

Committee Report

Item No: 6C

Reference: DC/22/00754

Case Officer: Owen Fayers

Ward: Bures St Mary & Nayland.

Ward Member/s: Cllr Melanie Barrett.

RECOMMENDATION – FULL PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Construction of local convenience store and 10 no. apartments/houses (a net increase of 9 dwellings) including associated drainage, parking, hardstanding, fences/walls and other infrastructure (following demolition of outbuildings and in-filling of former vehicle inspection pits, partial demolition of former bus depot and house)

Location

Former Chambers Bus Depot, Church Square, Bures St Mary, Suffolk CO8 5AB

Expiry Date: 12/08/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - All Other

Applicant: Rosper Estates Ltd

Agent: Rose Builders

Parish: Bures St Mary

Site Area: 0.32 Hectares

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: Yes - DC/21/04429

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The Head of Economy has deemed the application as controversial.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CLASSIFICATION: Official

NPPF - National Planning Policy Framework
CN01 - Design Standards
CN06 - Listed Buildings - Alteration/Ext/COU
CN08 - Development in/near conservation areas
TP15 - Parking Standards - New Development
HS28 - Infilling/Groups of dwellings
HS32 - Public Open Space (New dwellings and Amended HS16 Sites up to 1.5ha)
EM01 - General Employment
EM24 - Retention of Existing Employment Sites
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS03 - Strategy for Growth and Development
CS12 - Design and Construction Standards
CS13 - Renewable / Low Carbon Energy
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:

Stage 1: Designated neighbourhood area

Accordingly, the Neighbourhood Plan has no weight.

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

Parish Council Response

Bures St Mary Parish Council

Comments received 11.04.2022

Following the Bures St Mary Parish Council Joint Extraordinary meeting held on 7th April 2022, the Parish Council strongly objects to this application on highway safety grounds.

We believe, contrary to the Transport Planning Teams recommendation, that the proposed revision of the junction layout at Church Square with Bridge Street on the B1508 will cause an unacceptable impact on highway safety and that the residual cumulative impacts on the road network would be severe (NPPF Section 111). We disagree that the impact would be limited or that it would be mitigated by the proposed changes to the junction layout.

Having received an independent assessment of the proposal by the Highway Traffic and Transport Consultancy (HTTC), we are advised that not only will the development result in significant increases in traffic flows, the poorly located and poorly designed access directly at the existing junction to the B1508 Bridge Street/High Street, at a blind bend, will result in a high number of conflicting and hazardous movements of all traffic types in this location, to the serious detriment of highway safety.

We are also concerned that the proposed uncontrolled crossing on Bridge Street/B1508 is situated at a very vulnerable point, close to a blind bend and at an 8 metre-wide section of the road. The Transport Assessment refers to the Manual for Streets for its assessment of the Stopping Sight Distance for the southbound motorist at this point. The HTTC report states that the available road distance of 23 metres is significantly less than the 33 metres required. Even more concerning is the suggestion that the actual available Stopping Sight Distance may be reduced to 15 metres if the clear sight area cannot be guaranteed because of oncoming vehicles in the east/northbound lane. (2.18)

The 29-page report compiled by Mr Keith Anthony Berriman I. Eng., FIHE FCIHT of The Highways Traffic and Transport Consultancy is attached.

The Parish Council supports the proposed convenience store Zone 1 in principle but suggests overall a smaller floor space than the 421sq.m quoted in the planning documents. Members wish to prevent any further urbanisation of our Conservation Area and to preserve the character of the immediate neighbourhood. The proposed convenience store would overlook the Grade 1 listed church and would be close to a number of Grade 2 listed dwellings. It is felt that a smaller retail /business unit may better safeguard the historic environment. LP26 states that a development needs to be compatible and harmonious with its location and appropriate in terms of scale. The Parish Council is, however, not satisfied with the proposed less-than- recommended parking provision for the convenience store in view of the obvious stress on the existing and very limited parking provision in the village centre. We would welcome an increase in the parking provision for the retail/business unit.

The Parish Council recognises that a retail/business unit would safeguard viable employment opportunities for the local community (LP13 -14.05).

The Parish Council believes that the flats and apartments will enable the integration of older persons into the community in order to address potential issues of isolation and to promote inclusivity (LP06-13.34). We, therefore, support the residential proposal for Zone 2 in principle. However, the Parish Council would prefer smaller dwellings for starter homes or downsizing homeowners as identified in the March 2022 Initial Housing Needs Survey carried out by the Rural Community Council of Essex (RCCE) as part of the Neighbourhood Planning Process. The results of the RCCE survey are attached. The Parish Council feels that smaller properties would enable young families to remain in the village, thereby enhancing and maintaining the vitality of this rural community (LP01- 13.02).

Comments received 03.07.2022

Following the Bures St Mary Parish Council Extraordinary meeting held on 29th June 2022, the Parish Council maintains its position and strongly objects to this application on highway safety grounds (NPPF Section 111).

As noted in the Ardent response to the HTTC Highways Report (Report Ref:2104720) item 2.9, there had been no objections at all from SCC Highways to the initial proposed revision of the junction layout at Church Square with Bridge Street on the B1508. The developers and SCC Highways had previously been adamant that the proposal would not represent a severe impact upon the highways network. It was only the submission of an independent report compiled by Mr Keith Anthony Berriman I. Eng., FIHE FCIHT of The Highways Traffic and Transport Consultancy that prompted any further scrutiny of the

proposed junction layout and resulted in this Re-consultation. It is particularly concerning that it required private funding by members of the local community to produce substantiated evidence to secure this additional examination of the junction layout.

Consequently, the Parish Council remains concerned that the developers have still not considered all possible options to ensure the safest design for all road users as required where developers must create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards (112c. NPPF 2020). Even the submitted Road Safety Audit Stage 1 in the M&S Traffic report commissioned by Ardent contains covering emails where the reliability and efficacy of the TRL modelling software is brought into serious doubt. One email clearly states that the empirical model used by the PICARDY module cannot be turned readily to model unusual junctions like this one and goes on to suggest uncertain possible ways to overcome this whilst hoping that it is good enough.

The Parish Council certainly does not regard the repositioning of the eastbound bus stop as good enough and questions why it has been located so close to the bend leading into the High Street. It would also seem imminently sensible to negotiate a change to the current practice by public transport providers of stopping for prolonged periods at both the eastbound and westbound bus stops for driver breaks and timetable adjustments. The bus stops at Normandie Way on the B1508 in Bures Hamlet, if used for this purpose, would greatly reduce the congestion and queuing traffic which consequently occur in Bridge Street.

