

Consultee Comments for Planning Application DC/21/03087

Application Summary

Application Number: DC/21/03087

Address: The Cross Keys Inn Main Road Henley Suffolk IP6 0QP

Proposal: Planning Application - Erection of single storey extension and part conversion of Public House to form 1no. holiday let, conversion and extension of existing out-building to form 1no. holiday let, erection of cycle store/shower building, construction of covered bbq area, recycling area, pv array, ev charging points and parking area

Case Officer: Alex Scott

Consultee Details

Name: Mr Rod Caird

Address: 26 Church Lane, Henley, Ipswich, Suffolk IP6 0RQ

Email: Not Available

On Behalf Of: Henley Parish Clerk

Comments

This application was discussed at a meeting of Henley Parish Council on June 15, 2021.

The meeting was attended by seven members of the public, including the applicant who answered questions from Councillors and other attendees.

The Parish Council welcomed an undertaking by the applicant to make his business plan for the pub available for consideration.

The Parish Council decided after discussion to support the application. But, in the light of the history of the site, the Parish Council requests that any planning permission includes a clear condition that, as promised by the applicant at the meeting, the pub is re-opened once all the work and renovation has been completed, and that all reasonable efforts are made to run it successfully for the foreseeable future.

Rod Caird

Clerk, Henley Parish Council

Your Ref:DC/21/03087
Our Ref: SCC/CON/2485/21
Date: 14 June 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Alex Scott

Dear Alex,

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/03087

PROPOSAL: Planning Application - Erection of single storey extension and part conversion of Public House to form 1no. holiday let, conversion and extension of existing outbuilding to form 1no. holiday let, erection of cycle store/shower building, construction of covered bbq area, recycling area, pv array, ev charging points and parking area

LOCATION: The Cross Keys Inn, Main Road, Henley, Suffolk IP6 0QP

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 01/10 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

Yours sincerely,

Kyle Porter
Development Management Technician
Growth, Highways and Infrastructure



17 July 2021

Alex Scott
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email only

Thank you for requesting advice on this outline application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/21/03087
Location: The Cross Keys Inn Main Road Henley Suffolk IP6 0QP
Proposal: Planning Application - Erection of single storey extension and part conversion of Public House to form 1no. holiday let, conversion and extension of existing out-building to form 1no. holiday let, erection of cycle store/shower building, construction of covered bbq area, recycling area, pv array, ev charging points and parking area

Dear Alex,

Thank you for consulting Place Services on the above application.

No objection subject to securing

- a) **securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA & Ramsar**
- b) **ecological mitigation and enhancement measures**

Summary

We have reviewed the submitted documents and note no ecological report has been submitted with this application. Therefore, as no ecology input has been included in the application the site we have conducted a Desk Study by reviewing the Suffolk Biodiversity Information Services Records, Magic Maps (<https://magic.defra.gov.uk/>) and aerial photographs, to help assess the likely impacts of the development on designated sites, protected and Priority species and habitats.

The survey concluded that Borley's Wood County Wildlife Site is present within 350 metres of the application. However, it is considered highly unlikely that the proposals will result in direct impacts to this locally designated site. In addition, we note that there are records of Hedgehog with the local area, which is a Priority species under the NERC Act 2006.



We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

However, if the LPA is minded to approve this application, it recommended that the below informative is included with the decision notice. This is necessary to outline good practice measures to be undertaken by the applicant to avoid impacts for Protected and priority species.

Therefore, the mitigation measures identified in the Preliminary Ecological Appraisal (Greenlight Environmental Consulting Ltd, March 2021) should be secured and implemented in full. This is necessary conserve protected and Priority species.

We also note that this application contains holiday accommodation and falls within the 13km Zone of Influence (ZOI) for recreational disturbance at the Stour and Orwell Estuaries SPA & Ramsar site, a Habitats Regulations Assessment is to demonstrate that adverse effects to site integrity to the indicated Habitats Sites impacts (in combination with other plans and projects) will be avoided for this proposal. However, this type of development currently falls outside of the adopted Suffolk Coast Recreational Avoidance and Mitigation Strategy (RAMS). Therefore, until Natural England have issued updated advice on this matter, the additional mitigation measures will need to be secured under a bespoke HRA. We therefore recommend that a financial contribution of £121.89 per dwelling, in line with Suffolk Coast RAMS, which should be secured by a Unilateral Undertaking or S111. Payment for delivery of the measures alongside those in the strategic mitigation scheme.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Recommended Informative

