

Committee Report

Item No: 6B

Reference: DC/22/03043

Case Officer: Samantha Summers

Ward: East Bergholt.

Ward Member/s: Cllr John Hinton.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Planning Application - Construction of 5no. dwellings, storage building with two bed and breakfast rooms for the Hotel and Brasserie, public convenience building (following demolition of existing Toilet Block) and alterations to car park.

Location

The Red Lion, The Street, East Bergholt, Suffolk CO7 6TB

Expiry Date: 11/08/2022

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Langham Property Company (Essex) Ltd

Agent: Quinlan Terry Architects LLP

Parish: East Bergholt

Site Area: 0.38Ha

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Chief Planning Officer considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council.

A Member visit to the site to assess its context has been mooted; however, this has yet to be agreed by Members. As the report is ready, it is brought to Members for their consideration and deliberation at this Committee meeting.

CLASSIFICATION: Official

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards
CN06 - Listed Buildings - Alteration/Ext/COU
CN08 - Development in/near conservation areas
CR02 - AONB Landscape
CR07 - Landscaping Schemes
TP15 - Parking Standards - New Development
EM01 - General Employment
EM20 - Expansion/Extension of Existing Employment Uses
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS12 - Design and Construction Standards
CS13 - Renewable / Low Carbon Energy
CS15 - Implementing Sustainable Development
CS16 - Town, Village and Local Centres
CS18 - Mix and Types of Dwellings
CS21 - Infrastructure Provision
NPPF - National Planning Policy Framework
East Bergholt Neighbourhood Plan

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area. The Neighbourhood Plan was adopted by the LPA in 2016. Accordingly, the Neighbourhood Plan has full 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

Town/Parish Council

East Bergholt Parish Council – 26/07/2022

This application needs to be considered in the context of current and emerging development plan policies, consultee comments and importantly alongside and in the context of planning application DC/22/01688. This was also submitted by the owner of the Lion and was considered by the Parish Council at its meeting in April 2022, with no knowledge of pending application DC/22/03043 at the time. The former has yet to be determined by BDC but if approved would allow for the provision of 6xB&B rooms (5 in the existing bub) and one by virtue of change of use of an existing building to provide B&B use on the ground floor and office space above. This is relevant now because this most recent application seems to duplicate the provision of extra office accommodation without explanation, and the cumulative impact of the 8 new B&B rooms across both applications needs to be taken into account when considering the merits of the most recent proposals to reconfigure the public car park with its 32 current spaces. For this reason East Bergholt Parish Council requests that BDC hears and determines both applications at the same time.

The latest proposed scheme (DC/22/03043) comprises three separate components which East Bergholt Parish Council believes need to be considered individually. The application's supporting evidence suggests the three components are intrinsically linked and provide a comprehensive development scheme for the application site. The Parish Council finds no evidence to support this assertion nor merit in the planning rationale for a comprehensive development of this sensitive site in the heart of East Bergholt. It therefore requests BDC to consider the appropriateness of this application with respect to these three distinct components.

The three components are:

- Proposals to enable the current hospitality business as the Lion to grow and prosper with plans for two extra B&B units above a new storage unit in a new building, and a new garden office all within the existing curtilage of the Red Lion.
- Proposals to build 5x2 bed 2 storey market houses on backland at the rear of the Red Lion and largely within its own curtilage with 9 dedicated car parking spaces adjacent.
- Proposals to totally reconfigure and resurface the current car and coach park and reposition the public WC block. All were recently (November 2021) designated as an ACV by BDC. These assets were also given a major revamp by the Parish Council in 2021/22, at significant cost to the public purse, and included new drainage and car park resurfacing. The car park is adjacent to the rear of the Red Lion and is free to use for the public and Red Lion clientele.

The entire scheme has been presented as essential to support the prosperity and longevity of the Red Lion. However this is nothing in these proposals which even begins to demonstrate how the success of the Lion requires 5 new market houses to be built nor why the recently refurbished public car park requires a total makeover. Rather, it's only the housing component of the scheme which is intrinsically linked, not to the prosperity of the pub, but to the car park makeover. The housing component is crucially dependent

on the reconfiguration of the car park, to provide nine dedicated residential car parking space and require the demolition of the toilet block and replacement elsewhere on the site with a much smaller public facility providing just 2 cubicles (a net loss of 3 cubicles). The resulting car park layout also requires the removal of one existing coach park bay (from the 2 coach bays which are currently delineated) and introduces double yellow lines around much of the car park's perimeter. It also reduces the dimensions of the current car parking bays making some unlikely to be usable for all but small cars and does not comply with SCC Guidance for Parking 2019. The new layout with the repositioned public toilets also blocks the Right of Way to the cemetery as shown in the Lease (para 4.26), as well as reducing part of the current 4.6 metre wide access route from The Street to the Cemetery. This would all seem to be an attempt to cram the additional 9 residential spaces proposed into the current car park area whilst trying to prevent random parking, and hence enable sufficient vehicle manoeuvrability in a smaller public car and coach park area than currently exists. The double yellow lines will without doubt do harm to the Conservation Area setting and are also ill conceived as they would be unenforceable because the car park is not a public highway. In short the proposed car park layout overrides the current lease, is contrary to SCC guidance, and will fail to provide adequate provision for parking and vehicle circulation.

There is a lot made in the supporting evidence to the application of the pre-application discussions, the alterations to the previously withdrawn 2021 scheme and the new and more sensitive building design now being proposed. Whilst these changes might have been considered sufficient to mitigate serious harm to the Conservation Area, AONB, and the many listed buildings in the vicinity of the site by Historic England and the Babergh Heritage Officer, these views even from professionals are matters of opinion and subject to challenge. But crucially these still relate to matters of detail and only become of relevance if the substantive case exists for such development based on sound planning policy grounds.

The Parish Council does not wish to contest the principle of those elements of the scheme which are reasonably associated with the wish to ensure a profitable and growing business for the Red Lion. We understand the potential requirement to add 2xB&B rooms in addition to the 6xB&B rooms in application DC/22/01688, further storage capacity and the office space as proposed. This is in line with the principles embodied in NP policies EB15 and EB20. However the conditions in both EB15 and EB20 require that development has no unacceptable adverse impacts on nearby residential uses, makes provision for adequate parking and would not have unacceptable impact on the AONB whilst conserving, enhancing and respecting the Conservation Area. These requirements fail to be met in the planning application. The total number of new B&B rooms (8) provided would be likely to reduce the capacity of the public car park by 25%, notwithstanding the serious concerns about the new layout as set out above. The Parish Council also have significant concerns that the excessive ridge height (6.4 metres) and overall scale of the building that would house the 2xB&B uses and storage in that it would do harm to views across the Conservation Area and the AONB from The Street, and from the entrance to the car park. It would also be visible from the Gables and therefore impact the setting of this grade 2+ listed building. Its size and location will also significantly impact on the setting of Red Lion Cottage, a grade 2 listed building, and adversely affect the natural light, the amenity and privacy of the occupants of the cottage.

These aspects of the proposal are also directly contrary to Neighbourhood Plan Policy EB9. The office space also appears to duplicate the office space applied for in the yet to be determined application (DC/22/01688) without any explanation.

The Parish Council would nevertheless wish to approve the principle of these uses but only subject to 1) a new design and potential relocation of the B&B unit to address the concerns as stated, 2) the refusal of the proposal to reconfigure the entire car park to provide 9 residential spaces, because this will lead to a loss of essential public capacity involved in providing space for B&B guests with cars, when the two application are considered together, 3) only after adequate justification is provided to justify the new offices.

The Parish Council does have more serious objections to the housing component of the scheme. The East Bergholt Neighbourhood Plan was formally made in 2016 and policy EB1 provided for a minimum of 86 homes over the period 2015-2030. Since then BDC has approved 241 new houses in the Parish. B&MS's emerging Joint Local Plan has in turn allocated this same total as East Bergholt's housing allocation 2018-2037. This JLP allocation for East Bergholt was further confirmed as 'current and reliably indicative' for considering East Bergholt's Neighbourhood Plan allocations policy, as recently as 12/05/2022 at a meeting between senior officers at BDC and East Bergholt PC. Some 229 of this allocation had been approved on the basis of the tilted balance in the absence of a 5YHLS and Babergh acknowledged at the time of approval that these approvals were not in line with the development plan. As a result, the need for housing in East Bergholt expressed in the NP based on evidenced local need has been exceeded in all respects by the permissions already granted.

Of the 3 largest projects, two have made material starts (Hadleigh Road 10, Moore's Lane 144) and Heath Road 75 is scheduled to commence within 5 years in B&MS's latest 5 Year Housing Land Supply Position Statement published February 2022. Together these projects provide 2, 3, 4 and 5 bed homes, terraced homes, detached homes, affordable homes, market homes, and homes for the elderly. Put simple, there is no justification for any additional homes based on the Development Plan, local need and the JLP strategic allocation which has already been met. Pressure on local services, schools, and infrastructure to accommodate 241 homes will be considerable and potentially unsustainable. If any exception were to be made to grant further homes over the plan period, this highly sensitive application site is most probably the least appropriate site in the Parish. No case has been made to grant this exception, in this location. Further, the granting of permission on this highly sensitive site, outside the BUAB, in the absence of evidenced local need would be contrary to the ruling of Mr Justice Mitting in his judgement dated 9 December 2016 (East Bergholt PC v Babergh District Council), link below,

<https://www.eastbergholt.org.uk/Documents/ParishCouncil/Judicial%20Review/Justice%20Mittings%20JR%20Transcript.pdf?q=638094814415652242>

The housing proposal also fails to meet the requirements of Babergh Core Strategy Policy CS11, which applies to countryside development outside the BUAB. This proposal is detrimental to the landscape, environment and heritage characteristics of the village (i),

negatively impacts the AONB, Conservation Area and heritage assets (ii), and totally fails in respect of meeting a locally identified need (iv).

