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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 17 NOVEMBER 2021 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

Members		
<u>Conservative</u> Sue Ayres (Vice-Chair) Peter Beer Mary McLaren Adrian Osborne	<u>Independent</u> John Hinton Alastair McCraw Lee Parker Stephen Plumb (Chair) <u>Liberal Democrat</u> David Busby	<u>Labour</u> Alison Owen <u>Green</u> Leigh Jamieson

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

1 SUBSTITUTES AND APOLOGIES

Any Member attending as an approved substitute to report giving his/her name and the name of the Member being substituted.

To receive apologies for absence.

2 DECLARATION OF INTERESTS

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

3 PL/21/18 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 03 NOVEMBER 2021

To Follow.

4 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

5 **SITE INSPECTIONS**

In addition to any site inspections which the Committee may consider to be necessary, the Acting Chief Planning Officer will report on any other applications which require site inspections.

6 **PL/21/19 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 5 - 10

An Addendum to Paper PL/21/19 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.

a **DC/21/03643 53 BALLINGDON STREET, SUDBURY, SUFFOLK, CO10 2BZ** 11 - 20

b **DC/21/03644 53 BALLINGDON STREET, SUDBURY, SUFFOLK, CO10 2BZ** 21 - 28

c **DC/21/05221 GENESIS CORNER, CLAY HALL LANE, ACTON, SUFFOLK, CO10 0AQ** 29 - 36

Notes:

1. The next meeting is scheduled for Wednesday 01 December 2021 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
3. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

[PUBLIC SPEAKING ARRANGEMENTS](#)

Those persons wishing to speak on an application to be decided by Planning Committee must register their interest to speak no later than two clear working days before the Committee meeting, as detailed in the Public Speaking Arrangements (adopted 30 November 2016).

The registered speakers will be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- A representative of the Parish Council in whose area the application site is located to express the views of the Parish Council;
- An objector;
- A supporter;
- The applicant or professional agent / representative;
- County Council Division Member(s) who is (are) not a member of the Committee on matters pertaining solely to County Council issues such as highways / education;
- Local Ward Member(s) who is (are) not a member of the Committee.
- Public speakers in each capacity will normally be allowed **3 minutes** to speak.

Local Ward Member(s) who is (are) not a member of the Committee are allocated a maximum of **5 minutes** to speak.

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 1 December 2021 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Claire Philpot on: 01473 296376 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.



PL/21/19

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

17 NOVEMBER 2021

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	11-20	DC/21/03643	53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ	SS
6B	21-28	DC/21/03644	53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ	SS
6C	29-36	DC/21/05221	Genesis Corner, Clay Hall Lane, Acton, Suffolk, CO10 0AQ	OF

Philip Isbell
Chief Planning Officer

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE PLANNING COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Acting Chief Planning Officer, do not come within the scope of the Scheme of Delegation to Officers adopted by the Council or which, although coming within the scope of that scheme, she/he has referred to the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

DELEGATION TO THE ACTING CHIEF PLANNING OFFICER

The delegated powers under Minute No 48(a) of the Council (dated 19 October 2004) includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Planning Committee.

PLANNING POLICIES

The Development Plan comprises saved policies in the Babergh Local Plan adopted June 2006. The reports in this paper contain references to the relevant documents and policies which can be viewed at the following addresses:

The Babergh Local Plan: <http://www.babergh.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

National Planning Policy Framework:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LIST OF ABBREVIATIONS USED IN THIS SCHEDULE

AWS	Anglian Water Services
CFO	County Fire Officer
LHA	Local Highway Authority
EA	Environment Agency
EH	English Heritage
NE	Natural England
HSE	Health and Safety Executive
MoD	Ministry of Defence
PC	Parish Council
PM	Parish Meeting
SPS	Suffolk Preservation Society
SWT	Suffolk Wildlife Trust
TC	Town Council

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE AFTER 19 JUNE 2021

Guidance for visitors to Endeavour House after 19 July 2021

On the 19 July Government legal requirements to wear face coverings and to socially distance in our social lives was lifted. However, in the workplace the onus to maintain safe working arrangements is the responsibility of the employer.

Government guidance is that there is a place for continued Covid-19 control measure when meeting with people who are ‘unknown’ to you.

In order to protect both our visitors and our staff if you wish to access Endeavour House, please follow these steps:

- Please carry out a lateral flow test beforehand. If this is positive, please self-isolate and do not continue with your visit.
- If you are unwell or have any of the Covid-19 symptoms, please do not continue with your visit.
- Please sanitise or wash your hands before entering the building
- Please wear a face covering before you enter the building and whilst in the building – unless you are seated in a meeting and advised by our staff that this may be removed. If you have a health condition, which makes this uncomfortable for you, please advise our staff in advance of your visit.
- Please use the NHS Covid-19 App for track and trace purposes and use this to ‘check-in’ to our building using the QR code at the door.
- Please socially distance within our building.

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with the updated COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

Arrival at Endeavour House (EH) and movement through the building

- Please observe social distancing
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.
- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House have been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible, but may ways not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside (unless you have an exemption) in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.). The face covering can be removed when seated. Re-useable face coverings are available from the H&S Team if you require one.
- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

Agenda Item 6a

Committee Report

Item No: 6A

Reference: DC/21/03643

Case Officer: Sarah Scott

Ward: Sudbury South West.