1. GENERAL GOOD PRACTICE MITIGATION TO AVOID ECOLOGICAL IMPACTS DURING THE CONSTRUCTION PHASE

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;
- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge.
- d) Should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease and a suitably qualified



ecologist must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)
Ecological Consultant
Placeservicesecology@essex.gov.uk

Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

Mid Suffolk District Council
Habitats Regulation Assessment (HRA) Record

Application details	
Local Planning Authority:	Mid Suffolk District Council
Case officer	Alex Scott
Application reference:	DC/21/03087
Application description:	Public House to form 1no. holiday let, conversion and extension of existing out-building to form 1no. holiday let, erection of cycle store/shower building, construction of covered bbq area, recycling area, pv array, ev charging points and parking area
Application address:	The Cross Keys Inn Main Road Henley Suffolk IP6 0QP
Type of Application:	Full Planning Application
HRA Stage 1: screening assessment	
<p>Test 1 – the significance test: Based on the development type and proximity to Habitats Sites (Natura 2000 sites), a judgement should be made as to whether the development constitutes a 'likely significant effect' (LSE) to a Habitats Site in terms of increased recreational disturbance</p> <p>This proposal falls within the 'zone of influence' for likely impacts of the Stour and Orwell Estuaries SPA and Ramsar. Therefore, it is anticipated that the provision of holiday lets in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered in combination of other plans and projects.</p> <p>Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites¹ Check IRZs to see whether recreational disturbance is an issue for non-coastal Habitats Sites (N2k sites) or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form</p> <p><i>In line with the recent Court judgement (CJEU People Over Wind v Coillte Teoranta C-323/17), mitigation measures cannot be taken into account when carrying out a screening assessment to decide whether a development is likely to result in significant effects on a Natura 2000 site. Therefore, all proposals which are likely to result in a likely significant effect must proceed to HRA Stage 2 (Appropriate Assessment).</i></p>	
HRA Stage 2: Appropriate Assessment	
<p>Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered</p> <p>The development consists of two new holiday lets. Therefore, a proportionate financial contribution should be secured for delivery of additional mitigation alongside the Suffolk Coast RAMS to avoid impacts in combination from other plans and projects from increase recreation pressure at the Stour and Orwell Estuaries SPA and Ramsar. Record evidence that this mitigation measure has been secured in the 'Summary' section below.</p> <p>Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above Habitats Sites from recreational disturbance, when considered 'in combination' with other development. Natural England does not need to be consulted on this Appropriate Assessment.</p>	

Summary of the Appropriate Assessment: To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England (where necessary)

Brief description of the Habitats Sites

The Stour and Orwell Estuaries Special Protection Area and Ramsar site lies within Mid Suffolk District. These estuaries include extensive mud-flats, low cliffs, saltmarsh and small areas of vegetated shingle on the lower reaches. The mud-flats hold *Enteromorpha*, *Zostera* and *Salicornia spp.* In summer, the site supports important numbers of breeding Avocet while in winter they hold major concentrations of water birds, especially geese, ducks and waders. The geese also feed, and waders roost, in surrounding areas of agricultural land outside the SPA.

Summary of recreational disturbance mitigation package

The development site lies within the 13km Zone of Influence (Zol) identified for the Stour and Orwell Estuaries Special Protection Area and Ramsar site (within which tourist accommodation is likely to result in regularly visits to the relevant designated sites for recreation purposes). Consequently, the proposal to create two new permanent holiday lets will trigger a proportionate financial contribution (recommended as £121.89 per holiday let) towards visitor management measures for the above Habitats Sites, alongside those being delivered by the Suffolk Coast Recreational Avoidance and Mitigation Strategy (RAMS).

Conclusion

Having considered the proposed avoidance and mitigation measures above, Mid Suffolk District Council conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the Habitats Sites.

Having made this appropriate assessment of the implications of the plan or project for the Habitat sites, in view of sites' conservation objectives, Mid Suffolk District Council may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended). This shall be secured by unilateral legal agreement or a S.111 Payment.

Local Planning Authority ecologist comments, signed and dated:

Approving Ecologist: Hamish Jackson ACIEEM BSc (Hons), Ecological Consultant

Date: 17 June 2021

Disclaimer: This information has been produced by Place Services's Ecology Team on behalf of Mid Suffolk District Council at their request.