The Road Safety Audit emails do not inspire confidence and the Parish Council would ask if the possibility of a mini-roundabout could be considered as an alternative layout to overcome the potential hazards which may arise at this junction in the future.

That said, the Parish Council recognises that some of the proposed revisions within the development site, namely to the loading bay area, the repositioning of the pedestrian crossing on the site access road, the safety barrier and pedestrian deterrent paving on the northern side of the access to the site and a segregated pedestrian route provided for those travelling to and from the store on foot, are all significant improvements.

However, Ardent acknowledges in their response (item 2.40) that retail car parks, especially those for convenience stores, tend to have a rapid turnover but also conversely claims elsewhere that the development would not be a vehicle-dominated environment (2.7). The anticipated substantial vehicular movement in and out of the site seven days a week is inevitably going to result in loss of amenity to a significant number of households in Bridge Street, the High Street, Church Square, Friends Field and, of course, the nine new dwellings proposed on the site itself.

The Parish Council has noted the Conditions applied to this application by SCC Highways requiring the submission of a Construction Management Plan which will specify in particular g) site working and delivery times and a Deliveries Management Plan which will determine all HGV delivery traffic movements to and from the site once the development has been completed.

To minimise the disruption to the lives of families living nearby caused by vehicle movements, audible reversing alarms and car doors being shut throughout the day and evening the Parish Council would want to see the opening times of the convenience store restricted to be no later than 9pm. The Parish Council also notes that the Senior Environmental Protection Officer for BMSDC also requires an acoustic assessment relating to air source heat pump plant associated with the proposed development to minimise detriment to nearby residential amenity as well as a Construction Management Plan. However, any later opening of the proposed convenience store would fail to address the requirement as set out in

the Policy LP26 Design and Residential Amenity of the Babergh & Mid Suffolk Joint Local Plan 2020, i.e., that development proposals shall:

2i. Protect the health and amenity of occupiers and surrounding uses by avoiding development that is overlooking, overbearing, results in a loss of daylight, and/or unacceptable levels of light pollution, noise, vibration, odour, emissions and dust; Including any other amenity issues.

The Parish Council believes it is of even greater significance to establish opening hours for the long-term which will adequately protect the interests of nearby residents once the convenience store is operational.

Local anecdotal evidence has shown regular deliveries to other (and smaller) convenience stores involving large articulated lorries. The Parish Council would expect to see a stipulated condition that clearly and enforceably only allows rigid delivery vehicles of no more than 10m on site as suggested in items 2.15 and 2.39 of the Ardent response report.

Whilst SCC Highways are not in a position to object to the short fall from the advisory guidance figures for destination parking, the Parish Council finds the unreliable estimation of alternative parking provision in the village totally unacceptable. In item 2.51 the Ardent response incorrectly states that there is a public pay and display car park with over 40 spaces located on Nayland Road. This car park, owned by the Sportsground Committee, provides free unlimited parking for the primary school staff, visitors and parents (in the absence of any parking at all of its own), the Community Centre, the visitors to the recreation field and the river, the church (also without parking provision of its own) and for nearby residents who have no private parking provision either. This car park is well-used, frequently to capacity, and regularly by long-stay vehicles but in no way can justifiably be used as an argument to off-set the proposed loss of parking in Church Square and Bridge Street or the under-provision of retail parking on the development site. The Parish Council finds this manipulation of the everyday situation on the ground disingenuous in the extreme.

The loss of on-street parking primarily to accommodate the proposed development is an affront to the community's sense of fairness. There has been no attempt whatsoever to compensate the village for the added negative impact on demand for parking spaces that this will cause.

The loss of on-street parking will greatly inconvenience patients attending the doctors surgery and its staff and the Post Office customers, none of which seem to have been given any consideration in this re consultation. To only provide three visitor spaces on site for the nine proposed dwellings, although compiling with planning recommendations, simply adds insult to injury. Add all of this under-provision to reduced destination parking for the retail outlet and it is the local residents who will be inconvenienced and subjected to congestion as well as the inevitable increased traffic movement on a daily basis, thereby significantly reducing the quality of village life, well-beyond the degree of compromise required (item 2.1) if this disused brownfield site is to be redeveloped. The Parish Council suggests that there should be nothing less than some guaranteed free, unlimited parking provision on site to redress the balance.

The Road Safety Audit Stage 1 advises the installation of non-passive bollards either side of the tactile pavement provision and retro-reflective strips are to be provided on the bollards. (3.4.1). Members wish to prevent any further urbanisation of our Conservation Area and to preserve the character of the immediate neighbourhood. To this end, the Parish Council would recommend the installation of heritage-style bollards and, to minimise any undesirable visual impact on the surrounding area, that there should also be a condition determining the need for discrete and sympathetic signage on the proposed convenience store in line with the NPPF (2021) requirement:

136. The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

The Parish Council is disappointed that no reference has been made in the revised documents to our previous comment stating our preference for smaller dwellings for starter homes or downsizing homeowners as identified in the March 2022 Initial Housing Needs Survey carried out by the Rural Community Council of Essex (RCCE) as part of the Neighbourhood Planning Process.

The Parish Council recognises that the flats and apartments will enable the integration of older persons into the community in order to address potential issues of isolation and to promote inclusivity (LP06-13.34). We, therefore, support the residential proposal for Zone 2 in principle. The Parish Council maintains, however, that the smaller properties, as previously suggested, would enable young families to remain in the village, thereby enhancing and maintaining the vitality of this rural community (LP01-13.02). Baberghs Adopted Core Strategy 2014 to which Roses refer in their Planning Statement clearly states: New housing will be supported where needed and the mix, type and size should reflect the needs of the district. Mix and Type of dwellings CS18.

The population of the two villages as of the 2011 Census shows residents of 65 years of age and over to be 26.6% of the local population as opposed to the national average in England which is 18.5% (page 8). The final version of the Housing Needs Survey prepared by Neil Harper of the Rural Community Council of Essex (attached) demonstrates that 59% of respondents voted 2- bedroomed homes as the most preferred property size (page 10) and no need at all was identified for homes larger than 3-bedroomed properties. One of the key findings of the report (page 9) was the general support for housing in the local community, more particularly for the younger generation and for families. However, the three four-bedroomed properties proposed for this development seem wholly inappropriate in meeting the clearly identified needs of the village. It is concerning that locally-sourced verifiable evidence as presented in the RCCE report appears to be of no consequence.

Internal Consultee Responses

Environmental Health - Land Contamination

No objection subject to conditions.

Environmental Health - Noise/Odour/Light/Smoke

No objection subject to conditions.

Environmental Health - Sustainability Issues

No objection subject to conditions.