Ward Member/s: Cllr Sue Ayres

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Change of use from cafe to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed in the Design and Access Statement, Planning Statement and Heritage Statement and drawings

Location

53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ

Expiry Date: 19/10/2021

Application Type: FUL - Full Planning Application

Development Type: Change of Use

Applicant: Mr Theodore Bird

Agent:

Parish: Sudbury (South West)

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and / or the extent and planning substance of comments received from third parties and / or the location, scale and / or nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

Babergh Core Strategy 2014:

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS03 - Strategy for Growth and Development

CS15 - Implementing Sustainable Development

Saved Policies in the Babergh Local Plan (2006):

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

CN08 - Development in/near conservation areas

CR04 - Special Landscape Areas

TP15 - Parking Standards - New Development

EM24 - Retention of Existing Employment Sites

Suffolk Adopted Parking Standards (2019)

Neighbourhood Plan Status

The application site is not in a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council

Sudbury Town Council

Refuse - Overdevelopment of the site. Parking is already an issue in this area and this development would just exasperate the problem. Members do not agree with Suffolk County Council comments on the access and egress on and off the site. Request a site inspection, especially to look at the highway concerns.

County Council Responses

Highways

Whilst not meeting the parking standards as set out in the Suffolk Guidance for Parking (SGP) for this class of building, due to the sustainable location of the site, the proposed onsite parking (including the electric charging points and the cycle parking), is considered sufficient for this development.

Archaeology

We have looked at this proposal. In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.

Internal Consultee Responses

Heritage

I consider that the revised proposal would cause no harm to a designated heritage asset. Further information in the form photographs and an annotated floorplan have been provided, allowing for a full assessment of the possible impacts. The proposed alterations to internal walls and doorways would not impact any historic fabric, the alterations to the outbuilding are appropriate and the fireplace within the bar area is now to be retained. I suggest conditions are added to secure details of all new joinery, the proposed outbuilding roof materials and the proposed external surfacing materials.

Further information and amendments to the proposed scheme have been made subsequent to my previous comments. A schedule of photographs and further supporting information were received on the 4th and 9th September, which have helped to clarify the level of significance of various areas where works are proposed. A revised floorplan was also received on the 28th of September. Further investigation has clarified that the wall between the existing hallway and laundry room to the southeast at ground floor is in fact a modern addition, constructed in breeze block. As such, no historic fabric will be altered should this wall be rebuilt. Similarly the area of walling to be altered in the kitchen space is formed of modern stud walls. Clarification on the proposed alterations to the location of doorways and removal of doors has also been given. The door in the central hallway is a modern fire door inset into stud walling. The door which currently opens into the proposed shop area is a modern half door, which will be walled in to retain evidence of its position. The new office door will only impact breezeblock walling, and existing doors along this wall are not of historic interest.

The plans have been altered in line with my previous concerns to retain the remaining chimney stack within the bar area, which indicates the historic location of a fireplace. This will preserve the understanding of this feature. Further information of the floor levels of the site around the outbuilding has been given in the form of photographs, which have clarified that this outbuilding does not rise above the level of the host building. The proposed gambrel roof would maintain the present ridge height, and as such would reinstate a historic design without becoming overly dominant. The principle of changing the roof form back to a gambrel roof is acceptable subject to details secured via condition. Photographs have also been provided of the interior of the outbuilding, showing that no features of any note are present. The concerns regarding windows have also been clarified, as the intention is to use large French doors within the opening which can be shuttered with barn style doors. Further details will be secured via condition. In conclusion, the further information and revisions to the proposal would result in no harm to the significance of a designated heritage asset. It now meets the requirements of the NPPF and would accords with Local Plan policies CN01, CN06 and CN08.

Environmental Health - Noise/Odour/Light/Smoke

No objections subject to conditions.

B: Representations

At the time of writing this report at least 13 letters/emails/online comments have been received along with a 233-signature petition. It is the officer opinion that this represents 12 objections and one general comment. A verbal update shall be provided as necessary.

Grounds of objection are summarised below:-

- Exacerbate existing parking issues
- Highway safety
- Loss of public house/community asset
- Commercial impact on nearby retail uses.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/17/03010	Full Planning Application - Erection of single storey building, to accommodate 1No dwelling (following demolition of existing garage).	DECISION: GTD 08.06.2018
REF: DC/17/05054	Discharge of Conditions for Application B/17/00456/LBC- Condition 3 (Schedule of Works), Condition 5 (Details of proposed vent), Condition 6 (Details of doors and windows) and Condition 7 (Timetable of works, method statement and specification)	DECISION: GTD 28.02.2018
REF: DC/19/00560	Full Planning Application - Division of flat into 2no. apartments.	DECISION: GTD 03.06.2019
REF: DC/19/00561	Listed Building Consent - Works to facilitate the division of flat into 2no. apartments.	DECISION: GTD 03.06.2019
REF: DC/19/02975	Full Planning Application - Erection of 2No dwellings (following demolition of existing outbuilding).	DECISION: GTD 15.11.2019
REF: DC/21/03644	Application for Listed Building Consent - Change of use from café to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed within the Design and Access Statement, Planning Statement and Heritage Statement and drawings.	DECISION: PCO
REF: B/17/00456	Application for Listed Building Consent- Internal alterations to provide new WC's, hallway and replacement doors; external alterations including new door and re-decoration.	DECISION: GRA 09.05.2017
REF: B/17/00445	Fell 1 no Medlar Tree and 1 no. Conifer Tree	DECISION: GRA 05.04.2017
REF: B/16/00897	Application for Listed Building Consent - Demolition of rear outbuilding & Erection of single terrace of 5 one bedroom flats with associated car parking	DECISION: WDN 09.11.2016