Approval of houses on this site, apart from being in excess of the volume of homes required in Policy EB1, the JLP's strategic allocation to 2037, and contrary to a High Court ruling, would also be contrary to a number of specific NP Policies;

- EB2; The site proposed for market housing remains outside the BUAB and the Parish Council also remains of the view that the associated loss of mature trees and the scale and density of development in this part of the Conservation Area and AONB would have a detrimental impact on both. The size and scale of the development on this cramped site is not acceptable illustrated perhaps by the semi detached homes which are actually abutting the boundary of the Congregational Church. The proximity to the houses on Cemetery Lane also means this scheme will be detrimental to the amenity of those whose gardens back onto the proposed development.
- EB3; the proposed housing is on backland to the rear of the Lion pub in the village heart and Conservation area where in the view of the Parish Council the adverse impact would be unacceptable. It would also harm the approach to the Cemetery and the roof heights would obscure the views from across the Conservation area to the Congregational Church; an important undesignated heritage asset.
- EB5; Although located within the village centre's '400 metre zone' referred to in the NP, the small two storey market houses proposed are not ideally suited to the needs of older people and suggestions that the 33.5 square metre ground floor might be converted for single floor living for the elderly is neither feasible, practical nor actually part of this proposal; merely a forlorn suggestion. The market homes proposed which the applicant on Facebook has suggested would be priced around £450,000 are likely also to be well above the price threshold of those elderly people in need of older persons housing.
- EB9: The size, scale and location of the market houses proposed on this cramped site will neither preserve or enhance the character of the Conservation Area. They will contribute to light pollution and will inevitably alter the character of this part of the village heart by virtue of the density of the development.
- EB10; Preservation of Non Designated Heritage Assets. The two storey houses will clearly diminish views of the Congregational Church, this imposing and important non designated heritage asset, and the plans also appear to flout building requirements which require a 2 metre distance between structures. There is none between the semi detached houses and the Church boundary.

On these multiple grounds the Parish Council strongly recommends refusal of the market housing proposed in this scheme.

The current car and coach park was designated after Appeal as an ACV by BDC in November 2021. Its entire surrounds, drains and surface of the car park were renewed by the Parish Council who are the tenants and hold a twenty year lease. Over £800,000 of public funds were invested in this upgrade over the past year, partly prompted by the landlord's demands. The proposed wholesale reconfiguration is deemed absolutely unnecessary to support the Lion's growing business; but it might enable the proposed

housing on the adjacent part of the application site. This is referenced above along with the significant reduction (25%) in the capacity of the car park if those guests using the 8 proposed B&B rooms arrive by car. Ripping up the current facilities including the public conveniences, simply to be replaced in a new format to enable the applicant's residential development ambitions to be realised, is clearly not something that could possibly be construed as sustainable development and not something a responsible public body should allow.

It is also contrary to policy EB11 of the Neighbourhood Plan, where the Red Lion car park which is protected by this policy has effectively been annexed in part so policy EB12 requiring adequate car park provision for new residential development can be seen to be complied with in providing on site parking for nine cars for the dedicated use of scheme's proposed housing component. However the nine dedicated spaces proposed do not meet SCC's standard provision of two spaces for each two bed home. So presumably one further space would need to be found in the public car park for the residential parking provision to comply with SCC requirements. Alongside the daily use of the car park by Lion staff, customers of the Lion and B&B guests and any overflow arising from the needs of the proposed housing scheme, the public car park is close to having little left over capacity for genuine public use. The applicant has stated that the car park is little used. This is without evidence and wrong. The PC carried out a car park survey between October 2021 – January 2022. This showed that the car park on an average day is 2/3 full and totally at capacity on some days. So the continued need for this public facility is without doubt. The makeover of the car park is proposed without any distinction in its design between public and 'private' use however seems to reinforce the concern that this car park could quickly become nothing more than the domain of the Lion Estate.

The demolition of the public conveniences to be repositioned elsewhere looks designed to add space for cars and facilitate vehicular circulation within the small car park area proposed. The proposed siting of the repositioned public conveniences however blocks the Right of Way to the Cemetery which has been in use since 1986. This right is fully acknowledged and written into the PC's Lease. The car park's proposed layout pays no regard to this. It also removes the raised beds contained by dwarf brick structures. There were clearly part of the current design and intended to protect the 4.6 meter Right of Way between The Street and the Cemetery which are compromised by these proposals. The public conveniences were also reduced in size from 5 to 2 cubicles without justification. These are safeguarded by Policy EB16. The current facilities are used by coach parties, school groups and walking clubs amongst many others, they are well used and maintained daily by the Parish Council. It is patently absurd to reduce the capacity of this community facility if the general public's well-being counts for anything. It is also contrary to policy. During the period of redevelopment and reconfiguration of the car park and the house building the area would likely be a construction site for 1-2 years. Policy EB11 explicitly safeguards this car park in its entirety, and also requires alternative provision of public car and coach parking arrangements to be provided. This would be necessary too during the construction phase. None are even muted.

The car park proposals also involve the loss of mature trees in the Conservation Area, and the loss of the associated green canopy will be detrimental to views across the

Conservation Area and AONB and into the current car park. This is contrary to policy EB6 and the associated impact on biodiversity is contrary to policy EB 8. Last, the entire enterprise of replacing the current car park without valid justification feels like unnecessary vandalism of a well specified public asset and clearly represents unsustainable development which is contrary to both the spirit and guidance of the NPPF. It is also clearly and directly contrary to Babergh Core Strategy Policy CS15 Implementing Sustainable Development.

On these grounds, the Parish Council strongly recommends refusal of the proposals to reconfigure the car park and associated public conveniences as proposed.

It is perhaps worth pointing out too that while the application promotes the introduction of EV charging points in the reconfigured car park which the PC fully supports it is ironic that the applicant, perhaps wearing his landlord's hat rather than his socially responsible one, refused the Parish Council's request to do the same.

The Parish Council have considered these proposals in detail but at no time during the pre-application process was the Parish Council made aware of this pending application. The applicant also failed to comply with the requirement to give 21 days notice of the application to the Parish Council as tenants of the Lion car and coach park. The same failure to give notice under Article 13 was evident in the withdrawn application in 2021. Whilst considerable time on pre application meeting clearly took place in evolving the latest proposals, engagement with the Parish Council whose public interest is at the heart of the village and as tenant of the car park, was non-existent and so contrary to the requirements of the NPPF para 132. As such the Parish Council believes that due process was only selectively followed in the evolution of this misguided scheme which is neither in the best interests of the Parish or the community.

Therefore the Parish Council requests that BDC refuses permission for those elements of the scheme which have little or no bearing on the future well-being of the Lion's hospitality business, namely the ill-conceived housing development and all the car park plans, and satisfies itself that prior to approving the principles of development to support the Lion's business that the scheme is amended so not to jeopardise the village centre environment, the AONB, the Conservation Area or the well-being of those living close by.

Usage of East Bergholt village centre car park

Date	Time	Vehicles in the car park	Percentage of capacity	Mean % of capacity	Notes
Tue 26th Oct 2021	10:15:00	cars not counted but a visiting coach parked in the coach space next to kerb, White Van in the other			there are 29 marked car spaces. Cars and vans divided by 29 = percentage plus 3 disabled spaces
1 Wed 27th Oct 2021	10:30:00	15	51.72%	51.72%	
2 Thur 28th Oct 2021	14:00:00	33	113.79%	82.76%	inc six cars parked on the access to the car park and two in the coach parking
3 Sat 30th Oct 2021	10:55:00	19	65.52%	77.01%	
4 Mon 1st Nov 2021	11:45:00	9	31.03%	65.52%	
5 Tue 2nd Nov 2021	11:00:00	22	75.86%	67.59%	
6 Fri 5th Nov 2021	11:30:00	16	55.17%	65.52%	
7 Sat 6th Nov 2021	11:30:00	15	51.72%	63.55%	
8 Tue 9th Nov 2021	10:20:00	15	51.72%	62.07%	
9 Fri 12th Nov 2021	11:12:00	17	58.62%	61.69%	Also a refuse truck and a Warburton's 7 tonne bread truck
10 Sat 13th Nov 2021	11:20:00	21	72.41%	62.76%	
11 Thur 18th Nov 2021	15:00:00	15	51.72%	61.76%	Some walkers packing up their boots to go home
12 Sat 20th Nov 2021	11:45:00	27	93.10%	64.37%	4 on the access and one in a coach space
13 Thur 25th Nov 2021	14:30:00	13	44.83%	62.86%	
14 Tue 30th Nov 2021	10:45:00	16	55.17%	62.32%	
15 Sat 4th Dec 2021	10:45:00	26	89.66%	64.14%	Warburton's bread truck in a coach space, Tesco van (using loo) large party of walkers
16 Tue 7th Dec 2021	11:40:00	27	93.10%	65.95%	No trucks small white van in the coach parking (inc in the total)
17 Tue 14th Dec 2021	10:45:00	24	82.76%	66.94%	
18 Thur 16th Dec 2021	10:50:00	39	134.48%	70.69%	Parking down the side of the BT access and car park access. Transit/trailer by BT hedge
19 Sat 18th Dec 2021	11:30:00	18	62.07%	70.24%	
20 Wed 22nd Dec 2021	10:30:00	23	79.31%	70.69%	
21 Sat 1st Jan 2022	11:10:00	18	62.07%	70.28%	
					NB large vehicles such as trucks not counted

East Bergholt Parish Council – 08/09/2022

The Parish Council has been invited to comment further on application DC/22/03043 by BDC because of a Housing Needs Assessment prepared on behalf of the applicant that had been received on 31/08/2022.