Heritage Team

No objection subject to conditions.

Strategic Housing

No objection.

Waste Management (Major Developments)

No objection subject to conditions.

Economic Development & Tourism

None received.

Building Control

None received.

Communities (Major Development)

None received.

County Council Responses**SCC – Highway Authority**

Recommend approval subject to conditions and s106 contribution.

SCC - Flood & Water Management

Recommend approval subject to conditions.

SCC - Archaeological Service

No objection subject to conditions.

SCC - Fire & Rescue

Standing advice.

SCC - Development Contributions Manager

No comment.

National Consultee Responses**Ecology - Place Services**

No objection subject to conditions.

Landscape - Place Services

No objection subject to conditions.

The Environment Agency

No objection subject to conditions.

Historic England

No comment.

Suffolk Police - Design Out Crime Officers

None received.

B: Representations

At the time of writing this report at least 59no. letters/emails/online comments have been received. It is the officer opinion that this represents 49no. objections, 5no. support and 6no. general comments. A verbal update shall be provided as necessary.

Objection comments summarised below:

- Conflict with NPPF

- Contaminated Land
- Design
- Drainage
- Health and Safety
- Highway issues
- Impact on Listed Buildings
- Impact on the Conservation Area
- Inadequate Access
- Inadequate parking provision
- Increased Traffic
- Lack of open space
- Landscape Impact
- Loss of Parking
- Noise
- Out of Character with the Area
- Overdevelopment
- Residential Amenity
- Scale
- Strain on existing community facilities
- Sustainability

Support comments summarised below:

- Creation of shop
- Creation with jobs
- Good design
- Highway improvements
- Parking
- Provides housing
- Re-development of brownfield site
- Retention of historic façade

(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/19/02345	Planning Application - Change of Use from a mixed use of residential & bus depot/workshop (sui generis use) to mixed use of B1 (business) and residential - retention of	DECISION: GTD 12.03.2020
REF: B/0005/75/FUL	6 detached dwellings and 1 pair semi-detached dwellings with garages	DECISION: GRA 16.05.1975
REF: B/0006/75/OUT	Erection of 4 flats and 4 garages as amended on the 29th April 1975	DECISION: GRA 16.05.1975

REF: B/0883/79/FUL	Erection of new replacement garage.	DECISION: GRA 05.10.1979
REF: B/0128/76/FUL	Alterations and extensions	DECISION: GRA 07.05.1976
REF: B/0084/79/LBC	Demolition of non-listed building in conservation area - existing garage building.	DECISION: GRA 08.10.1979
REF: B//90/00684	ERECTION OF BUS CLEANING PLANT	DECISION: GRA 27.06.1990

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The application site is located within the historic core of Bures St Mary, a Core Village situated by the River Stour on the border with Essex. The site is located to the east side of the B1508 at the junction of Bridge Street, Church Square, and the High Street.
- 1.2. The site consists of the former Chambers Bus Depot and workshop for Chambers Bus Service. The site currently has a mixed use of residential and commercial. During the pandemic the owners of the site lost the tenants, and the property has been sitting empty. The property was subsequently sold in 2021.
- 1.3. The site frontage is located to the western boundary and south-western corner, forming a frontage onto the High Street. This façade consists of;
 - A gambrel roofed, three-storey red brick gable building with a series of pitched roof extensions to the rear;
 - The Bus Garage; an industrial-style building with large shutter doors and a shallow pitch roof, and;
 - A single-storey pitched roof building that incorporates a historic shopfront.
- 1.4. The rear is open ground with various outbuildings, equipment and a parking/manoeuvring area that would have served the former Bus Depot. To the north, the boundary is formed by the rear boundaries of properties fronting the High Street with the Bures Malting to the north east. To the west are the rear gardens of the dwellings along Friends Field. To the southern boundary are the rear gardens of properties along Church Square and the Thee Horseshoes Public House.
- 1.5. The application site is within the Built Up Area Boundary of Bures St Mary, which is classed as a Core Village under Policy CS02 of the Core Strategy.
- 1.6. The buildings on the site are not listed. However, some of the buildings and structures are considered to be non-designated heritage assets and are of significant historic value to the village.

- 1.7. The site is wholly within the Conservation Area of Bures St Mary and many Grade II and Grade II* Listed buildings are in close proximity and the Grade I Listed St Mary's Church is near to the site.
- 1.8. All of the trees around the site are protected because they are within a conservation area.
- 1.9. The site is wholly within Flood Zone 1 and is considered to be at low risk of flooding.

2.0 The Proposal

- 2.1. The proposal seeks the construction of a local convenience store and 10 no. apartments/houses including associated drainage, parking, hardstanding, fences/walls and other infrastructure (following demolition of outbuildings and in-filling of former vehicle inspection pits, partial demolition of former bus depot and house).
- 2.2. The west and south elevations, as well as the roofscape of the historic red brick building at the front of the site, the frontage of the existing bus garage and the frontage of the single-storey shop unit to the northwest corner of the site are to be retained. The proposed retail unit, measuring a total footprint of 400sqm, would be located at ground floor level behind these retained facades. A car park with 18no. spaces to serve the retail unit is located to the rear.
- 2.3. The proposal indicates the creation of 10no. apartments/houses with associated parking and infrastructure. This total incorporates the retention and modernisation of 1no. existing dwelling on the site, therefore the development proposes a net increase of 9no new residential dwellings. The housing mix is summarised below:
 - 3no. 4 bedroom houses
 - 3no. 3 bedroom houses
 - 2no. 2 bedroom apartments
 - 2no. 1 bedroom apartment (1no. the refurbishment of the existing unit)
- 2.4. The 4no. residential apartments are located at first floor level above the retail unit. This includes the retention of the existing apartment within the first floor of the gambrel-roofed building. The remaining 6no. two-storey dwellings (3no. 4 bedroom and 3no. 3 bedroom) are located toward the rear of the site.
- 2.5. The site measures 0.32 hectares.

3.0 The Principle Of Development

- 3.1. Babergh has a 6.86-year residential land supply. This position does not engage paragraph 11d of the NPPF.
- 3.2. The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2021.
- 3.3. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 219 of the NPPF.