REF: B/16/00896 Demolition of rear outbuilding & Erection of single terrace of 5 one bedroom flats with associated car parking **DECISION:** WDN 09.11.2016

REF: B/10/01564 Application for Advertisement Consent- Erection of two A-Boards on pavement. **DECISION:** ANR 23.02.2012

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The site is comprised of a two-storey former Public House building located on the southwest corner of the junction between Ballingdon Street, Ballingdon Hill, Bulmer Road and Middleton Road, in Sudbury. The ground floor is trading as a café The Cyclist (the former public house closed in 2015). The first floor is occupied by a five-bedroom flat with planning permission (DC/19/00560) to be converted into two flats.
- 1.2. Vehicle access is to the rear, off Ballingdon Hill, providing access to 12 on-site car spaces. Adjoining the common boundary with 1 Ballingdon Hill to the rear of the site is a single storey outbuilding. A small detached outbuilding is located close to the rear of the public house building, directly behind no.54.
- 1.3. The site is located within the Built-Up Area Boundary for Sudbury. The area is predominantly residential. There are dwellings located west (54), north (57), opposite to the east (2 Middleton Road) and south (No.1 Ballingdon Gardens).
- 1.4. The building is Grade II listed, within a conservation area and special landscape area. The terrace of dwellings opposite the site, fronting Middleton Road, are also Grade II listed.

2.0 The Proposal

- 2.1. The application seeks full planning permission for the change of use of the existing ground floor café to create office space and commercial (shop) at ground floor, convert the redundant pub cellar into further commercial space in association with the ground floor commercial use and convert the outbuilding adjacent the former public house into a one bedroom holiday let accommodated over two floors.
- 2.2. External works include a single storey rear lean-to style extension to the main building and reinstatement of the original gambrel roof to the outbuilding which currently incorporates a steep pitched roof. The rear extension is finished in white render with a zinc roof and timber framed windows. The upgraded outbuilding is finished in timber weatherboarding with a terracotta tiled roof.
- 2.3. Pedestrian access to the office is from the rear. Service access to the shop is also proposed from the rear. All rear access points are existing. No changes are proposed to the existing car parking layout, with all 12 spaces retained.
- 2.4. No changes are proposed to the first floor layout or use. Signage does not form part of the application.

- 2.5. A concurrent listed building consent application (ref: DC/21/03643) has also been lodged for the internal and external works and is also before Members today.

3.0 The Principle of Development

- 3.1. Many objectors are concerned with the loss of the public house. The public house has already been lost, ceasing trade in 2015, with the ground floor most recently trading as a café.
- 3.2. The proposal maintains a commercial ground floor usage, with office and retail proposed. An existing employment site, the proposal retains employment generating uses, consistent with the thrust of saved Policy EM24. The floor areas of each are very modest and will not impact on the limited retail offering nearby, they may in fact complement it.
- 3.3. The site is in a sustainable location, albeit outside of the principal shopping area, and therefore the principle of development for a mixture of commercial uses is considered acceptable, providing local amenities/services for the local residential area.
- 3.4. It is also worth noting that the proposed uses as office and retail now fall under Class E, which is the same as a restaurant use. Therefore, there would be no actual change of use in law.
- 3.5. The principle of converting the outbuilding into a modest, one bedroom holiday let is not opposed given the highly sustainable location. To ensure the use is restricted to holiday accommodation a planning condition to this effect is recommended.
- 3.6. The key issues fall to determining the proposal's impact on the character, integrity and appearance of the Grade II listed host building, the conservation area, residential amenity and highway safety.

4.0 Heritage Character

- 4.1. These matters are also covered in the Listed Building report. However, for the sake of completeness, they are also covered here.
- 4.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving listed buildings and their setting which is of considerable weight and importance.
- 4.3. Saved Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting. Saved Policy CN08 requires new development to preserve or enhance the character of the conservation area or its setting.
- 4.4. The rear single-storey lean-to extension is modest in scale, very subservient to the former public house building. It raises no heritage concerns in the context of the host listed building, as it will not compromise the valued listed setting, provided design detailing is undertaken respectfully which can be secured by planning condition.
- 4.5. The rebuilding of the gambrel roof to the outbuilding provides for the reinstatement of an original historic feature, a valid heritage approach and one noted as acceptable by the Heritage Officer. Its scale is not overly dominant, certainly not overwhelming the former public house building or the broader plot. The external works to the outbuilding comprise of traditional materials, including timber weatherboarding and terracotta roof tiles. Manufacturers' details of the finishing materials, including external joinery, can be secured by condition, as recommended by the Heritage Officer.

4.6. The Heritage Officer does not object to the scheme. The works have been designed in a manner that will not harm, unacceptably, the character and appearance of this part of the conservation area, in accordance with saved Policy CN08. The setting of the conservation area is preserved. The setting of the Grade II listed terrace of dwellings opposite the site are unaffected by the proposal.

4.7. The proposal accords with local and national heritage policies, including saved Policy CN06.

5.0 Residential Amenity

5.1. The NPPF and policies within the adopted development plan require, *inter alia*, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties.

