

Development Control Committee

7 June 2023

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

Date registered:	22 February 2023	Expiry date:	21 April 2023 EOT 09 June 2023
Case officer:	Amey Yuill	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Abbeygate

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

Site: The Athenaeum, Angel Hill, Bury St Edmunds

Applicant: West Suffolk Council (Colin Wright)

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

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Background:

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

Proposal:

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

Application supporting material:

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

Site details:

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

Planning history:

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

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

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

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

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

Representations:

10. **Town Council** – Stated that based on information received and subject to any Conservation Area and Article 4 issues Bury St Edmunds Town Council recommended approval of the application.
11. **Ward Member** – No comments received.
12. **Neighbour Representation** – No representations received.

Policy:

13. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
14. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM15 Listed Buildings

- Policy DM17 Conservation Areas

- Core Strategy Policy CS2 - Sustainable Development

- Core Strategy Policy CS3 - Design and Local Distinctiveness

- Vision Policy BV1 - Presumption in Favour of Sustainable Development

Other planning policy:

15. National Planning Policy Framework (NPPF)

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

Officer comment:

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

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

Principle of development and impact on Listed Building

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

19. Paragraph 199 of the National Planning Policy Framework (2021) (NPPF) states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater that weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

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

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

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

Impact on Conservation Area

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

Highway Safety

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

Other Matters

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

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

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

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

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

Conclusion:

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

Recommendation:

38. It is recommended that listed building consent be **APPROVED** subject to the following conditions:

- 1 The works to which this consent relates must be begun not later than three years from the date of this notice.

Reason: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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

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

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

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

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

Documents:

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