The Parish Council's substantive comments on this application which are largely opposed to both the nature and scale of the development proposed were approved by the Parish Council on 14th July 2022 and submitted to BDC within the 21-day statutory consultation period on 26th July. These remain the position of the Council and the additional comments set out below should be read alongside and in addition to our first submission.

Since this first submission, the applicant has made various changes to the proposals. Various new reports supporting the application and other consultee comments have also been added to the document library. The consultation period has been a moving feast since mid-July and the latest Housing Needs Report prepared by Pioneer Property Services on behalf of the applicant is just the latest addition which has apparently required a further consultation period until 21st September 2022.

The Parish Council wishes to comment on the Housing Need Report and a number of the new documents that have been submitted since its first submission to BDC in July 2022.

COMMENTS ON THE HOUSING NEEDS REPORT

This report has been prepared on behalf of Langham Property Company, the applicant. It is referred to by BDC in their reason for re-consultation as a Housing Needs Assessment. This, it is not. It is a Report that reviews the housing policy context as it applies to East Bergholt, and the established evidence of need. But it then adopts what it calls an "appropriate" study area for

its modelling. One it refers to as a “functional cluster” which is much larger than the Parish. For this sub area it models various future housing needs scenarios using a range of demographic assumptions and by adopting a larger area than the Parish of East Bergholt and applying a methodology that chooses to pro rata districtwide growth without any justification it arrives at highly exaggerated housing need figures requiring between 550 and 799 new homes over the period 2022- 37 in the cluster. This compares to a Neighbourhood Plan requirement for a minimum of 86 homes (2015-30) in East Bergholt.

The functional cluster approach for assessing housing needs is neither proven nor tested. The functional cluster construct is based on 2010 data and has never been adopted by Babergh for this type of analysis.

The assumed district growth rates are based on historic patterns of growth and their validity in today’s low growth recessionary world are not even considered. Taking the Babergh wide growth patterns and projecting these across the functional area assuming “all things are equal” is fraught with difficulty and just wrong, and the resulting projections 1a), 1b),1c),2,3 are all based on “rear view mirror” assumptions.

The Parish Council has called upon a highly experienced planning and real estate consultant to review this report. Their experience of modelling and forecasting was the basis of their forty year career. They were in the vanguard of applying forecasting techniques to real estate markets from the 1980’s. They fully understand the technical approach adopted by Pioneer but advise that the report’s untested and novel methodology coupled with its extreme results cannot in all seriousness be used to determine East Bergholt’s housing needs nor should Babergh rely on it in any way for this purpose.

The report also makes frequent reference to the NPPFs requirement for “objectively assessed need” for determining housing requirements. A technically driven, assumptions based modelled approach is simply not this. The report also mentions that the East Bergholt Neighbourhood Plan is now 6 years old. This is fully recognised and as such the PC is seeking to update the plan. A 2018 Housing Needs Survey for East Bergholt prepared by CAS and funded by Babergh DC found that East Bergholt’s housing needs were unchanged from 2015. The Parish Council also engaged in a “call for sites” as part of this NP review in January 2022. The applicant did not put the site behind the Lion forward for consideration. One can only wonder why not!

In conclusion the Parish Council believes the Housing Needs Report prepared by Pioneer Property Services provides a thoroughly unreliable basis from which to rewrite the housing needs for the Parish of East Bergholt. As such It should not be considered as reliable evidence from which to assess the application in question and so the Parish Council recommends that Babergh discount this attempt to inflate the housing needs numbers for East Bergholt. The 241 homes already approved and allocated in the JLP are already significantly in excess of objectively assessed need for the village and whilst the Parish Council has accepted this allocation it will seriously question the need for more.

A rewriting of the housing needs methodology and numbers based on forward modelling is perhaps something that might be unpicked at an enquiry but it’s highly unusual to expect consultees on a planning application to critique such a report. A report of this type will always beg the question of exactly what brief the consultant had been given. In any event the Parish Council would in usual circumstances only be expected to comment on the merits of the

application in question based on planning grounds alone (and not the validity of supporting evidence) which it has already done in some detail. The Parish Council believes its recommendations to refuse the housing component of this scheme are fully justified and robust on planning grounds. This report and the reason for re-consultation changes absolutely nothing in that respect and it is considered important that Babergh District Council also recognises this fact.

COMMENTS ON ADDITIONAL DOCUMENTS

The Parish Council notes and wishes to highlight various issues for the Case Officer's consideration of this application as follows;

- The Environmental Response (18July 2020) made reference to various concerns regarding the potential for noise, odour, light and smoke pollution arising from the construction phase of the project, the impact of the Lion's growing business on the residents of nearby housing and also potential impacts resulting from the housing element too. These need to be given serious consideration in assessing the impacts of the proposal and any conditions that might be applied.
- Suffolk Highways concern regarding the requirement for a segregated footpath for those requiring to use the public toilets has been incorporated in a recent alteration to the drawings. However the proposed footpath around the car park boundary to the relocated and distant public toilets, is in practice very unlikely to encourage people not to take the obvious straight line route across the car park to the new toilets. There is no obvious need to relocate the public conveniences. Their proposed new location is simply not being planned with the users in mind; just the requirement to have it positioned as far from the Lion as possible and to allow space for the unwarranted housing scheme.
- The Historic England report is broadly to be expected as the organisation had informed the pre application discussions, however it is of note that it highlights concerns about the excessive roof heights and scale of the new buildings which do not respect the back land nature of the plot, are likely to impact on the amenity of nearby residents and which are contrary to NPPF requirements.
- The Economic Development report highlights concerns over the conflicting requirements between village use of the car park and the additional demand for car parking spaces as the Lion grows its customer base. It also points to the impact on amenity of the Lion business and potential conflict with the proposed housing scheme located cheek by jowl.
- The Design Access and Heritage Statement suggests that the approval of the nearby 10 houses in Hadleigh Road somehow lends weight to the justification for this housing scheme. This is a totally misleading and incorrect interpretation of the JR ruling. The Hadleigh Road development was approved contrary to local development plan policies on the basis of the "tilted balance" and in the absence of a 5 YHLS. This does not apply today whilst the Development Plan policies do.
- Planning Application DC/22/01688 at the Lion has now been granted approval. This will allow for the growth of the Lion business and 6x B&B rooms. However Condition 5 of the approval requires the applicant to have agreed and implemented a parking plan for his B&B customers with dedicated parking spaces established prior to any B&B use commencing. This highlights Babergh's concern about the need for additional parking, notwithstanding the additional requirements that will stem from further business growth and residential parking if this application (DC/22/03043) is approved. Unless dedicated

spaces are on the backland behind the Lion it seems difficult to imagine how this condition will be achieved. Already the car park with 32 spaces operates on an average day at 75% capacity and the public would be seriously impacted by the loss of any public spaces to dedicated Lion use. Any overflow onto The Street should clearly be avoided too.

- The Design document dated 2nd August 2022 referred to 30 Lion staff and owners associated with the business. Whilst not all will be at work at the same time, this number highlights the parking pressures that could arise just from staff, let alone guests and customers. It also further demonstrates why redesigning the car park and making it smaller makes no sense and why the further parking requirements from 5 additional homes (10 spaces) for residential use plus extra for visitor use will add further to the pressure. This all illustrates just one of the many weaknesses in the proposed scheme as currently conceived; it cannot even be justified on parking grounds.

The Parish Council requests that Babergh District Council takes all these comments into account when determining planning application DC/22/03043. The opportunity to provide additional comments in this re-consultation has reinforced East Bergholt Parish Council's view that this scheme is in most respects without merit, and largely contrary to planning policy. It recommends that the housing and car parking components of the scheme should be refused planning permission and that the Housing Needs Report is not a material consideration in determining this application."

National Consultee

Natural England

Habitats Regulations Assessment - Recreational Impacts on European Sites

It has been identified that this development falls within the 'Zone of Influence' (Zoi) for one or more of the European designated sites scoped into the Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

The RAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites on the Suffolk coast. The strategy allows effective mitigation to be implemented at a strategic level, so that the relevant councils, Natural England and other stakeholders are able to work together to provide the best outcomes for the designated sites. It also has the benefit of streamlining the process, so reducing the amount of time taken to process individual planning applications for the councils and Natural England.

Natural England worked collaboratively with all the relevant councils to set up the strategy. We fully support the aims of the strategy; in our view it is the best way to provide appropriate avoidance and mitigation measures for the European sites in question. As such, we advise that a suitable contribution to the Suffolk Coast RAMS should be sought from this development to ensure that the delivery of the RAMS remains viable. If this does not occur then the tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded.

Site of Special Scientific Interest (SSSI)

Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Protected Landscapes – Dedham Vale AONB

The proposed development is for a site within or close to a nationally designated landscape namely Dedham Vale AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Historic England

East Bergholt is an important village in the story of the painter John Constable and lies at the heart of what is termed 'Constable Country'. There are buildings and scenes in the village that were painted or drawn by him that survive relatively untouched by changes into the present day. The centre of East Bergholt was sketched by Constable and the Red Lion Public House would have been in existence at this time.

The land of the proposed development falls outside of the East Bergholt Conservation Area boundary but, it has the potential to affect its setting. It also has the potential to impact upon the setting of the grade II* listed The Gables. The impact upon the grade II listed The Red Lion broadly falls outside of our remit to comment upon.

Historic England have undertaken extensive pre-application advice with the applicant and the proposed scheme reflects the advice given.

Impact of the proposed development upon heritage assets

The proposal is for a small development of 5 houses on land to the rear of the Red Lion and adjacent to the public car park. It also proposes a new B&B unit, pub store, home office and car park improvements.

The 5 houses have been designed in a manner which respects the style of houses in the village and draws inspiration from their scale, form and materials. The form of the development takes its design cues from other small courtyard developments found throughout the heart of the village of East Bergholt.