5.2. The gambrel roof proposed to the outbuilding is located adjacent the rear garden of 1 Bulmer Road. This alteration will increase, to only a modest degree, the visual bulk presenting to the occupants of 1 Bulmer Road. Officers consider that the degree of change in visual terms would be minor and this would not appreciably impact on the amenity enjoyed by the occupants of 1 Bulmer Road. The modified western flank wall of the outbuilding facing 1 Bulmer Road does not incorporate any openings, ensuring that 1 Bulmer Road would not be overlooked as a result of the development.

5.3. External lighting details are not included in the application. Given the proximity to neighbouring residences, these details are required to enable the Council to manage the effects of potential light spill. These details can be secured by condition.

5.4. Proposed office and retailing are more innocuous uses in amenity terms than the previous café use (and public house before that). Neighbours may see an improvement in the general amenity of the area as a result of the proposal. This amenity gain represents a planning benefit.

5.5. The Environmental Health team does not object to the scheme, recommending conditions to manage amenity impacts. These are supported.

6.0 Highway Safety/Efficiency

6.1. The existing vehicle access arrangements remain unchanged. As noted by the Highway Authority, the on-site parking provision is slightly less than the Suffolk Parking Guidance standard. However, the site's location is highly sustainable and the proposal incorporates electric charging points and cycle parking. For these reasons, the Highway Authority does not object to the scheme. In light of the position of the Highway Authority, officers consider that there are insufficient highway safety/efficiency grounds to withhold planning permission.

PART FOUR – CONCLUSION

7.0 Planning Balance and Conclusion

7.1. The site comprises employment land. The proposed office and retail uses are employment generating. The proposed land use change is acceptable in-principle. Members are reminded that changing from café to office does not require permission in any event.

7.2. The site is within the built-up area boundary of the settlement, a sustainable location for commercial and holiday let purposes. The commercial floor space is very modest and so the fact that the retail use is proposed outside of the designated principal shopping area of Sudbury is not fatal to it (and,

in any event, does not require Planning permission). The retail offer serves as an amenity/service that will cater for the local resident population, maintaining the community benefit.

- 7.3. The proposed physical works are relatively modest, supported by the Heritage Officer subject to design details which can be managed by conditions. The Heritage Officer concludes that the proposal would not harm the significance of the designated heritage asset. The setting of the listed building, the neighbouring listed terrace to the east, and the conservation area are not unduly impacted by the proposed alterations.
- 7.4. Residential amenity and highway safety are not negatively impacted by the proposal. Arguably, the proposed land use change will provide for an improved amenity outcome for local residents, a planning benefit.
- 7.5. The application accords with relevant development plan policies and national planning guidance and there is no significant conflict with the NPPF.
- 7.6. Planning permission is recommended.

RECOMMENDATION

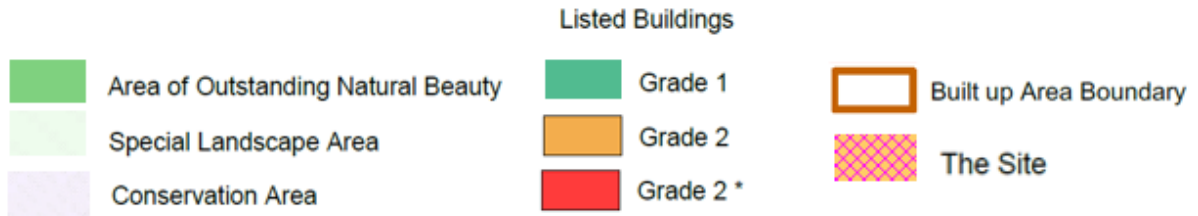
That the application is GRANTED planning permission and includes the following conditions:-

Standard time limit
Approved Plans
Heritage design details
Highways
Holiday let occupation restriction
Construction hours
External lighting scheme

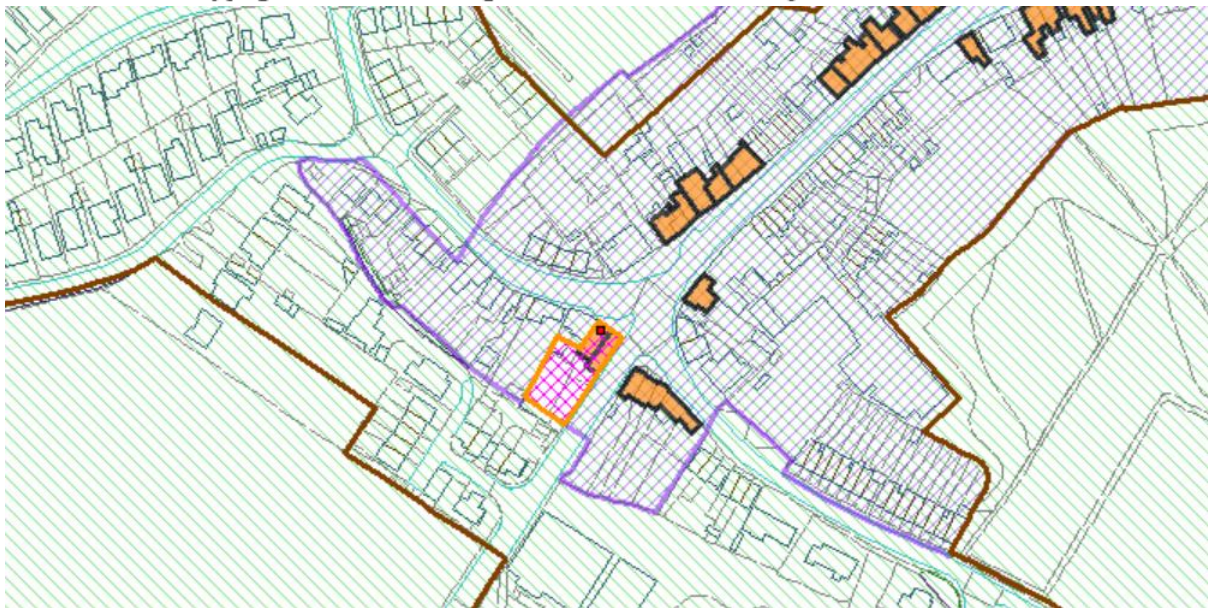
Application No: DC/21/03643 and DC/21/03644