- 3.4. Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker. There will be many cases where restrictive policies are given sufficient weight to justify refusal despite their not being up to date.
- 3.5. Also, as required by paragraph 219 of the NPPF, the weight attributed to development plan policies should be according to their degree of consistency with the NPPF. The closer the aims of a policy are to the NPPF, the greater the weight that can be attributed to them.
- 3.6. Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11(d) of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development which is also consistent with the NPPF and given full weight. Policy CS15 accord with the NPPF, particularly in relation to paragraphs 105 relating to limiting the need to travel and offering a genuine choice of transport modes, paragraph 130 to achieve well-designed places and paragraph 174 to contribute to and enhance the natural and local environment.
- 3.7. Policy CS2 'Settlement Pattern Policy' states that new development in Babergh will be directed sequentially to the towns/urban areas, and to the Core and Hinterland Villages. Bures St Mary is designated as a Core Village within this policy, therefore the principle of development within the Built-Up Area Boundary is acceptable.
- 3.8. The existing use of the site is for employment use. The proposal seeks a mixed use of employment and residential. Policies EM01 and EM24 of the Local Plan seek to secure employment uses with the Babergh district and are given full weight. This is a centrally located site within the heart of Bures St Mary. The site is large, and at one time was depot for approximately 30 buses. This type of business is not considered to be appropriate in this location. The proposal includes a business use - a convenience store, which is considered to be appropriate within the Conservation Area and village centre, where residents are able to walk or cycle to buy provisions. Employment at the site will be retained and the use is considered to be an improvement on the residential amenity of the neighbouring properties.
- 3.9. The site is with the defined Built Up Area of Boundary of a Core Village. The scheme includes 10no. residential units. This aspect of the development is considered under Policies HS28 and HS32 of the Local Plan and CS18 and CS19 of the Core Strategy and are given full weight. This site is considered to be infill development but is not of sufficient size to be able to provide public open space within the site itself. The proposed mix of housing on the includes a variety of sizes and bedrooms. Although ten units are proposed, there is an existing flat on the site that is to be refurbished. Therefore, there is a net gain of nine dwellings. The site is less than 0.5Ha and therefore does not reach trigger point to require affordable housing contribution.
- 3.10. Highway improvements form part of this application and are assessed against policy TP15 and also Suffolk Parking Standards and are given full weight. Improvements to the public highway and parking within this central location in the village are considered to be benefits of the scheme.
- 3.11. The site is within the Bures St Mary Conservation Area and within the setting of several Listed Buildings. The proposals are assessed against Local Plan policies CN01, CN06 and CN08 and are given full weight. The distinctive frontage of the bus depot is to be retained and is an important historic feature of the village centre. The dwellings to the rear of the site have been

sensitively designed to blend with the traditionally designed buildings around this area of Bures St. Mary.

- 3.12. The proposal is considered to comply with the named policies above and also with the aims of the NPPF.

4.0 Nearby Services and Connections Assessment of Proposal

- 4.1. The site is in a sustainable location within the settlement boundary, centrally located within Bures St Mary. The site is well connected to numerous facilities and transport links within walking distance, such as:

- Bus Stop (30m)
- Post Office (70m)
- Three Horseshoes Public House (97m)
- Eight Bells Public House (220m)
- Bures VC Primary School (225m)
- Bures Community Centre (255m)
- Train Station (420m)
- Various shops and restaurants

5.0 Site Access, Parking And Highway Safety Considerations

- 5.1. The proposed development would utilise the existing vehicular access to the site, which is off the end of Church Square, in close proximity to the junction between Church Street, Bridge Street and the High Street (B1058) as well as the bend in the road to the north.
- 5.2. **Convenience Store:** The proposed convenience store would have 18 car parking spaces, of which the two closest to the building entrance are larger, accessible spaces, plus stands providing parking for 2 cycles, and 2 motor cycle parking spaces. 3no. of these spaces would benefit from EV charging points, which could be readily utilised by residents of the proposed dwellings whilst the store is closed overnight.
- 5.3. It has been demonstrated that HGVs servicing the store can enter and leave the site in a forward gear, reversing into an enclosed and gated bay to be unloaded under the supervision of a suitably trained member of staff.
- 5.4. **Residential:** The 3-bed houses would have two in-curtilage car parking spaces, with three for each of the 4/5-bed houses, with one allocated space for each of the flats plus three unallocated visitor spaces (in a car port), giving 22 car parking spaces in total for the residential element. These spaces are generous in size to enhance accessibility. Each dwelling would have one space with an electric vehicle charging point.
- 5.5. Cycle parking would be provided for the dwellings, with two secure spaces for each unit, with stores for each house within its curtilage, plus stores for each of the flats adjacent to their parking spaces and four spaces for visitors.
- 5.6. It has been demonstrated that a Babergh refuse vehicle can both enter and leave the site in a forward gear, turning around within the site, and gain access to refuse collection points within 25m of the vehicle.

- 5.7. **Other works:** As part of the application, various alterations and enhancements to the access and off-site improvements are proposed in order to improve accessibility for both vehicles and pedestrians as well as highway safety. These are set out accordingly below:
- 5.8. **Site Access:** Given the proximity of the site access to the junction, an overrunable kerb build-out is proposed on the east side of the B1058 immediately north of the access. This will slow vehicles travelling south from the High Street into Church Square by introducing deflection, and also increase visibility to the north/right for drivers egressing from the site.
- 5.9. The historic vehicle access from the workshop directly onto the B1058, which was used by egressing buses (and had severely restricted visibility for egressing drivers due to the absence of a footway and the building being so close to the carriageway edge), will be removed as a result of its conversion to a convenience store, providing a highway safety benefit.
- 5.10. **Off-site improvements – Bridge Street:** An informal pedestrian crossing point with tactile paving is proposed on Bridge Street adjacent to the gate providing access to the footpath into the churchyard. It was originally proposed that this would be in the form of a central refuge outside the gate to the churchyard; however, this would have resulted in the loss of on-street car parking outside the houses on the north side of the street. Therefore, it is instead now proposed to provide a kerb build-out on the north side, so that only one parking space is lost, whilst allowing crossing movements at this location as close to the bend as possible whilst enabling sufficient visibility to the left/north east for pedestrians crossing from north to south.
- 5.11. The build-out would also incorporate the eastbound bus stop, acting as a border, which would also facilitate passenger boarding and alighting, reducing dwell times, since at present this can be hindered by parked cars with passengers having to walk between them and board/alight from the carriageway which is at a lower level than the road. This arrangement, with the existing on-street parking on the north side of the road relocated to the west, would result in the net loss of one car space.
- 5.12. The westbound stop would be relocated adjacent to the pedestrian gate into the church to allow the crossing to be provided. The existing single yellow line restrictions would remain in place here, allowing around five cars to park overnight Mondays and Saturdays and all day on Sundays.
- 5.13. **Off-site improvements – Church Square:** A crossing point is also to be provided on Church Square to the south of the access, outside Queen's House, while allowing access to the vehicle driveway to that property to be maintained. Again this would feature kerb build-outs, maintaining a 6-metre carriageway width, and resulting in the loss of 3 no. on-street car parking spaces on the western side of the road, with parking for one car retained to the north of the build-out on this side.
- 5.14. **Suffolk County Council Highways comments:** Following consultation with Suffolk County Council's Highways Authority, it is considered;

"Whilst the proposal increases traffic movements when compared to the existing use, the increase would not result in a significant impact upon the local highway network (as satisfactorily evidenced in the submitted Transport Assessment) and it is noted that improvements to access visibility and pedestrian crossing facilities would provide highway safety benefits.

