



St Edmundsbury
BOROUGH COUNCIL

Development Control Committee

1 October 2015

Late Papers

Item 5 – Flint Cottage, 21 Bumpstead Road, Haverhill – DC/15/1147/OUT

1. This paper provides updates on:
 - Information with regard to Local Listing
 - Update on impact on wildlife

Information with regard to Local Listing

2. Following the publication of the report, representation has been made by Cllr. Crooks with regard to the ability of the Development Control Committee to designate Flint Cottage as “locally listed”. Therefore the following further information is provided to assist members in the consideration of the application.
3. A Local List for Haverhill was adopted in December 1997 and was drawn up following the confirmation of the new statutory list of listed buildings for Haverhill. The Local List comprised buildings which were recommended for listing by officers but were not listed, and other buildings of historic interest that did not meet the national listing criteria. Both the Haverhill Town Council and Haverhill Historical Society were consulted on the proposed Local List. Flint Cottage was not included in the list. In May 2012 Historic England produced a detailed guide about compiling a Local List. This includes advice about developing selection criteria to be used in assessing buildings for inclusion in a Local List and the need for consultation. If members wish to view this document it is available through the following link: information <http://historicengland.org.uk/advice/planning/local-heritage/local-listing>
4. The **NPPF** states that: *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a **balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.***

'Significance' is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic.'

5. The **National Planning Practice Guidance** further explains:

What are non-designated heritage assets and how important are they?

Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets. In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

*A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. **Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.***

6. *How are non-designated heritage assets identified?*

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.

7. The term 'non-designated heritage asset' has a specific meaning in the context of the policies in the NPPF. The building has been separately assessed by a Historic Buildings Consultant and by officers. In view of the substantial alterations which the property has undergone, and the extent of the loss of historic fabric as a result of these alterations, its heritage interest has been considerably diminished to the point where it does not constitute sufficient significance to be considered a non-designated heritage asset or a material consideration in the planning process.
8. The production of a Local List in accordance with the Historic England guidance follows a defined procedure. This includes the formulation of selection criteria against which buildings would be assessed for inclusion on the list. These criteria would then be tested through public consultation. Once the selection criteria are confirmed, a list of candidates for consideration for local listing would be drawn up and assessed. This would need to be done on a Haverhill-wide scale, in order to update the existing Local List, and not for a single building.

Without selection criteria in place, it is not possible to confirm at this stage that Flint Cottage would or would not be included in any Local List.

9. **It is important to note that local listing does not convey any statutory protection.** Its role is to identify assets with heritage significance which merit consideration in planning matters, with the LPA taking a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. The point made in the original Officer report about the ability to otherwise demolish such buildings under a prior notification process remains.

Update on impact on wildlife

10. Suffolk Wildlife Trust have now reviewed the additional survey information for Bats and Reptiles and have made the following response:

The reptile survey appears to be ok. Should permission be granted a mitigation strategy will need to be secured and implemented in accordance with the consultant's recommendations.

11. In summary, the Council's Landscape and Ecology Officer has also reviewed the submitted information and is satisfied that the reports are adequate and that no bat roosts have been identified. The report suggests a condition with regard to lighting to ensure that bats foraging within the vicinity are not adversely affected and that bat boxes should be installed within the development to ensure that existing habitats are enhanced for bats.

12. *The applicant has submitted further ecological survey information to support the application and demonstrate the effects of the site on biodiversity.*

13. *Reptile survey: The site falls within an area where reptile species are known to frequently occur. The proposals for the site involve the demolition of the existing garage and development of most of the garden for residential housing which will impact on some habitat considered to be suitable for reptiles for reptiles – mostly located to the periphery of the site. In particular features such as brash, rubble and log piles as well as compost heaps and piles of grass cuttings provides suitable foraging, basking, refuge and hibernation opportunities for reptiles and egg laying opportunities for grass snake. The reptile surveys undertaken identified a low population of slow worm within the survey area.*

14. *The proposed development site is not considered to be a Key Reptile Site however it will result in the loss of suitable reptile habitat. Clearance of vegetation to facilitate the works has the potential to directly impact reptiles. To avoid any direct adverse impacts such as killing or injury, mitigation measures are required to ensure compliance with relevant wildlife legislation. The mitigation strategy*

will need to include precautionary clearance of the site, retention of/ or creation of alternative habitat and enhancement for biodiversity within garden areas. This can be conditioned.

15. *Bat survey: The daytime assessment of the buildings revealed a number of potential opportunities for bats, however detailed inspection of features could not be easily undertaken. The buildings were classed as having a high potential to support roosting bats.*
16. *Emergence surveys revealed, two bat species; soprano pipistrelle and common pipistrelle were using the site for commuting and foraging around the rear garden area. No bats emerged from or entered the surveyed buildings.*
17. *Flint Cottage and garage do not contain a bat roost. The recommendations of the bat report should be conditioned – these will require:*
 - *a survey refresh if work is not commenced within 12 months;*
 - *that the development should aim to limit the impact of light pollution on bats;*
 - *bat boxes should be installed to provide roosting habitat; and*
 - *planting of species which attract night flying insects.*
18. *Therefore the recommendation at paragraph 73 needs to be revised to state:*

It is RECOMMENDED that outline planning permission be granted subject to the conditions listed on pages 48 and 49 with the following updates and additions:

Update: Condition 9 – To include provision of bat boxes

Addition: Condition 12 – 25B No External Lighting (unless first agreed)