Parish: Sudbury

Location: 53 Ballingdon Street



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Agenda Item 6b

Committee Report

Item No: 6B

Reference: DC/21/03644

Case Officer: Sarah Scott

Ward: Sudbury South West.

Ward Member/s: Cllr Sue Ayres

RECOMMENDATION – GRANT LISTED BUILDING CONSENT WITH CONDITIONS

Description of Development

Application for Listed Building Consent - Change of use from café to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed within the Design and Access Statement, Planning Statement and Heritage Statement and drawings.

Location

53 Ballingdon Street, Sudbury, Suffolk, CO10 2BZ

Expiry Date: 19/10/2021

Application Type: LBC - Listed Building Consent

Development Type: Listed Building Consent - alterations

Applicant: Mr Theodore Bird

Agent:

Parish: Sudbury (South West)

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and / or the extent and planning substance of comments received from third parties and / or the location, scale and / or nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

Babergh Core Strategy 2014:
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS15 - Implementing Sustainable Development

Saved Policies in the Babergh Local Plan (2006):
CN06 - Listed Buildings - Alteration/Ext/COU

Neighbourhood Plan Status

The application site is not in a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council

Sudbury Town Council

Refuse - Overdevelopment of the site. Parking is already an issue in this area and this development would just exasperate the problem. Members do not agree with Suffolk County Council comments on the access and egress on and off the site. Request a site inspection, especially to look at the highway concerns.

Internal Consultee Responses

Heritage

I consider that the revised proposal would cause no harm to a designated heritage asset. Further information in the form photographs and an annotated floorplan have been provided, allowing for a full assessment of the possible impacts. The proposed alterations to internal walls and doorways would not impact any historic fabric, the alterations to the outbuilding are appropriate and the fireplace within the bar area is now to be retained. I suggest conditions are added to secure details of all new joinery, the proposed outbuilding roof materials and the proposed external surfacing materials.

Further information and amendments to the proposed scheme have been made subsequent to my previous comments. A schedule of photographs and further supporting information were received on the 4th and 9th September, which have helped to clarify the level of significance of various areas where works are proposed. A revised floorplan was also received on the 28th September. Further investigation has clarified that the wall between the existing hallway and laundry room to the southeast at ground floor is in fact a modern addition, constructed in breeze block. As such, no historic fabric will be altered should this wall be rebuilt. Similarly the area of walling to be altered in the kitchen space is formed of modern stud walls. Clarification on the proposed alterations to the location of doorways and removal of doors has also been given. The door in the central hallway is a modern fire door inset into stud walling. The door which currently opens into the proposed shop area is a modern half door, which will be walled in to retain evidence of its position. The new office door will only impact breezeblock walling, and existing doors along this wall are not of historic interest.

The plans have been altered in line with my previous concerns to retain the remaining chimney stack within the bar area, which indicates the historic location of a fireplace. This will preserve the understanding of this feature. Further information of the floor levels of the site around the outbuilding has been given in the form of photographs, which have clarified that this outbuilding does not rise above the level of the host building.

The proposed gambrel roof would maintain the present ridge height, and as such would reinstate a historic design without becoming overly dominant. The principle of changing the roof form back to a gambrel roof is acceptable subject to details secured via condition. Photographs have also been provided of the interior of the outbuilding, showing that no features of any note are present. The concerns regarding windows have also been clarified, as the intention is to use large French doors within the opening which can be shuttered with barn style doors. Further details will be secured via condition. In conclusion, the further information and revisions to the proposal would result in no harm to the significance of a designated heritage asset. It now meets the requirements of the NPPF and would accords with Local Plan policies CN01, CN06 and CN08.

B: Representations

At the time of writing this report at least two letters/emails/online comments have been received along with a 233-signature petition. It is the officer opinion that this represents one objection and one general comment. A verbal update shall be provided as necessary.

- Grounds of objection are summarised below:-
- Loss of public house
- Overdevelopment
- Parking
- Impact local shop

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

NOTE – these objections largely relate to the FULL as opposed to Listed Building application and are dealt with in more depth in that report.