The parking for the residential element of the proposal is acceptable and accords with Suffolk Guidance for Parking 2019 (details of cycle storage and EV charging will be subject to a planning condition). The parking for the retail element of the proposal is below the advisory figures in

Suffolk Guidance for Parking 2019, however given the on-street parking restrictions, proximity to residential areas and justification provided on the parking provision, we consider the level of parking to be acceptable.

Further to the submission of a Highway Report (HTTC Ref: KAB/22/B/01) and subsequently a response from Ardent Consulting (Ref: 2104720-03), the Highway Authority remains satisfied that the proposal will not result in an unacceptable impact upon the Highway.

The subsequent Ardent Consulting Report (Ref: 2104720-03) provides amendments to the proposed access and junction layout and further information/ justification on the highway related elements of the proposal including a road safety audit. It is considered that this represents an improvement over the previously submitted layout and maintains our position of acceptance of the proposal, subject to planning conditions and S106 contribution."

- 5.15. **Summary:** The proposed development would utilise the existing vehicular access to the site. Historically this would have been the main access point for buses and staff associated with Chambers bus depot. It is acknowledged that the proposed development would likely increase the volume of traffic and vehicle movements associated with the access, this would not involve large, slow-moving buses. Although the convenience store would require occasional deliveries, this would not be a common movement. Sufficient space for delivery vehicles to manoeuvre on the site and exit in a forward gear as well as a dedicated delivery space have also been demonstrated, limiting any potential impact.
- 5.16. The proposal provides 18no. parking spaces for the convenience store (two of which are for disabled users) as well as bicycle parking. The proposal also includes a total of 22 no. residential spaces for the apartments and houses, including visitor parking and cycle storage.
- 5.17. The proposal also offers numerous works to the existing highway that would provide highway safety benefits, including improvements to access visibility and pedestrian crossing facilities as well as improvements to the bus stop. To facilitate these works, there would be a loss of one on-street parking space on Bridge Street and three spaces on Church Square.
- 5.18. It is considered that, although there would be a loss of on-street parking, there is still a generous amount of on-street parking available within the immediate area. It is also considered that the parking provision provided within the car park of the retail unit would also be utilised for the surrounding area, for example visiting other nearby shops and facilities.
- 5.19. By providing a convenience store within the central location of Bures St Mary, local residents may be able to walk or utilise sustainable transport methods to reach this facility and may therefore be less reliant on motor vehicles to travel to nearby Towns for facilities.
- 5.20. The proposal is therefore considered acceptable on highways grounds.

6.0 Design And Layout /Impact On Street Scene

- 6.1. As previously detailed, the west and south elevations as well as the roofscape of the historic red brick building at the front of the site, the frontage of the existing bus garage and the frontage of the single-storey shop unit to the northwest corner of the site are to be retained. Behind which, the retail unit shall be located at ground floor level, with 4no. apartments at first floor level. 3no. of the residential apartments are accessible by lift, with 1no. of these apartments situated entirely on the same 1st floor level.

- 6.2. The retention and restoration of the frontages would maintain and improve the site's contribution to the character and appearance of the conservation area. Although the large shutter doors associated with the former bus garage appear incongruous with the wider setting due to their massing, form and materials, they are an important visual feature to reflect the site's important social significance as the former Chambers Bus Depot.
- 6.3. In order to facilitate the first-floor apartments, the roof height of the 'rebuilt' depot building to the rear would also be taller than the existing. However, given the sympathetic design and the fact that the increased roof height would be set back, the overall aesthetic of the façade of the former bus depot would be maintained.
- 6.4. A new shop frontage and access to the retail unit, as well as customer parking, is located to the rear (east) elevation of the former bus garage, as well as public bicycle parking and refuse and bicycle storage for the retail unit. This space is tucked away and would not be readily visible from public view or the wider setting.
- 6.5. Directly to the south of this, cart lodge style car ports serving parking spaces for the apartments as well as refuse bin and secure cycle storage are proposed. The cart lodge would also allow provision for 3no. visitor parking spaces.
- 6.6. To the east of this, to the rear of the site, 6no. two-storey dwellings are proposed. The dwellings are formed with a traditional appearance as a mews-style development, with linked roofs forming covered car parking and bicycle storage. The houses are staggered to provide a visual break and reduce their visual bulk as well as to avoid overlooking.
- 6.7. The proposed dwellings are to be finished with render and brickwork, with plain tile/slate roofs and chimneys. The linking elements consisting of car ports at ground floor level with accommodation above within the roofscapes are to be finished with timber weatherboarding with dormer windows. The dormer windows are reduced in scale and expressed as casement windows to retain a sense of subservience. Fenestration is to be painted, timber-framed windows. The windows would typically be sashed; however, to add a subtle level of bespoke variety to the elevations, bay windows are provided at ground floor, with wider casement windows, drawing inspiration from the numerous former modest frontages within the surrounding area.
- 6.8. Policy CN01 of the Babergh Local Plan requires a high standard of design for new development of the village. The retention and restoration of the frontages to the west and south elevations as well as the roofscape of the historic red brick building, the existing bus garage and the frontage of the single-storey shop unit are welcomed, providing a strong sense of character and historic interest to the area. The proposed dwellings are considered to have a pleasing appearance, sympathetic to the traditional character of the area and, with a slight change in finishing materials, achieve the quality that is expected.

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

- 7.1. **Landscape Impact:** The proposed development is within the Stour Valley Special Landscape Area and Bures St. Mary Conservation Area. The existing site contains no existing green space or landscaping. There is a row of conifer trees outside the eastern edge of the site. They currently offer a soft, evergreen barrier between the houses on Friends Field and the site.
- 7.2. The proposed development is mostly contained to the rear, within the former parking and manoeuvring area for the buses. Therefore, the development's visual presence from the wider setting is limited. The most prominent section of the site is to the western boundary and south-

western corner, forming the historic frontage onto the High Street, which is to be retained and refurbished. Although the roof height of the former bus garage is to be increased to facilitate the first-floor apartments, it is not an excessive increase nor is it considered to impact the wider landscape. Some additional landscaping has been provided within the site.