This being said, the applicant has been asked, both in our pre-app response and on site to keep the height of the buildings low in order to respect the back land nature of this plot. There has been no evidence provided that this has been the case and our advice still remains that the buildings should be made less high which may involve a reduction in the overall proportions.

The overall landscaping scheme shows a reduction in tarmac which is an improvement to the character of the conservation area. However, the replacement of tarmac with block paving, even in a dark colour could be problematic for maintenance and may become untidy and damaged in a relatively short period of time. This would result in a negative impact upon the character of the conservation area. The materials should therefore be considered carefully.

Policy Context

Paragraph 199 states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be) Paragraph 200 states that any harm to, or total loss of the significance of a heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Paragraph 202 states that where a development will lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.

Historic England's position

Historic England considers that the small scale development of 5 dwellings in the area proposed would result in minimal harm to the significance of the grade II* listed The Gables and the East

Bergholt Conservation Area. However, we have some minor concerns at present relating to the scale of the buildings which, at pre-app were advised to be reduced and the material for the surfacing of the car park which may result in a low level of less than substantial harm to the significance of the Conservation Area.

While we remain broadly supportive of the scheme and consider that the scheme is in accordance with paragraphs 199 and 200 of the NPPF some minor changes could result in a more appropriate development. We therefore consider that your local authority should determine the application in line with paragraph 202 of the NPPF.

Recommendation

We have some concerns relating to the scale and materials of the development on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us

Historic England – 09/12/2022

Thank you for consulting us on the amended information in your letter dated 24th November. The amended information related to a landscape plan and the Heritage Team response to the proposal.

Historic England confirm that the submitted information addresses the concerns relating to the hard surfacing and we have no further comments to make on the proposed scheme. We agree with the conditions suggested by the Conservation Officer. Our previous comments relating to the height of the proposed buildings were in error and we apologise for the confusion caused by this.

County Council Responses

SCC Highways – 08/07/2022

The proposed development is not deemed acceptable in its proposed form. Please see the comments below that will need to be addressed prior to a position of being able to recommend approval.

The proposed layout of the site does not provide segregated footway provision to the re-located toilet block and to the proposed five dwellings. The current layout provides footway provision to the existing toilet block and therefore this proposal would increase the risk of conflict between pedestrians and vehicle users when compared to the existing arrangements. The development will need to encourage and support safe and suitable access for all users, give priority to or facilitate safe and suitable pedestrian and cycle movement.

In addition to the above, the existing car park is not within the public maintainable highway. Please advise who will be responsible for the management and enforcement of the proposed parking restrictions as this is outside the scope of the local authorities.

Until the above concerns have been addressed, a holding objection to the proposal will be maintained.

SCC Highways – 25/07/2022

Following the submission of additional information, conditions would be recommended on any approval given for this proposal.

SCC Fire and Rescue Service

Standing Advice

SCC Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), partially within the historic settlement core (HER ref no. EBG 044) and close to the Grade I listed Church of St Mary, which has medieval origins (EBG 014). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important below-ground heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Internal Consultee Responses

BMSDC Environmental Protection – Land Contamination

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.

BMSDC Environmental Protection – Noise/Light/Odour – 15/07/2022

Housing

In respect of the proposed housing, it is unclear from the floorplans submitted for both the semidetached and terraced housing as to whether the flues pictured on the drawings are functional and associated with the use of a wood burner or similar, or are purely decorative as the floorplan submitted for the terraced housing is rather sparse in details. Please could this be clarified.

The terraced dwellings will directly overlook the car park, and one of the semi-detached properties will also have a bedroom window overlooking it and as a result there is potential for loss of amenity due to noise from the car park which is approximately 20m from the facing façade of the dwellings (some of which are bedrooms). The Red Lion currently has a premises licence allowing it to open until 00.30hrs on Sundays – Thursdays and 02.00hrs on Fridays and Saturdays.

Whilst I appreciate the current licence holder does not use the licence to its full extent, it must nevertheless be assessed on the basis of the full potential of the licence. It is therefore reasonable to assume that the car park could be used by patrons at these times and there is therefore potential for sleep to be disturbed. No information or noise assessment is included in the application as to how this has been considered/ will be addressed. I note there will be a 2 metre boundary wall which will screen noise to an extent at the ground floor, but will offer no protection to the first floor, where bedrooms are located. I would not recommend that this permission be granted until a noise assessment addressing this matter has been submitted with this application.

The proposed terrace dwellings are also in close proximity to the pubs garden area. The Live Music Act and Deregulation Acts have allowed the external areas of licensed premises to be used for music until 11pm 7 days a week.

There is therefore potential for loss of amenity due to noise arising from the everyday operation of the public house, in particular, any activities in the garden which could include music), and vehicle movements (including deliveries) in the car park, The level of noise is likely to be sporadic and will vary from day to day depending on usage levels of the garden and nature of groups involved, and I therefore regret that I am unable to give you a quantitative assessment – this will be a subjective judgement. I note that there is a domestic property to the rear of Carlton House which is in similar position/proximity to the proposed development. I can advise you that the Environmental Protection team has no records of any noise complaints relating to the operation of the public house - however, any substantiated noise complaint made by the occupants of the proposed new units would have the potential to fetter the operations of the public house.

I also note that air source heat pumps are proposed to serve each of the proposed dwellings These can be associated with loss of amenity due to noise and I would recommend a condition to secure details.

BMSDC Environmental Protection – Noise/Light/Odour – 08/11/2022

Thank you for your re-consultation on the above application, I have had regard to the Acoustic Design Statement Technical Report, prepared by Sound Solutions, report reference 38883-R2, dated 18.10.2022.

The Technical Report (TR) finds that the dominant sound at the site was found to be car parking activity and road traffic noise. Low frequency noise was also audible from the chiller at the Red Lion. However, the survey was undertaken when the Red Lion was not in operation and as such does not represent a 'worst-case' scenario as some plant would not have been operating. The

TR identifies noise from fixed plant, deliveries and car parking activity related to the pub, patron activity in the beer garden and entertainment sound as other potential sources.

In terms of plant items at the Red Lion, these have been assessed in accordance with BS:4142 (methods for rating and assessing industrial and commercial sound) and resulting noise levels are found to be 23-35dB at the proposed dwellings and 31dB at the first floor B&B. This will be at times be above the existing night-time background level of 29dB L90 and thus could be indicative of adverse impact.

The TR assesses noise from the adjacent car park on a 'worst case' basis. It is however, based on an assumption of no deliveries to the Red Lion between 23.00 – 07.00. The TR finds the predicted combined noise level arising from use of the car park and plant at the Red Lion as being between 32-43dB at the proposed dwellings and 38-39dB at the B&B rooms.

At the proposed dwellings, the TR finds that the noise will have a low impact at the ground floor façade and the rear garden. However, at the first floor (where there is no shielding via the garden wall) noise levels will be +14dB above background – this indicates an 'significant adverse impact'. Section 4.21 states that the applicant would have little control of the operation of the public car park but could take measures to mitigate the effects of the noise at the receptor through internal layout design and façade insulation. In order to meet internal amenity guideline values as given in BS8223:2014 (guidance on sound insulation and noise reduction for buildings), windows would need to be kept shut at night to achieve this. In order to prevent overheating, the TR identifies that installing a system 3 (continuous mechanical extract) or system 4 (continuous mechanical supply and extract with heat recovery), fitted alongside standard double glazing to windows. Will be required to mitigate against noise.

In terms of noise from the entertainment element of the Red Lion, section 4.35.1 states that "It is understood that the operation of the adjacent commercial use (The Brasserie) does not comprise any form of amplified or acoustic music (internally or externally). Should the usage of The Brasserie change to include any form of internal or external music, this would likely require a "change of use" application and subsequent noise assessment report (to be produced by a suitably qualified person)." This is a critical point as whilst this may be the case for the current operator of the premises, the premises licence allows indoor live and recorded music until 23.30hrs Sun – Thursdays, and 00.00hrs Friday and Saturdays, with this permission increasing to 01.30 on Bank Holiday weekends. The Live Music and Deregulation Acts would also allow such music to take place outside until 23.00hrs daily. Therefore this permission exists even if the premises do not currently use it.

I am unsure whether there are any planning conditions in effect at the Red Lion preventing such use and would leave this for your investigation and comment. If there are no such planning constraints then I would advise that an assessment should take place prior to determination based on the current permission allowed under the licence as any future operator of the Red Lion could choose to use the full capabilities of the premise license at any time and the presence of the proposed dwellings could therefore fetter the existing business.

The TR has therefore limited the scope of the assessment of entertainment noise to that of patrons using the rear beer garden. Table 11 shows that noise levels from this source would be

at acceptable levels at the ground floor façade and the rear garden façade of the dwellings and the 1st floor façade at the B&B rooms, but that internal BS8223 values would be exceeded at the first-floor facades of the dwellings. This would be mitigated to an acceptable level by the system 3 or system 4 ventilation strategy as detailed to mitigate against plant noise.

Until the above point regarding entertainment noise has been addressed, I am unable to recommend approval of this application.

BMSDC Environmental Protection – Noise/Light/Odour – 21/12/2022

Thank you for your re-consultation on the above application, I have had regard to the Acoustic Design Statement Technical Report, prepared by Sound Solutions, report reference 38883-R3, dated 18.11.2022.

The Technical Report (TR) has been updated to include an assessment of noise from entertainment at the Red Lion, based on predicted levels from a disco in marquee and accompanying noise from patrons. Whilst I understand this is not an activity currently planned at the premises, there are no planning conditions or premises licence conditions to restrict it and thus it must be considered as a potential activity.

