is protected from existing noise sources, in accordance with policies DM2, DM22 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

7. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. 7360-100D shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

8. The use shall not commence until the areas within the site shown on Drawing No. 7360-100D for the purposes of secure cycle storage and thereafter that areas shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the onsite secure cycle storage is provided and maintained.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0526/FUL](#)

Case Officer: Nicholas Yager Phone: 07415 271989