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 08 Jun 2021 01:31:37

To:

Cc:

Subject: FW: DC/21/03087. Land Contamination

Attachments:

From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>

Sent: 08 June 2021 11:02

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: DC/21/03087. Land Contamination

EP Reference : 293625

DC/21/03087. Land Contamination

The Cross Keys Inn, Main Road, Henley, IPSWICH, Suffolk, IP6 0QP.

Erection of single storey extension and part conversion of Public House to form 1no. holiday let, conversion and extension of existing out[1]building to form 1no. holiday let, erection of cycle store/shower building.

Many thanks for your request for comments in relation to the above application. Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.

Kind regards

Nathan

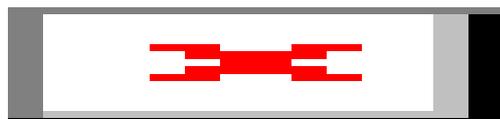
Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk

Work: 01449 724715

websites: www.babergh.gov.uk www.midsuffolk.gov.uk



Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. *All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*

2. *A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*
3. *The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.*
4. *The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.*
5. *The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.*
8. *Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.*
9. *Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.*
10. *A photographic record will be made of relevant observations.*
11. *The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be:*
 - *re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment;*
 - *treatment of material on site to meet compliance targets so it can be re-used;*
 - *removal from site to a suitably licensed landfill or permitted treatment facility.*
12. *A Verification Report will be produced for the work.*

From: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Sent: 11 Jun 2021 03:26:54

To:

Cc:

Subject: FW: DC/21/03087 The Cross Keys Inn, Main Road, Henley

Attachments:

From: Joanna Hart <Joanna.Hart@baberghmidsuffolk.gov.uk>

Sent: 11 June 2021 15:06

To: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/03087 The Cross Keys Inn, Main Road, Henley

Dear Alex,

DC/21/03087

The Cross Keys Inn, Main Road, Henley, IPSWICH, Suffolk, IP6 0QP.

Erection of single storey extension and part conversion of Public House to form 1no. holiday let, conversion and extension of existing out[1]building to form 1no. holiday let, erection of cycle store/shower building.

Environmental Health - noise/odour/light/smoke

Thank you for your consultation on the above application.

Environmental Protection have no objections in principle to the application.

I note the proposals incorporate holiday lets and that it is hoped that the public house, which is currently not trading (and does not have an 'active' premises licence), will be able to re-open. If the holiday units are under the same ownership/control as the public house, then users of the holiday lets could be considered to be less sensitive to noise/odours from the public house as a result. In order for this proposal to be acceptable it would be essential to 'tie' the ownership and management of the holiday lets to that of the public house – the suspended premises licence for the public house allowed music until 01.00hrs Thursday – Saturday, with opening hours until 01.30 and thus would be likely to result in significant loss of amenity at the holiday lets, were they under separate control.

If this 'tie' is not possible, please let me know as I would wish to make further comment. However, if this is possible then we have no objection to the proposed development.

In order to protect existing residential amenity, I would recommend that a condition be attached to the effect that all demotions/construction works audible at the site boundary (to include deliveries to and from site) should be limited to between the hours of 08.00 – 18.00 Monday – Friday, 09.00 – 13.00hrs Saturday and no working to take place on Sundays or Public Holidays.

I would also recommend that a condition be attached to any permission to prohibit any burning on site during the demolition or construction phases.

Finally, prior to the commencement of development details of the foul drainage scheme to serve the development shall be submitted to and approved, in writing, by the Local Planning Authority prior to the beginning of any works to the building it would serve are commenced. No part of the development shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is functionally available for use. The foul water drainage scheme shall thereafter be maintained as approved.

Kind regards

Joanna Hart, MCIEH
Senior Environmental Protection Officer
Babergh and Mid Suffolk District Councils - Working Together

Telephone: 01449 724717

Email: joanna.hart@babberghmidsuffolk.gov.uk

Websites: www.babergh.gov.uk www.midsuffolk.gov.uk



Thank you for contacting us and for your patience, while we work hard to protect our staff, residents, communities and businesses and keep essential services running during the coronavirus outbreak.

During this time, we may have to reduce or suspend services, but we aim to respond to your query as soon as possible. In some cases we may not be able to deal with your request until business as usual is resumed.