In order to ensure a good internal environment is met (and to mitigate against plant noise), the TR identifies that windows will need to be kept shut and it will be necessary to install a system 3 (continuous mechanical extract) or system 4 (continuous mechanical supply and extract with heat recovery) ventilation system, fitted alongside standard double glazing to windows. will be required to mitigate against noise. If you feel this is acceptable on planning terms, then in order to achieve this, a condition would be required to any permission to the effect that:

Details of a glazing and ventilation scheme shall be submitted to and approved by the LPA prior to commencement of the development, In a sound insulation scheme as given in :

- In respect of House 1 East facing bedroom, north facing bedroom and north facing living room, House 2 north facing bedroom, House 5 east facing bedroom and B&B east facing bedroom, to be as per the specification given in table 13 of Acoustic Design Statement Technical Report, prepared by Sound Solutions, report reference 38883-R3, dated 18.11.2022.– where house numbers refer to those given in Appendix C.
- In respect of all other habitable rooms to be as per the specification given in table 15 of Acoustic Design Statement Technical Report, prepared by Sound Solutions, report reference 38883-R3, dated 18.11.2022.- where house numbers refer to those given in appendix C.

The proposed attenuation scheme will protect the internal rooms only and not the external amenity areas which will benefit from a 5-10dB screening from boundary fences. Assuming a level of 65dB from entertainment noise this would equate to 55-60dB in gardens, which is above the BS8223 and WHO guideline level to avoid 'serious annoyance' in external amenity areas. Given that this is a theoretical activity I will defer to you to give this the correct weighting in planning terms but would advise that it may have potential to result in noise complaint. In any case I would recommend the following condition:

- All garden fences between residential plots are of solid, close boarded construction and reach a constant minimum height of 1.5m as shown in green lines in Appendix C (proposed site plan)

The TR also considers noise from air source heat pumps and has found that these would be compliant with 'MCS 020 – MCS Planning standards for permitted development installations of wind turbines and air source heat pumps on domestic premises'. I would recommend that the following condition be attached to any permission:

- The Air source heat pumps to be installed at the development shall be limited to the 'Aerona HPID6R32' and each shall be installed at a minimum distance of 2m from any neighbouring residential property boundary. Thereafter the air source heat pumps shall be operated and maintained in accordance with manufacturer's instructions.

Finally, I would continue to recommend the conditions in respect of construction hours, burning, construction management plan and external lighting as given in my initial consultation response of 15th July 2022.

BMSDC Economic Development and Regeneration Team

Economic development are supportive of the proposed additional visitor accommodation, these together with the additional bed and breakfast accommodation in DC/22/01688 should make a significant contribution to the sustainability of the business and add value to the tourism offer in the area, bringing in welcome visitors who then also use and contribute to other services and facilities in the area.

Improvements to the car park and public toilet would also seem to be beneficial to visitor and community amenity and are therefore, supported by ourselves.

I do have the following concerns regarding the residential element of the application:

- The identified scheme will effectively utilise all of the pub's additional external space thereby restricting the ability of the pub to develop or expand its outside uses in future, for example one off events, celebrations etc.
- Whilst meeting parking requirements, I would be concerned that additional vehicles from the housing will spill into the public parking areas, potentially causing conflicting issues for the amenity of visitors to the pub and village.
- The scheme planned within this application has a close proximity to the pub and its outside space. This creates the potential for neighbouring amenity issues that may fetter the ability of the pub to operate in future - I would strongly recommend that should this part of this scheme go ahead that far greater consideration is given to distance and screening to create a greater sense of separation between the two uses ensuring that customers of the pub can fully utilise the outside space.

BMSDC Heritage Team

This application is for the erection of five dwellings, a storage building with two bed and breakfast rooms for the Hotel and Brasserie, a public convenience building following demolition of the existing toilet block, and alterations to the car park. The issues of the Heritage Teams concern relate to the potential impact of the proposals on the setting and therefore the

significance of the Grade II listed The Red Lion, a 17th century timber framed and red brick building; the Grade II listed Cottage to the north of The Red Lion, also known as Red Lion Cottage, an 18th century timber framed building; and the Grade II* listed The Gables, a late 16th century and 19th century building. The proposals also have the potential to affect East Bergholt Conservation Area as the proposal site stands part within and part without the western boundary, and it stands within close proximity to non-designated heritage assets including the Congregational Church.

This application follows various discussions during pre-application submissions with both the Planning and Heritage Teams, and an earlier Planning application (DC/20/05800). During that advice, the Heritage Team did not oppose the principle of development on the proposal site, but focussed on achieving an organic, small scale, respectful and sensitively detailed scheme which responds to the architectural language of its context. Recommendations were given to help the proposals provide an appropriate hierarchy to existing development and reflect its back-land location.

The scheme has been amended following the most recent advice, and it is considered to reflect those discussions.

Scale, layout and the detailed design are considered fundamental aspects necessary to achieve a suitable scheme which preserves the settings of both designated and non-designated buildings within its proximity, and the character and appearance of the conservation area.

The heights of the proposed dwellings, the pub store and B&B building have all been sufficiently reduced from previous schemes to appear subservient to The Red Lion and Red Lion Cottage.

The layout of the dwellings has been broken up into two parts to help reduce the visual massing and create a less regimented arrangement which better reflects the more organic morphology of the village. The architectural language in the scheme traditional, any may be influenced in part by Constables stable block, as well as Hatters and The Old House which are on the opposite side of the road to the pub. The proposed designs are arguably a combination of vernacular style with some simplified Classical detailing. The scheme also incorporates traditional forms such a gambrel roofs and low eaves to rear catslides, as a way of demonstrating subservience and providing an ancillary character to the development. The break in the ridge line and the articulation given to the design of the houses helps to minimise visual massing and retain an appropriate hierarchy as back-land development. Similarly, the pub store and B&B building has been simplified. Its cladding, reduced size of its openings and the small dormers with louvred windows helps provide a vernacular and utilitarian aesthetic which in turn reflects its subservient status, which is also helpfully portrayed in the visualisation.

I acknowledge the minor concerns in regard to scale noted by Historic England. However, the combination of articulation, materials and layout which have been employed, as well as the reduction in height from earlier iterations is considered sufficient to address the Heritage Teams earlier concerns.

The public convenience has been located to the north-west corner of the site as discussed. Due to its proposed location and position against a hedge which would help to soften its appearance

it would on balance appear relatively discreet. In addition, there is an enhancement to the hard surfacing in the car park, which involves the removal of tarmac, with its suburbanising effect, and the introduction of block paving with resin bound gravel to the private car parking area. Whilst I acknowledge Historic England's comments in regard to this point, the Heritage Team concludes the changes would provide a more sensitive finish which would amplify the small scale, pedestrian-friendly nature of the residential space, as well as reinforcing the distinction between public and private spaces. The brick boundary wall and vegetation would also help to delineate the public and private spaces, as well as reduce the visual impact of parked vehicles. The soft landscaping incorporated into the development is also supported and would help to avoid an overly urban character to the site.

The scheme is therefore considered to sustain the various heritage assets in the vicinity and is in line with previous advice. This is subject to a number of details to be agreed by condition, in order to achieve a well detailed scheme which respects and reflects the importance and traditions of its surroundings.

Therefore, the application is considered to cause no harm to the significance of the listed buildings and non-designated heritage assets, as well as the character and appearance of the conservation area, subject to appropriate details to be agreed by condition. Should the LPA be minded to grant consent, the following conditions should be imposed:

- Manufacturers literature of facing and roofing materials, including finish colours
- Large scale section drawings of eaves and verges
- Large scale elevation and section drawings of windows, doors and shutters or louvres
- Manufacturers literature of rainwater goods
- Details of all boundary treatments and edging, including all kerbstones
- Sample panel of brickwork for the walls, no less than 1 metre square, to be constructed and photographs submitted. Following agreement of an appropriate panel, panel to remain on site for duration of the build.
- Manufacturers literature of external lighting, including proposed location
- PD rights removed external facing colour to render, extensions, outbuildings, boundary treatments

BMSDC Strategic Housing Team

The site size has been quoted in this application as less than 0.50 hectares of land and less than 10 dwellings, therefore at present there would be no affordable housing contribution.

Essex Place Services – Ecology – 27.07.2022

Holding objection due to insufficient ecological information – Out of date ecological assessment and further surveys Bats (European Protected Species)

Essex Place Services – Ecology – 20/09/2022

No objection subject to securing:

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

Essex Place Services – Landscape

The site is located in the village of East Bergholt, land at the back of the listed building The Red Lion public house and adjacent to the grounds of East Bergholt Church to the south and public car park to the north. The western boundary looks into private gardens of residential property White Cottage.

East Bergholt is rich in heritage assets with a high number of listed buildings and has a special character. It has been identified as a Core Village and as per Policy CS2 of the Babergh Core Strategy (2014), all proposals will be assessed against Policy CS11. We also consider that Policy CS15 also applies and makes emphasis in achieving sustainable development through good and appropriate design.

The adopted East Bergholt Neighbourhood Plan (July 2016) shows that the site is outside the built-up area boundary. The main objective of the East Bergholt NP is to maintain its attractive village environment, meeting local needs for new housing and services, and respecting the village's special character, heritage assets and its setting within a unique landscape in the heart of Constable Country.

Landscape impact

The site is within the Area of Outstanding Natural Beauty (AONB) and next to the East Bergholt Conservation Area. The proposal should meet requirement under Policies CR02 – Areas of Outstanding Natural Beauty and should consider requirements under CN08 – Conservation Areas from the Babergh Local Plan (2006).

A Landscape and Visual Impact Assessment (LVIA) was submitted which reached the conclusion that the new development if designed with sensitive materials and appropriate scale, form and massing and it will not have a major impact on the landscape character.

From our desktop review, the proposed development has experienced a series of amendments following feedback after pre-app consultation. Having reviewed the proposal and LVIA, we do not have major concerns on the proposed development, and we consider that the site has the capacity to absorb the development as shown on the latest submitted drawings (30.08.2022).