PLANNING HISTORY

REF: DC/17/03010	Full Planning Application - Erection of single storey building, to accommodate 1No dwelling (following demolition of existing garage).	DECISION: GTD 08.06.2018
REF: DC/17/05054	Discharge of Conditions for Application B/17/00456/LBC- Condition 3 (Schedule of Works), Condition 5 (Details of proposed vent), Condition 6 (Details of doors and windows) and Condition 7 (Timetable of works, method statement and specification)	DECISION: GTD 28.02.2018
REF: DC/19/00560	Full Planning Application - Division of flat into 2no. apartments.	DECISION: GTD 03.06.2019
REF: DC/19/00561	Listed Building Consent - Works to facilitate the division of flat into 2no. apartments.	DECISION: GTD 03.06.2019
REF: DC/19/02975	Full Planning Application - Erection of 2No dwellings (following demolition of existing outbuilding).	DECISION: GTD 15.11.2019

REF: DC/21/03643	Full Planning Application - Change of use from cafe to part retail and part office space on ground floor, change of use from shed to holiday let, change of use of disused ancillary cellar to commercial use and associated works to facilitate these as detailed in the Design and Access Statement, Planning Statement and Heritage Statement and drawings	DECISION: PCO
REF: B/17/00456	Application for Listed Building Consent- Internal alterations to provide new WC's, hallway and replacement doors; external alterations including new door and re-decoration.	DECISION: GRA 09.05.2017
REF: B/17/00445	Fell 1 no Medlar Tree and 1 no. Conifer Tree	DECISION: GRA 05.04.2017
REF: B/16/00897	Application for Listed Building Consent - Demolition of rear outbuilding & Erection of single terrace of 5 one bedroom flats with associated car parking	DECISION: WDN 09.11.2016
REF: B/16/00896	Demolition of rear outbuilding & Erection of single terrace of 5 one bedroom flats with associated car parking	DECISION: WDN 09.11.2016
REF: B/10/01564	Application for Advertisement Consent- Erection of two A-Boards on pavement.	DECISION: ANR 23.02.2012

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The site is comprised of a two-storey former Public House building located on the southwest corner of the junction between Ballingdon Street, Ballingdon Hill, Bulmer Road and Middleton Road, in Sudbury. The ground floor is trading as a café The Cyclist (the former public house closed in 2015). The first floor is occupied by a five bedroom flat with planning permission (DC/19/00560) to be converted into two flats.
- 1.2. Vehicle access is to the rear, off Ballingdon Hill, providing access to 12 on-site car spaces. Adjoining the common boundary with 1 Ballingdon Hill to the rear of the site is a single storey outbuilding. A small detached outbuilding is located close to the rear of the public house building, directly behind no.54.

- 1.3. The site is located within the Built-Up Area Boundary for Sudbury. The area is predominantly residential. There are dwellings located west (54), north (57), opposite to the east (2 Middleton Road) and south (1 Ballingdon Gardens).
- 1.4. The main building is Grade II listed. The outbuilding adjacent to the main building is curtilage listed.

2.0 The Proposal

- 2.1. The application seeks listed building consent for internal and external works associated with a change of use from café to office/retail in the ground/basement floors of the former public house building, and changes to the outbuilding to facilitate conversion into a one bedroom holiday let.
- 2.2. External works include a single storey rear lean-to style extension to the main building and reinstatement of the original gambrel roof to the outbuilding which currently incorporates a steep pitched roof. The rear extension is finished in white render with a zinc roof and timber framed windows. The upgraded outbuilding is finished in timber weatherboarding with a terracotta tiled roof.
- 2.3. A concurrent planning application (ref: DC/21/03644) has also been lodged and is before Members today for consideration.

3.0 Heritage Character

- 3.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving listed buildings and their setting which is of considerable weight and importance.
- 3.2. Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3. The rear single-storey lean-to extension is modest in scale, very subservient to the former public house building. It raises no heritage concerns in the context of the host listed building, as it will not compromise the valued listed setting, provided design detailing is undertaken respectfully which can be secured by planning condition.
- 3.4. The rebuilding of the gambrel roof to the curtilage listed outbuilding provides for the reinstatement of an original historic feature, a valid heritage approach and one noted as acceptable by the Heritage Officer. Its scale is not overly dominant, certainly not overwhelming the former public house building or the broader plot. The external works to the outbuilding consist of traditional materials, including timber weatherboarding and terracotta roof tiles. Manufacturers' details of the finishing materials, including external joinery, can be secured by condition, as recommended by the Heritage Officer.
- 3.5. The Heritage Officer does not object to the proposed internal or external works, noting the plans have been revised in response to earlier concerns raised by the Heritage Officer. The proposal accords with local and national heritage policies, including saved Policy CN06.

PART FOUR – CONCLUSION

4.0 Planning Balance and Conclusion

- 4.1. The historic integrity, appearance and setting of the Grade II listed former public house building, and the curtilage listed outbuilding, is maintained, with all works sensitively designed in a traditional manner. The Heritage Officer does not object to the scheme, concluding that the proposal would not harm the significance of the designated heritage asset. The proposal responds appropriately to heritage-related local policies.
- 4.2. Listed building consent is recommended subject to conditions.

RECOMMENDATION

That the application is GRANTED listing building consent and includes the following conditions:-

Standard time limit (3yrs for implementation of scheme/Outline/Reserved/Section73?)