7.3. Following consultation with the Essex Place Services Landscape Consultant, it is considered that additional soft landscaping should be provided in order to achieve a high quality public realm and good quality street scene. A hard and soft landscaping scheme has been requested by condition prior to commencement to account for amendments as suggested by the Landscape Consultant as well as to secure further details of the proposed hard and soft landscaping in the interests of visual amenity and the character and appearance of the area.

7.4. **Ecology:** Following consultation with the Essex Place Services Ecological Consultant, it is considered:

“The mitigation measures identified are acceptable and should be secured and implemented in full. It is recommended that a Wildlife Friendly Lighting Strategy is implemented for this application. This should summarise the following measures will be implemented:

- *Light levels should be as low as possible as required to fulfil the lighting need.*
- *Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.*
- *The provision of motion sensors or timers to avoid the amount of ‘lit-time’ of the proposed lighting.*
- *Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.*

In addition, we support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. Impacts will be minimised such that the proposal is acceptable subject to the conditions.”

7.5 These measures can be secured by condition.

8.0 Land Contamination, Flood Risk, Drainage and Waste

8.1. During the course of the application, a Phase II Land Contamination Report has been produced and is currently under consultation with the Environmental Protection Team. Because of the previous use of the land, there is a considerable amount of ground contamination from oils and fuel. The applicant is keen to start on the site, if planning permission is granted and the “clean-up” is going to take time to organise. The applicant has opted to submit the Phase II contamination details so that a condition will not be necessary. An update will be given to the Committee on the findings of the Environmental Protection Team on this report and whether a condition is necessary or not.

8.2. The site is wholly within Flood Zone 1 and is considered to be at low risk of flooding.

8.3. The Lead Local Flood Authority (LLFA) originally raised a holding objection to the scheme due to a lack of information on surface water and foul drainage issues. The site sits on a hillside which runs down to the River Stour, with houses to the north and west being elevated from the site.

Although there are large buildings on the site currently, there is also a large piece of open ground. Much of this area is to be covered with dwellings and hard surfaces for access routes and parking. Therefore, it is likely that the volume of surface water run-off will increase in the future. The proposals incorporate a surface water attenuation system, whereby the peak rate of surface water discharge from the site will be restricted to no greater than the existing annual peak rates. The peak rate of surface water run-off from greater than annual storm events will be significantly reduced, thereby providing betterment, in accordance with current national design practice.

- 8.4. The constraints of the site do not allow for an open SUDS solution in this particular instance and, therefore, a crate system is necessary to hold surface water and allow it to infiltrate properly. Two options were offered to the LPA. The first was for crates to be placed under the car parking area of the shop and the second under the access road to the dwellings.
- 8.5. The LLFA considered that the area in the car park would be the preferred location for the crates because, when maintenance is required, this would be the least disruptive option for residents. However, space for the crates is limited and a pump would be required which would be costly to the future residents of the proposed homes. The land would be subject to a management company which residents would need to pay for and the pumping would be a regular cost. The second option was discussed further and manufacturers' details have been provided showing a crate design lifetime of 50 years. On balance, the second option, although more intrusive for residents when the crates need to be replaced, will be the most cost effective for the future residents of the development with a one in fifty year occurrence rather than a regular cost of pumping.

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

The Council has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990 as follows:

Paragraph 66 (Listed Buildings): "In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Paragraph 72 (General duty as respects conservation areas in exercise of planning functions): "In the exercise, with respect to any buildings or other land in a conservation area....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

In addition, the following is relevant in terms of the NPPF:

Paragraph 197: "In determining applications, local planning authorities should take account of:

(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

(c) the desirability of new development making a positive contribution to local character and distinctiveness.”

Paragraph 202: “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.”

Further, Paragraph 203 states: “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 directly or indirectly affect 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.”

These duties and this weighing of harm against public benefits inform the discussion below.

9.1. Following consultation with the BMSDC Heritage Officer, the heritage concern relates to the potential impact of the works on:

- The character and appearance of Bures Conservation Area;
- The significance of various nearby listed buildings, including the Church of St Mary the Virgin (Grade I), the War Memorial (Grade II), Angel Inn (Grade II), Crown (Grade II), Old Forge House, (Grade II) and the ‘Malthouse and Premises occupied by W A Church (Bures) LTD (Grade II*)’, and;
- The significance of parts of the existing bus depot, which are considered to be either one or a group of non-designated heritage assets.

9.2. **Existing Buildings on Site:** The former bus depot site contains a number of structures, some of which pre-date the use of the site as a bus depot. On the road (west) side, from south to north, is a two-storey, red brick, gambrel roof block, externally of C19 appearance, with later extensions to the rear; a single-storey, steel-framed shed/depot building, likely of interwar date; and a single-storey brick building with shopfront, likely 19th century or earlier. To the rear of the site are further buildings and structures, likely of 20th century date.

9.3. It is considered by the BMSDC Heritage Officer that all three of the structures on the roadside have sufficient historic interest to be considered non-designated heritage assets, possibly individually or at least as a group. The brick buildings are of considerable age and aesthetically are in keeping with the prevailing character of the Bures St. Mary Conservation Area. The interwar depot is later, but still of a fair age, and while arguably not aesthetically as in-keeping with the prevailing character of the Conservation Area, has significance derived from its former use.

9.4. The submitted Heritage Statement highlights that all parts of the building have previously been owned by HC Chambers & Son, who operated from the site from 1877, firstly as a saddlery business, livery stable and operator of horse-drawn buses and carts, before changing to motorised buses in the 20th century. The buildings thus provide physical evidence of the historic uses and industry occurring in the Conservation Area, through to the 20th century, and a link to a historically important company locally. The interwar depot building specifically is the best physical evidence of how this company developed in the 20th century and provides evidence of the wider expansion of public transport and the use of motor vehicles in this period. It may also have social/communal value, as a place that local people may be familiar with working at or visiting. The later additions to the bus depot also reflect this history but given their newer age, they likely

would not qualify as non-designated heritage assets. Additionally, aesthetically, they likely detract from the appearance of the Conservation Area to a greater extent.