Notwithstanding the above, detail design will be key in delivering a good quality development with a sense of place that protects and enhances the character of the village, the setting of the listed building and the AONB. We have included some recommendations below which we expect are addressed and incorporated into the detail design proposal.

Landscape proposal

Landscaping

A number of existing trees are proposed to be removed but new trees have been proposed to mitigate for tree loss. We would expect to see a range of native trees proposed including some long-life expectancy trees (e.g., pedunculate oak, hawthorn). When space is a constraint, native varieties could be acceptable at appropriate locations, but these should be kept to a minimum and ensure they are beneficial to wildlife.

We noticed that the existing brick wall to the north of the site has some planting growing against. The current drawings are not showing any planting at this location. We request that this planting

is retained and enhanced as it does contribute to softening the brick wall elevation and hard surface area of the car park.

We welcome the soft landscape areas to the front of the new dwellings; however these are currently proposed as grass. In order to improve the public realm of the new development, create a sense of place and enhance the built character, these areas should include some planting that is in keeping with the rural character of the village, i.e., terraced cottage style planting.

The proposed open space in between new building blocks should include a range of planting which enhances biodiversity and provides visual interest. The same should apply to the soft landscape areas within the public and private car park.

In general, we encourage the use of flowering lawns instead of amenity grass. where appropriate. Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term. We would recommend that some of the grass areas are specify as flowering lawns.

The proposed resin bound gravel for the private car park is appropriate and contributes to delivering a more sensitive setting for the listed building and to be in keeping with the rural character of the village.

Boundary treatment

We welcome the new brick wall which are in keeping with the character of the village and with the existing wall at the public car park.

However, some of the other boundary treatment is not clear, such as the boundary to private gardens facing onto footpaths and boundary for new Pub store/bed and breakfast building. Details on the type of fencing should be submitted to include height, type and material of proposed boundaries. We noted that details on the proposed brick wall have already been submitted.

We would recommend that brick wall is proposed on those elevations facing into the public realm and footpaths. This will assist in keeping with the local character.

Recommended conditions

Notwithstanding the comments above, if the application is minded for approval, we would advise conditions to secure a Landscape Management Plan and details of hard and soft landscaping.

B: Representations

At the time of writing this report at least five letters/emails/online comments have been received. It is the Officer opinion that this represents 22 objections and 13 support. A verbal update shall be provided as necessary.

Views are summarised below:-

OBJECTIONS

- Overdevelopment of the site
- Loss of parking
- Impact on village infrastructure – increased strain
- Sustainability of design – net zero considerations
- Several elements on one application
- No housing need in village
- Impact on the AONB
- Car park concerns
- Removal of trees
- Toilet access
- Coach parking
- Scale of store/B&B rooms
- Storage container
- Possible overlooking from the B&B rooms
- Impact on the Conservation Area
- Increase in ambient lighting
- Increase in traffic
- Reduction in public conveniences
- Noise from speed bumps

SUPPORT COMMENTS

- Improved public conveniences
- Additional accommodation for tourists and visiting families
- Five dwellings are smaller and more affordable
- Development will financially support the award winning Red Lion

(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

More than sixty Planning applications have been submitted on this site, going back as far as 1976. The full list has been placed at the end of this report in the interests of clarity.

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site includes the Red Lion Public House, and its beer garden and the East Bergholt public car park. The site is wholly within the East Bergholt Conservation Area and the Dedham Vale Area of Outstanding Natural Beauty.
- 1.2 This area of East Bergholt forms the heart of the village with a mixture of residential and commercial properties. The Street lies in the historic core of the village with a large number of fine Listed Buildings. The buildings in The Street are largely Grade II Listed with The Gables having a Listing of Grade II*, this building shares a boundary with the public car park. The BT telephone exchange building sits to the north of the site, the cemetery to the west and the East Bergholt Congregational Church to the south. The Congregational Church is not a Listed Building but is considered to be a non-designated heritage asset.
- 1.3 The Red Lion is a Grade II Listed Building along with its neighbouring residential properties of Red Lion Cottage and The Manse (both of which are in separate ownership).
- 1.4 The site comprises The Red Lion Public House and beer garden which runs along the southern boundary of the site. Within the grounds of the public house there is an outbuilding that was granted planning permission for Change of Use of outbuilding (Class A4) to (Class A1) antiques and craft shop; Erection of external staircase, re-roofing, alterations to fenestration under reference DC/17/03151.
- 1.5 The public car park falls within the same ownership of the Red Lion but is leased to East Bergholt Parish Council. This area has recently been upgraded with tarmac and parking bays marked out. The car park contains public conveniences in a square building with a pyramidal roof. The car park contains some mature trees both in the centre of the parking area and around the edges. There are three important access points. First is the main access from The Street to the car park. Within the site are two more access points that must be kept clear at all times - one to access the BT Telephone Exchange building and the other to access the cemetery.
- 1.6 A large proportion of the site is within the Built-Up Area Boundary (BUAB) of East Bergholt which is classed as a Core Village in the Babergh Core Strategy. However, the section of the site where the five dwellings are proposed is outside of the BUAB and is, therefore, classed as Countryside.

2.0 The Proposal

- 2.1 This application is a re-submission of DC/20/05800 (Planning Application. Erection of 7No 2 bedroom terrace dwellings, 1No garden office building and 1No store / commercial building. Demolition of toilet block. Car park improvements) and DC/21/00517 (Development consisting of 7 No. 2 bedroom terrace properties to the rear of the Red Lion. Change of use of Red Lion from A4 to C1 along with new Garden office building and store / accommodation building). Both of these applications were withdrawn prior to determination.
- 2.2 The proposal comes in three separate elements but all are included on one application form. Firstly, is the erection of a storage building with two bed and breakfast rooms at first floor level. Secondly are the demolition of the public conveniences and erection of replacement public convenience buildings along with alterations to the car park. Thirdly is the erection of five dwellings within part of the beer garden. The dwellings would each have two bedrooms. The original proposal also included a home office for the neighbouring property, The Old Manse. This element of the proposal has been removed from the scheme.
- 2.3 A total of ten parking spaces have been provided for the five dwellings, which is dedicated parking for the residents and separated from the public car park with a brick wall. Two dedicated parking spaces are provided for the Bed and Breakfast rooms above the storage building. The block plan shows a total of 29 standard parking bays, three disabled bays and one coach bay. The car park also includes a new public convenience building. The existing car park arrangement has 32 bays, three of which are disabled bays and two coach bays.
- 2.5 The proposed heights of the buildings are as follows:
- Public conveniences – 3.4m
 - Pub store/B&B rooms – 6.4m
 - Semi-detached dwellings – 6.4m to the ridge
 - Row of terraced dwellings – 6.4m to the ridge
- 2.6 Most of the gardens are small and range from approximately 32sqm to 126sqm.
- 2.8 A mix of traditional materials is proposed:
- Public conveniences – walls – silvered oak weatherboarding on a brick plinth, windows – painted hardwood with obscure glass, doors – painted hardwood, roof – plain tiles, rainwater goods – painted cast iron.
 - Pub store/B&B rooms – walls – silvered oak weatherboarding, roof – red clay plain tiles, joinery – painted hardwood, rainwater goods – painted cast iron.
 - Dwellings – all houses to be timber framed construction, roof – plain tiles, walls – lime render, doors and windows – hardwood painted, chimneys – soft red brick, rainwater goods – cast iron painted, dormer windows – lead covered.

2.9 The site area is 0.38Ha.

3.0 The Principle of Development

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications under the planning Acts be determined in accordance with the development plan, unless material considerations indicate otherwise. Strictly speaking, that direction is more appurtenant to the determination of applications for planning permission; however, it is considered appropriate that the development plan be the starting point in determining the appropriateness of the reserved matters detail that has been submitted and is no less relevant in that respect.

3.2 Relevant to the submitted application, the development plan comprises the following:

- Babergh Core Strategy (2014)
- Saved policies from the Babergh Local Plan (2006)
- East Bergholt Neighbourhood Plan 2016

3.3 Within the current development plan, those policies considered to be most important for the determination of the reserved matters application and its associated details are as follows:

- CN01 - Design Standards
- CN06 - Listed Buildings - Alteration/Ext/COU
- CN08 - Development in/near conservation areas
- CR02 - AONB Landscape
- CR07 - Landscaping Schemes
- TP15 - Parking Standards - New Development
- EM01 - General Employment
- EM20 - Expansion/Extension of Existing Employment Uses
- CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
- CS02 - Settlement Pattern Policy
- CS03 - Strategy for Growth and Development
- CS11 - Core and Hinterland Villages
- CS12 - Design and Construction Standards
- CS13 - Renewable / Low Carbon Energy
- CS15 - Implementing Sustainable Development
- CS16 - Town, Village and Local Centres
- CS18 - Mix and Types of Dwellings
- CS21 - Infrastructure Provision
- NPPF - National Planning Policy Framework
- East Bergholt Neighbourhood Plan

3.4 The Council is currently in the process of preparing a new Joint Local Plan with Mid Suffolk District Council. The National Planning Policy Framework (NPPF) identifies that decision-takers may give weight to relevant policies in emerging plans according to their

stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with national policies. The plan-making process in this instance is at a very early stage and is therefore not weighed as a determinative consideration in this instance.