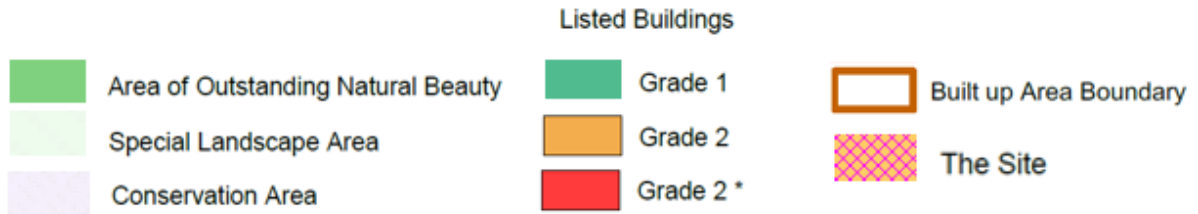
Approved Plans (Plans submitted that form this application)

Heritage design details

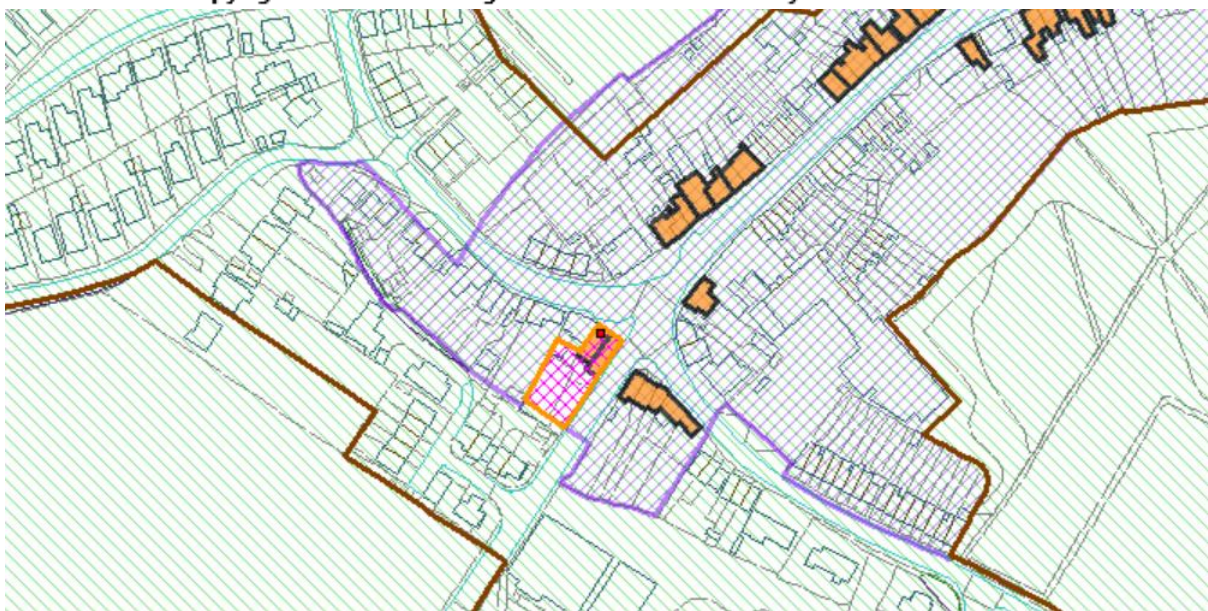
Application No: DC/21/03643 and DC/21/03644

Parish: Sudbury

Location: 53 Ballingdon Street



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Agenda Item 6c

Committee Report

Item No: 6C

Reference: DC/21/05221

Case Officer: Owen Fayers

Ward: Long Melford.

Ward Member/s: Cllr John Nunn. Cllr Elisabeth Malvisi.

RECOMMENDATION – PLANNING PERMISSION WITH CONDITIONS

Description of Development

Householder Application - Erection of front porch extension.

Location

Genesis Corner, Clay Hall Lane, Acton, Suffolk CO10 0AQ

Expiry Date: 17/11/2021

Application Type: HSE - Householder Planning Application

Development Type: Householder

Applicant: Mrs M Maybury

Agent: Mr Ben Elvin

Parish: Acton

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The application has been submitted on behalf of Cllr Maybury.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

CN01 - Design Standards

CN06 - Listed Buildings - Alteration/Ext/COU

HS33 - Extensions to Existing Dwellings

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council

Acton Parish Clerk
Support application.

National Consultee

N/A

County Council Responses

N/A

Internal Consultee Responses

N/A

B: Representations

At the time of writing this report, no letters/emails/online comments have been received.

PLANNING HISTORY

There have been previous applications in respect of the dwelling at Genesis Corner, but none of these are considered directly relevant to this proposal.

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. Genesis Corner is a detached bungalow, located to the east of Clay Hall Lane within the defined built-up area boundary for Acton.
- 1.2. The site benefits from established vehicular access, adjoining the vehicular highway along its western edge.

- 1.3. To the north, south and south-east are detached residential dwellings. To the east, the area opens towards agricultural countryside, delineated by domestic rear gardens and mature trees/hedgerows. The Grade II listed Puddledock Garden is located to the north of the site. A definitive Public Right of Way (PROW) runs along the southern and eastern boundary of the site.
- 1.4. The site is not within any vulnerable flood zone area and is otherwise unconstrained.

2.0 The Proposal

- 2.1. The proposal seeks the erection of a front porch extension.