- 9.5. **Proposed Reuse:** The bus depot is no longer in operation and the buildings largely appear to be unused except for a limited amount of residential use. The loss of the previous use of the site has already eroded the significance of the buildings somewhat.
- 9.6. It is considered that the proposal would likely result in a heritage benefit in ensuring a new, sustainable use for those buildings of historic interest that helps protect their significance. This would be a benefit to these buildings themselves and the character and appearance of Bures St. Mary Conservation Area. The optimum use for the buildings, that best preserves their significance, would likely be that which they were designed or historically used for. However, it is acknowledged that a continuation of the bus depot use is unlikely. A retail (or at least part-retail) use is probably the next best option, most in-keeping with their significance, as still reflective of the commercial/industrial history of the site - particularly as parts of the buildings were likely shops prior to the bus depot use. It also allows a degree of public access to the buildings and is thus considered more of a heritage benefit than alternatives, such as full residential use. This heritage benefit will be considered against any harm, including from physical alterations. The intention should be to find the proposal that creates the most heritage benefits and avoids the most harm, while still being viable.
- 9.7. The proposed reuse of the existing buildings and additional dwellings seems likely to result in some amount of increased traffic volume in the surrounding area over the current situation, although it is not clear how this would compare to when the bus depot was in use. Nevertheless, based upon the comments from the SCC Highway Authority, it is not thought that the traffic impacts of the proposal would result in harm to the character and appearance of Bures St Mary Conservation Area or the significance of any listed buildings.
- 9.8. Following receipt of the acoustic report and the subsequent comments from the BMSDC Environmental Health Officer, there are no specific concerns regarding noise and odour impacts specifically in relation to the character and appearance of the Conservation Area and the significance of heritage assets, subject to conditions.
- 9.9. **Proposed External Alterations to Street Facing Buildings:** The application proposes the retention of the external, street-facing façades of the three elements of the frontage buildings, including the frontage of the interwar depot building. The retention of the large shutter doors of the depot building specifically is supported as the doors are considered to be an important visual feature and element of the history of the area.
- 9.10. Ideally, more of the existing interwar depot behind the façade would be retained to preserve this building's significance better still. However, it is acknowledged that the existing form/nature of this building may not lend itself to many feasible alternative structures, due to the lightweight nature of the construction, which would likely hinder the installation of more robust cladding, insulation and so on and the internal space, which is both large but also likely difficult to install a first floor in, due to the existing steel roof structure. Thus, rebuilding behind the façade, whilst in a similar form, may be the next best option to retain as much significance as possible.
- 9.11. It is considered that the replacement of the external cladding, which is currently corrugated metal, would be acceptable in this instance, as this material is quite unsightly, and, if asbestos-based, not suitable for retention. An alternative metal cladding, as proposed, would likely be most appropriate, as this would best reflect the historically industrial nature of the building. Further details of the proposed zinc cladding have been requested by way of condition.

- 9.12. The roof height of the 'rebuilt' depot building would also be taller than the existing. Again, ideally, the roof height would be maintained, so the overall scale of the interwar depot is retained. However, the proposed increase is reasonably minor, plus it is acknowledged that this also likely makes accommodating a first floor easier and thus makes the overall reuse of the site more viable. Setting the raised roof back from the front façade is a welcome mitigation of this harm, as it allows the previous form to be more readable.
- 9.13. The heightening of the roof would also be discernible within the wider Conservation Area. It is considered that the increase in height would make the building more prominent within the street scene, but not excessively out of scale with the prevailing character of the area, so any harm arising to the character and appearance of Bures St. Mary Conservation Area from this would likely be minimal. The set-back nature of the raised roof from the frontage would also assist with reducing this impact.
- 9.14. It is also considered that the "opening up" of roof structure, to create an open terrace, may be somewhat out of keeping, as buildings of the nature of the interwar depot are often characterised by their large, unbroken roofs. Externally, this alteration may give the building a somewhat disjointed appearance, and again erode the form of the current structure. Nonetheless, it is noted that this open area may be required to make the adjacent flats proposed feasible. Furthermore, the "open" design is restricted to the south roof slope only, where it would likely be less prominent within the historic core of the Conservation Area than on the north. There are no obvious feasible further amendments that could be made to this that would discernibly further reduce the harm from this aspect.
- 9.15. To the side elevation of the southern range, a new opening is proposed, which in essence acts as a replacement of a window with a more domestic-style door, as well as the replacement of an adjacent existing door opening to match. It is considered that these changes are much more in-keeping with their position on the building and, while there would be some loss of fabric here, and the age of the window is not clear, any harm would likely still be minimal. Following revisions to the application, the proposed doorway in place of a window on the southeast elevation of the southern range of the historic building, would retain the existing brick arch above, which helps to reduce the harm to the bus depot buildings.
- 9.16. Details of the proposed signage have not been provided at this stage but would form part of a separate advertisement application.
- 9.17. A small plaque is proposed to the visible southern side elevation, explaining the history of the buildings and H C Chambers, helping preserve the heritage value of the building.
- 9.18. Additional rear ranges to the southern building and interwar building are proposed to be demolished. However, these appear to be later C20 additions and are considered of little historic interest, so there is no issue with their loss. Similarly, the external structures in the rear yard to be demolished, while visually reflecting the bus depot use, are also considered of little historic interest in their own right, as well as being fairly unsympathetic to the character and appearance of the Conservation Area, so there is also no issue with their loss.
- 9.19. **New Houses:** There are no major concerns with the proposed new residential buildings and associated infrastructure to the rear (east) of the site from a Heritage perspective. The land may have been part of the H C Chambers site for a while, although the Historic OS Maps submitted, up to 1956-61, suggest the eastern part of the site might have been separate at least up to this point. Either way, it is considered its contribution to the non-designated heritage assets would still

be fairly minor. Furthermore, its current form is not considered sympathetic to the character and appearance of the Bures St. Mary Conservation Area.

- 9.20. The density of development appears reasonably high compared to the historic core of the village, but given their discreet location, it is considered that this is unlikely to particularly erode the character and appearance of the area. The new dwellings would likely be visible from listed buildings to the north, including Crown/Crown House and Old Forge House. However, given the distances, building heights, general ground levels, and building designs, the new dwellings should not be overly-dominating within the setting of these listed buildings and thus harm their significance.
- 9.21. **Street Works:** It is considered that the proposed physical works to the nearby streets would not be such to cause harm to the character and appearance of Bures St Mary Conservation Area or any other heritage assets, subject to conditions.
- 9.22. No further free-standing traffic signage or similar is proposed, which may otherwise have been of heritage concern. The works include relatively modest additions to existing pavements, that are not of historic materials, rather than the introduction of pavements where none currently exist or additions to historic paving.
- 9.23. **Summary:** It is considered that the proposal would result in;
- A very low to low level of less than substantial harm to a designated heritage asset because the proposed works would result in the loss of reasonable amounts of historic buildings that make a positive contribution to the character and appearance of Bures St Mary Conservation Area. Nonetheless, those elements that are most prominent within the Conservation Area would be retained.
 - A low-to-medium level of less than substantial harm to a non-designated heritage asset (or assets), as various aspects of the works to the street facing buildings, particularly internal/behind their frontages, would erode their significance to some extent.
 - No harm (subject to conditions) to various heritage assets as the new dwellings are not considered to be overly dominating within the setting of these listed buildings and thus harm their significance, subject to conditions.
 - No specific concerns regarding noise and odour impacts, specifically in relation to the character and appearance of the Conservation Area and the significance of heritage assets, subject to the conditions recommended by the BMSDC Environmental Health Officer.
 - A reasonable level of heritage benefits to both designated and non-designated heritage assets, through the repair and reuse of a redundant building/buildings of historic interest in a use reasonably sympathetic to their history (at least partially) and removal of the more unsympathetic additions to the site.
- 9.24. These public and heritage benefits are held to outweigh the identified very low to low level of harm to designated heritage assets. The identified low-to-medium level of harm to non-designated assets is acknowledged, but here the test is less stringent and we are simply asked to exercise a balanced judgement.