- 3.5 The NPPF of July 2021 contains the Government's planning policies for England and sets out how these are expected to be applied. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At paragraph 8, this is defined as meaning that there are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways: economic, social, and environmental. The NPPF goes on to state, however, that they are not criteria against which every decision can or should be judged (paragraph 9).
- 3.6 There are three parts to this application each with its own set of policies that are relevant but also shared policies that cover the whole scheme such as policies to do with highway safety, design, residential amenity and heritage impact.
- 3.7 It is important to understand the location of the proposal development. The site is partly within and partly outside of the BUAB of East Bergholt that is defined as a Core Village in policy CS2 of the Core Strategy. Core Villages act as a focus for development within their functional cluster for both housing and employment needs. Policy CS2 is a rigid policy and not fully compliant with the aims of the National Planning Policy Framework (NPPF) and, therefore, the policy is not given full weight in decision making. The Red Lion PH and public car park fall within the BUAB of East Bergholt with the area proposed for new housing sitting outside of the BUAB but adjoining it on three sides of the plot.
- 3.8 The proposed storage building with letting rooms above is within the curtilage of The Red Lion and forms part of the business. This area is within the BUAB and therefore the principle of development is acceptable under policy CS2. The design, layout and materials of the building have been carefully considered within the setting of listed buildings and within the conservation area and have not raised any objection on heritage grounds. This part of the development is considered to be compliant with policies CN01, CN06 and CN08 of the Babergh Local Plan.
- 3.9 The building is considered necessary and would replace a shipping container that had been in place to help support the kitchen and bar. East Bergholt is a tourist area being the home of John Constable and with Flatford in very close proximity to the centre of the village. Expansion of existing businesses is supported by both Local Plan and Core Strategy policies. Visitors using the letting rooms at the Red Lion are likely to use other facilities within the village, such as cafes, shops and pubs. Tourism is very important to local economics in Babergh, which is a very rural district with two AONBs – Suffolk Coast and Heaths and also Dedham Vale, which East Bergholt falls within (Suffolk Coast and Heaths AONB being only a few miles away). East Bergholt offers a lot to visitors in terms of its history, links with one of the most important English landscape artists and beautiful buildings and landscapes.

3.10 The East Bergholt Neighbourhood Plan specifies objectives in Chapter 7 - Economy. The objectives that are relevant to the business part of this application are:

- Support local employment and business needs
- Maintain East Bergholt's position as a successful tourist destination.

Policies EB15 (The Development of New and Expanded Businesses), EB16 (Safeguarding Employment Land and Premises and Community Facilities) and EB20 (Tourist Facilities and Services) encourage the protection of existing employment and tourism growth in the village. Specific criteria in the policies are assessed below, but overall the proposal for a store and lettings rooms to enhance the existing public house is considered to be acceptable and is policy compliant.

3.11 The second part of the proposal concerns changes to the public car park and public conveniences. This area of the site is also within the BUAB and Conservation Area of East Bergholt. The car park is in the same ownership as the Red Lion but is leased to East Bergholt Parish Council. The Parish Council listed the car park as an Asset of Community Value on 29/07/2021. The ACV is in place for five years and will expire on 28/07/2026. The Parish Council recently had the car park resurfaced and parking bays were marked which included 32 bays, three of which are disabled bays and two coach parking bays.

3.12 Although this is a public car park it is understood that there is a clause in the leasing agreement that allows customers of The Red Lion to park free of charge and demonstrates that the provision of a car park is vital to the sustainability of the business. The Parish Council raised concerns about parking during a recent application at the public house DC/22/01688 (*Full Planning Application - Use of first floor and second floor as 5no. bed and breakfast rooms with en-suites, change of use of retail shop to bed and breakfast room with office for pub at first floor, siting of storage container, water tank, erection of a cold store and screen fencing*). The Parish Council felt that there would be an increase in the number of vehicles from patrons of The Red Lion using the public car park as a result of this application being granted. A condition was attached to the permission which required a parking strategy to be agreed.

ACTION REQUIRED PRIOR TO USE/OCCUPATION: SCHEME OF PARKING MANAGEMENT TO SERVE BED & BREAKFAST ACCOMMODATION

Prior to the first use of any room for bed and breakfast accommodation as proposed in this application, a scheme of parking management, to ensure that off-street car parking is available for guests using that accommodation, shall be submitted to the Local Planning Authority to its satisfaction. The scheme shall demonstrate that dedicated car parking space for such guests is available at appropriate times of day and shall include the times and details of that dedicated space. The agreed scheme shall thereafter be implemented and the dedicated spaces made available at all times the use is in being.

Reason: In order to ensure that appropriate off-street car parking is available, in the interests of highway safety and to safeguard the character and appearance of adjacent heritage assets including the Conservation Area. The application documentation depicts

the car park area land owned or controlled by the applicant and the application form states that the applicant does not have any existing car parking space and it is appropriate to ensure that parking to serve guests can be secured in a dedicated manner.

To date, this condition has not been discharged.

- 3.13 The car park is an important feature of the centre of the village as it is close the village shops, cafes, pharmacy and public house. The car park features in the Neighbourhood Plan with its own policy – EB11.

The Red Lion Car and Coach Park identified on Map 19 shall be safeguarded for parking. The change of use of the site shall only be permitted if alternative parking provision of a similar size is provided in a location accessible to the local facilities in the Village Heart.

- 3.14 The proposal does not change the use of the car park. However, the car park is the linking element to both of the other parts to the application. This is because the two car parking spaces to be provided for the B&B rooms would be within the current access area of the car park, and the proposed dwellings, which have their own parking area, separated by a brick wall, would encroach upon the current car parking area. The two areas that would be lost from the total area of the current car park have not been offset with an alternative parking area of a similar size within the Village Heart. The proposal is considered to fail policy EB11 on this point.
- 3.15 The Neighbourhood Plan also lists projects that the village will look to carry out in the future. This includes EB12 which defines improvements to the car park. The car park has recently been resurfaced. This is an improvement in terms of the maintenance of the car park. However, in the future, it may be that the car park could be laid out in a way that provides more parking bays than are currently available, or to change the parking to suit vehicles at that particular time. If areas of the car park are removed for dedicated parking for the new dwellings or the letting rooms, this may not be possible and would conflict with the aims of the project EB12.
- 3.15 The third part of the proposal is for the erection of five new dwellings with associated parking. This area of the site is outside of the BUAB and is therefore classed as Countryside in policy CS2 of the Core Strategy. As already mentioned, full weight is not given to this policy in decision making because it does not altogether align with the NPPF. Babergh current has a healthy land supply for housing of 7.13 years. Therefore, the development plan as a basket of policies is considered to be up to date and holds full weight in decision making.
- 3.16 Policy CS11 of the Core Strategy is a much more flexible policy which does align with the aims of the NPPF and looks more to the sustainability of a location for future development rather than rigidly looking at whether a site is inside or outside of a defined BUAB. The plot in question adjoins the BUAB on three sides of its rectangular shape and is therefore assessed against the criteria of CS11.
- 3.17 The landscape, environmental and heritage characteristics of the village: The site is within the Dedham Vale Area of Outstanding Natural Beauty and also within the historic

core of the village, with parts of the site within the Conservation Area and the area for the new dwellings being outside of the Conservation Area but within its setting. There is built form to the north, east and south and the village cemetery lies to the west. The site is contained within either built form or mature trees and, therefore, the development of the site would not impact the wider landscape. The scheme has been sensitively designed to reflect the design, heights and materials of the surrounding historic buildings.

- 3.18 The development of the dwellings would result in the loss of a green space within the Village Heart. However, this area is to the rear of existing development and forms part of the Red Lion beer garden, which is a large area that is under-used and currently laid to grass. There would be some loss of trees within the site from the proposed development, however further landscaping will take place to replace the losses. No harm has been identified from the development on landscape or heritage grounds.
- 3.19 The locational context of the village and the proposed development: The site for the new dwellings is within the Village Heart which has a number of facilities available for residents. Within easy walking distance there are shops, a post office, cafes, a pub and a pharmacy. This is the historic core of the village with a mix of buildings that are non-designated heritage assets, Grade I, II* and II buildings are within this Conservation Area. It is unusual to find a space within the historic core of a village that is suitable for a small housing development. It is also unusual to find such a site in the centre of a village that is outside of the BUAB. The site is currently a grassed area to the rear of the public house with the public car park to the north, the beer garden of the public house (Grade II Listed) to the east, land associated with the non-designated heritage asset (the Congregational Church), to the south and a residential garden to the west. The site itself is outside of the Conservation Area but is within its setting. Other than being within the AONB, the site has no other status in its land use such as an area of visual and/or recreational amenity. The development is considered to be acceptable in context terms.
- 3.20 Site location and sequential approach to site selection: In terms of alternative sites within the settlement boundary, it is considered that there are no sites available within the built up area boundary available to provide a small development of modest dwellings. The proposed site is within 400 metres walk to the hub/core of existing facilities within the Village being; the local convenience shop, post office, bakery, tea rooms, estate agent, pub, pharmacy and village notice board.
- 3.21 The Doctor's surgery is located away from the hub facilities, on the edge of the village. A site located closer to the Doctor's surgery would then be remote from the hub of existing village facilities. The hub facilities are likely to be in far more regular (arguably daily) use than the Doctor's surgery.
- 3.22 There is no other shop in East Bergholt outside the hub of existing facilities (although it is noted that there is a shop proposed for the development of 75 dwellings on Heath Road). There is a kiosk in the garage, selling sweets, soft drinks and ice creams catering for the schoolchildren entering and exiting the nearby High School. The Kiosk does not sell convenience goods, and is only open during standard business hours, closing at lunchtime on Saturday and closed all day on Sundays and Bank Holidays. It cannot be reasonably said to provide convenience shopping provisions. By contrast, the Co-op in

the hub is a fully stocked convenience store, open seven days a week with extended opening hours and on bank holidays.