3.0 The Principle Of Development

- 3.1. As a planning application for the erection of a front porch extension, the application is assessed against Local Plan policies CN01, CN06, HS33 and TP15, Core Strategy policy CS01 and the NPPF.
- 3.2. Babergh Local Plan policy CN01 - Design Standards - is given full weight in assessing this proposal. CN01 requires that developments are of an appropriate scale, form, design and materials for the location. Developments should respect adjacent development and the surrounding environment. This includes any soft and hard landscaping proposed. This is discussed in full in paragraph 5 below.
- 3.3. Babergh Local Plan policy CN06 - Listed Buildings - is given full weight in assessing this proposal. Whilst no works to a listed building are proposed here, the policy also includes a reference to the *setting* of a listed building. This is discussed in the relevant Heritage section at Paragraph 8 below.
- 3.4. Babergh Local Plan policy HS33 - Extensions to Existing Dwellings - is given full weight in assessing this proposal. HS33 requires that extensions reflect and respect the relationship of the site and its surroundings. Extensions should be of an appropriate scale and mass whilst using appropriate external materials. It is also required that extensions do not reduce the level of amenity of neighbouring properties, any significant loss of landscaping and that sufficient parking space remains available within the curtilage of the dwelling. This is discussed in full in paragraphs 4 and 5 below.
- 3.5. Babergh Local Plan policy TP15 - Parking Standards - New Development - is given full weight in assessing this proposal. TP15 requires that all development should comply with current parking standards. This is discussed in full in paragraph 4 below.
- 3.6. Babergh Core Strategy policy CS01 - Applying the presumption in Favour of Sustainable Development in Babergh - is given full weight when assessing this proposal. CS01 requires that a positive approach is used when considering applications that improve the economic, social and environmental conditions in Babergh District.
- 3.7. The proposal is considered to comply with the development plan and core strategy policies listed above. These policies are consistent with the aims of the NPPF.

4.0 Site Access, Parking And Highway Safety Considerations

- 4.1. The proposal would have no impact on the existing access or parking arrangements. There would be no change to the number of parking spaces available on site or to the layout of the existing
- 4.2. The proposal would not have a detrimental impact on the existing highway and is therefore acceptable in this regard.

5.0 Design And Layout [Impact On Street Scene]

- 5.1. The pitched roof porch extension is located to the front western elevation of the dwelling, where the existing canopy is located.
- 5.2. The extension measures a width of 3.15 metres, with a depth of 2.65 metres. The eaves height would match the existing dwelling, measuring 2.3 metres, with the ridge height measuring 4 metres.
- 5.3. The extension would be finished with cream Hardie plank above a red brick plinth, with a pantile roof. The red brick plinth and pantiles would match the existing dwelling.
- 5.4. The proposed extension is considered to appear modest, respecting its relationship with the site, with an appropriate size, scale and appearance. The extension appears subservient to the main dwelling, whilst the use of matching materials for the brick plinth and roof provides a clear relationship to the main dwelling.
- 5.5. Given the positioning and scale of the extension, it is not considered to offer any impact on neighbouring properties or the wider setting of the site.

6.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 6.1. The proposal does not affect the landscape and would cause no harm to biodiversity or protected species and no enhancement measures are required.

7.0 Land Contamination, Flood Risk, Drainage and Waste

- 7.1. The proposal does not give rise to any land contamination issues.
- 7.2. The site is situated within Flood Zone 1 and is therefore at low risk from flooding.

8.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 8.1. The Grade II listed Puddledock Garden is located to the north of the site and its setting requires assessment here.
- 8.2. Policy CN06 has a long list of criteria; those which are relevant to this proposal include those which state that development should:

- Not conceal features of importance or special interest;
- Be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting;
- Respect those features which contribute positively to the setting of a listed building including space, views from and to the building and historic layout.

8.3 The proposed porch extension is minor in scale. Given the distance between the site and the listed building to the north, it is considered that the proposal would not give rise to harm to the heritage asset.

9.0 Impact On Residential Amenity

9.1. It is considered that this proposal does not impact on the amenity of neighbouring properties by reason of scale, form and design.

PART FOUR – CONCLUSION

10.0 Planning Balance and Conclusion

10.1. The proposal would have no significant detrimental impact on highway safety or residential amenity, nor impact on the character of the surrounding area, including the setting of the Grade II listed building.

10.2. The proposal accords with the relevant development management policies, and the NPPF. It is therefore recommended that permission be granted.

RECOMMENDATION

That the application be GRANTED planning permission and include the following conditions: -

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

POSITIVITY STATEMENT

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high-quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

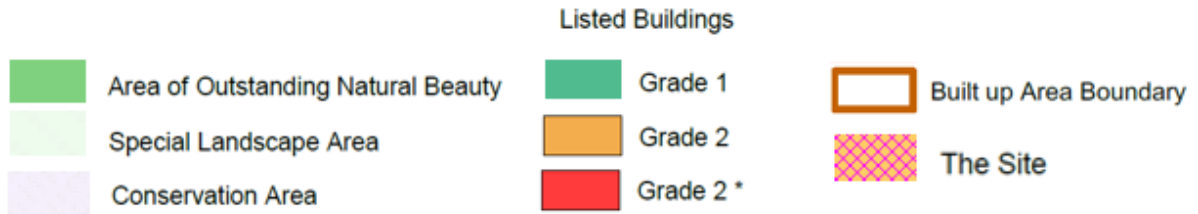
INFORMATIVES

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Application No: DC/21/05221

Parish: Acton

Location: Genesis Corner, Clay Hall Lane



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