10.0 Impact On Residential Amenity

- 10.1. The new houses have been positioned to ensure they do not provide any significant overlooking of adjacent rear gardens. The proposed house at the eastern end of the site is shielded by the boundary trees and does not have any first-floor windows that would otherwise overlook the properties on Friends Field.
- 10.2. The proposal allows the removal of unsightly shed outbuildings and equipment associated with the former bus depot as well as the rear element of the depot building, which is considered to improve the visual amenity of the area as well as the outlook for affected neighbouring properties. It is considered that the previous use of the site, with the noisy regular movement of buses and associated works, would have likely impacted the amenity of nearby dwellings.
- 10.3. Following receipt of the Noise Assessment and consultation with the BMSDC Senior Environmental Protection Officer, it is considered that the likely noise level based on the nearest existing receptors at Willow house and Queens House from vehicle movements associated with use of the convenience store, would be a less than 1dB increase which is considered negligible. Similarly, the likely noise level of the deliveries to the convenience store would be a noise level between - 5-7dB below background level and thus of low impact. Further conditions in relation to the construction phase, noise, smell and smoke have been included to minimise detriment to nearby residential amenity.

11.0 Planning Obligations / CIL

- 11.1. **S106 Contribution Request:**
The proposed off-site highway improvements involve minor amendments to the existing parking restrictions on the B1508 High Street. This needs to be accompanied by an amendment to the legal order (Traffic Regulation Order) related to the restrictions to ensure they remain enforceable. The cost of the design, consultation and legal works for this process is estimated to be £11,500.
- 11.2. The usual CIL payments will be applicable with this development.

12.0 Parish Council Comments

- 12.1. The matters raised by Bures St Mary Parish Council have been addressed in the above report.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1. The former Chambers Bus Depot, a brownfield site, is located in the centre of Bures St Mary. The site is currently redundant with a majority of the buildings in a poor state of repair. The proposal seeks to redevelop the site whilst retaining and repairing the prominent historic frontage to the western boundary and south-western corner fronting the High Street, including the large shutter doors of the former bus garage.
- 13.2. The creation of a convenience store would provide jobs as well as services for local residents. The proposal also provides a range of housing types of a high-quality design sympathetic to the

traditional character and appearance of the area, totalling 10no. residential units (including the retention and modernisation of 1no. existing dwelling) as well as associated infrastructure.

- 13.3. As part of this development, works to the highway are proposed, including improvements to the existing access as well as the enhancement of pedestrian crossing facilities and the bus stop. These works are considered to provide highway safety benefits for both vehicle users and pedestrians. This would not only apply to those accessing the site but also to local residents. The proposal also provides bicycle storage, as well as electric vehicle charging points for the convenience store as well as the residential units, promoting sustainable development.
- 13.4. Although a very low to low-level of harm to designated heritage assets has been identified by the BMSDC Heritage Officer, it is considered the proposal provides numerous heritage and public benefits through the repair and reuse of redundant buildings and the removal of the more unsympathetic additions to the site. These weigh in the application's favour.
- 13.5. It is considered that the proposal accords with the relevant development management policies, and the NPPF. It is therefore recommended that planning permission is granted.

RECOMMENDATION

That the application is GRANTED planning permission subject to the prior agreement of a Section 106 Planning Obligation to secure improvements to the public highway and includes the following conditions:

- Time Limit
- Approved Plans
- Permitted Development Removal
- Land Contamination Strategy (BMSDC EH – Land Contamination)
- Resilient matting (BMSDC EH – Other)
- Fence/barrier to the north of the car park (BMSDC EH – Other)
- Limit on external noise levels (BMSDC EH – Other)
- Kitchen Odour Control (BMSDC EH – Other)
- Chimney Flue (BMSDC EH – Other)
- Construction Hours (BMSDC EH – Other)
- Prohibition on burning (BMSDC EH – Other)
- Construction Management Plan (BMSDC EH – Other, SCC Highways)
- Sustainability & Energy Strategy (BMSDC EH – Sustainability)
- Zinc cladding (BMSDC Heritage)
- Brickwork (BMSDC Heritage)
- Roof tiles (BMSDC Heritage)
- Cladding (BMSDC Heritage)
- External lighting (BMSDC Heritage)
- External signage (BMSDC Heritage)
- Street bollards (BMSDC Heritage)
- Historic England Level 2 Building Recording (BMSDC Heritage)
- Refuse Collection Vehicle (Waste Management)
- Road Surface (Waste Management)
- Highway Improvements (SCC Highways)
- Surface Water Discharge (SCC Highways, SCC Floods)
- Bin Storage/Presentation (SCC Highways)
- Roads and Footpaths (SCC Highways)
- Carriageways and footways – binder course level (SCC Highways)
- Parking and manoeuvring (SCC Highways)
- Cycle Storage (SCC Highways)
- EV Charging points (SCC Highways)
- Visibility Splays (SCC Highways)
- Deliveries Management Plan (SCC Highways)
- Surface Water Drainage Verification Report (SCC Floods)
- Construction Surface Water Management Plan (SCC Floods)
- Written Scheme of Investigation (SCC Archaeology)
- Post Investigation Assessment (SCC Archaeology)
- Archaeology (if applicable)
- Ecological Appraisal Recommendations (EPS Ecology)

- Bat Licence (EPS Ecology)
- Biodiversity Compensation and Enhancement Strategy (EPS Ecology)
- Wildlife Sensitive Lighting Design Scheme (EPS Ecology)
- Hard and Soft Landscaping Scheme (EPS Landscaping)
- Landscape Management Plan (EPS Landscaping)
- Contamination/verification/monitoring remediation (as per Environment Agency)
- Foundation designs (Environment Agency).
- Any other conditions at the Chief Planning Officer may deem appropriate.