- 3.23 For completeness, consideration is given to other possible sites. The existing garage in the village, is closer to the doctor's surgery, but is remote from all other hub facilities. The garage site is 1.7 km distant from the main facilities hub/village core. The application relevance B/16/01092 land east of the Constable Country Medical Practice is also located some 1.7km from the main facilities hub/village core. Additionally, it is currently an employment site so its use for residential development may well be considered to be contrary to Local Plan and NP policies. In addition, a public footpath runs along the site boundary adding a further constraint to any development.
- 3.24 In terms of the area around the main village hub or core where the shops are located, there are no other sites that are known to be suitable and or available at this time.
- 3.25 Realistically there are no other sites with access to services within the built up area boundary, other than perhaps an odd single infill development within the built up area boundary.
- 3.26 The application site is very close to main facilities, with easy access to bus services that provide a circular route around the village passing the doctor's surgery, with footpath connections from the site to the facilities. The application site achieves this whilst providing a small number of dwellings meeting the policies contained with the NP and local plan policies.
- 3.27 Locally identified need: The approach to the distribution of new dwellings within Policy CS3 is to be driven by the function of the villages, their role in the community, and the capacity for a particular level of growth which will be guided by many factors and which will result in a different level of development being identified as "appropriate" in different settlements, even those within the same category. The approach will also provide for a degree of in-built flexibility within the catchment area.
- 3.28 The Core Villages are very varied and their needs and factors which influence what is an "appropriate level of development" will vary from village to village, especially where villages are situated within environmentally and visually sensitive landscapes, particularly the AONBs, and/or where villages include conservation areas and heritage assets. These landscapes and heritage assets will be key considerations when considering planning applications.
- 3.29 Accordingly, "locally identified need" or "local need" should be construed as the development to meet the needs of the Core Village identified in the application, namely East Bergholt and the functional cluster of smaller rural settlements which it serves.
- 3.30 It is important to note that this interpretation of Policy CS11 should not be misconstrued as a justification to restrict proposals for new development in and around Core Villages to meet the needs of that Core Village alone. The Core Strategy expressly contemplates that Core Villages will accommodate the majority of new housing development to meet the needs described in Policy CS3 as "rural growth", including the development needs of

the "functional cluster" served by that Core Village. Where appropriate, the development needs of a wider catchment area may also be relevant, subject to the particular needs of local rural communities and significant constraints on development in nearby Core and Hinterland Villages (see Core Strategy, paragraph 2.8.5.4).

- 3.31 Policy CS11 allows flexibility for developments of appropriate scale and form to come forward for Core Villages. The Growth and Development Strategy therefore allows for some rural growth, which has been identified locally as important to sustain the existing rural settlement pattern and existing rural communities in the catchment area. The sequential approach of the Strategy for Growth and Development requires new development for "rural growth", first, to be directed to Core Villages, which are expected to accommodate new development in locations beyond existing BUAB, where appropriate.
- 3.32 In respect of affordable housing need, paragraph 2.8.5 of the Core Strategy advises that Policy CS11 will lead to greater flexibility in the provision of affordable housing, related to need which has to be considered more widely than just within the context of individual settlements but also the other villages within that cluster and in some cases adjoining clusters. This is consistent with the requirements of the NPPF that aim to ensure that the local plan meets the needs for affordable housing in the housing market area. The size of the site area (under 0.5Ha) and the number of dwellings proposed (less than 10), does not trigger the requirement for affordable housing. Certainly, with the high quality design and the materials proposed, these will not be affordable dwellings. It is likely that these will be homes for older people that wish to downsize without losing the character, location or quality of their existing dwellings. The dwellings are of lifetime standards and could be adapted for residents that are less mobile.
- 3.33 The SPD identifies that proposals should be accompanied by a statement that analyses the local housing needs of the Village and how they have been taken into account in the proposal. For the reasons explained, the local housing needs of the village must be construed as the needs of the village itself and the needs of the functional cluster of smaller rural settlements it serves. In this case the Applicant has submitted a housing needs assessment.
- 3.34 The housing needs assessment that accompanied the application has identified that information taken from the 2011 census that the percentage of households in the East Bergholt Functional Cluster that need a two bedroom property might be:

One person 65 and over	13.7%
Couple 65 and over	14.1%
One person (under 65)	10.9%
Couple (no Children)	22.8%

That is a total of 61.5% of the population of the Function Cluster that maybe looking to downsize or to purchase a smaller house in the future within East Bergholt, without losing the character of cheaper dwellings built by larger development companies. The

assessment also highlights that 58.8% of dwellings are detached properties in the Functional Cluster. The Functional Cluster for East Bergholt includes:

- Brantham
- Higham
- Holton St Mary
- Layham
- Raydon
- Stratford St Mary
- Tattingstone

3.35 It is acknowledged that East Bergholt has been the subject of several larger schemes over the past several years:

B/16/01092 Heath Road – 75 dwellings

B/15/00673 Moores Lane - 144 dwellings

B/15/01678 Gatton House - 10 dwellings

This is in addition to other developments within the functional cluster that also offer a mixed development of housing sizes and tenure, particularly in Brantham.

3.36 This proposal is slightly different because of its location so close to the Village Heart and in what it is offering by way of modest, two-bedroom dwellings but of a high quality design within a very sensitive area. Further estate housing would not be acceptable in this location.

3.37 The Housing Needs Assessment that accompanied the application was not conclusive on whether the housing need in East Bergholt has been met or not. All three of the sites listed above, provide a total of 229 dwellings for the village. These sites are either in the build stage, have commenced or are making preparations to commence which means that it is likely that all of the sites will be delivered and provide the housing that has been granted. The sites provide a mixture of housing types and tenure with varying numbers of bedrooms. It is likely that these sites provide more than the local need in East Bergholt and the Functional Cluster. However, the two larger sites are not within the Village Heart area defined by the Neighbourhood Plan, which is the preferred location for smaller housing units suitable for older residents who wish to downsize. The proposed five dwellings would be a departure from the development plan if allowed.

3.37 Locally identified community needs: Policy CS11 requires a similar approach to the determination of proposals for development to meet locally identified community needs, recognising the role of Core Villages and the "functional clusters" they serve. Paragraph 2.8.5.2 of the Core Strategy notes that the "approach advocated for the management of

growth in Core Villages and their hinterlands, has many benefits for the communities". The benefits that the application of Policy CS11 and other relevant policies should secure include "Flexibility in the provision of and location of facilities" ... "to reflect a catchment area pattern which relates to the day to day practice of the people living in the villages" (see item iii) in paragraph 2.8.5.2).

- 3.38 The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the village and how they have been taken into account in the proposal. In this case the applicant has not submitted a community needs assessment. The proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities.
- 3.39 In the absence of such a statement, the application submission has not adequately demonstrated how the proposal would meet this element of policy CS11. However, Officers would advise that the proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of policy CS11.
- 3.40 Cumulative impact of development in the area in respect of social, physical and environmental impacts: The SPD identifies, at paragraph 13, that "cumulative impact should include existing commitments and other proposals in the same village and existing commitments and other proposals in the cluster where they are likely to have a wider impact for example in terms of traffic generation, capacity of schools and health services. The impact on other neighbouring villages and neighbouring local authority areas should also be taken into account".
- 3.41 The technical advice received from highways demonstrates that the development can be accommodated within the village and that the services, facilities and infrastructure have the capacity to accommodate the level of development proposed.
- 3.42 It is therefore considered that, given the responses from statutory consultees and the scale of development proposed, the cumulative impact of the development will be easily accommodated within the existing infrastructure of the village and will not lead to a detrimental impact on the social, physical and environmental wellbeing of the village nor the wider cluster. The proposal therefore complies with this element of CS11.
- 3.43 The individual elements of CS11, in relation to Core Villages, have been assessed above. Notwithstanding the balancing exercise required in respect of heritage assets and public benefits, which will be carried out later in this report, the proposal cannot be said to fully comply with policy CS11. The proposal does not demonstrate that the development meets local needs, both in terms of housing and community facilities.

3.44 Policy CS15 is relevant to all three parts of this proposal. CS15 has a long list of criteria that proposals should score positively against, not all the criteria are relevant to this case. The proposals are considered to:

- Respect the landscape and heritage assets
- Would make a positive contribution to the local character of the area
- Would protect jobs at the Red Lion by providing more accommodation for visitors
- Would retain and protect a local facility
- The proposal considers access to services and the wider needs of an aging population by providing housing in the Village Heart that would be suitable for older people to downsize
- Biodiversity enhancement forms part of this proposal
- The proposed dwelling will utilise heat pumps in the rear garden to provide space heating and domestic hot water. Each dwelling will have an electric vehicle charging point and three have been included in the public car park. Water consumption will be limited to 110 litres per person per day. Low energy lighting and A rating kitchen and utility products will be provided. All homes will outperform building regulations u-values for wall, floor, roof and window construction.
- The site is not within a flood risk area.
- The dwellings will be built to lifetime standards which will allow older people to stay in their homes rather than to move again to more suitable accommodation.

3.45 East Bergholt Neighbourhood Plan: Policy EB1 of the Neighbourhood Plan requires a minimum of 86 homes to be developed in East Bergholt up to 2030. East Bergholt has extant planning permissions for more than 86 homes as discussed above.

3.46 Policy EB2 requires that:

- *all new housing development should be within or immediately adjacent to the BUAB – the site adjoins the settlement boundary on three sides of the plot.*
- *Would not have an unacceptable adverse impact on the Dedham Vale Area of Outstanding Natural Beauty (Map 9), Local Green Spaces or sites of biodiversity and geodiversity importance – the site is contained within existing development with good vegetative screening and does not raise issues of biodiversity*
- *Conserves, enhances and respects the Conservation Area (Map 18), heritage assets and built character of the local area, respecting the density, rhythm, pattern, proportions and height of existing development in the street scene – the layout, design and materials used are considered to blend with the historic heart of the village. The buildings are traditional, with heights being kept as low as possible to ensure that heritage assets and their settings are protected from alien features within this sensitive area.*
- *Would not have an unacceptable adverse impact on the local highway network – this is a very small development of five modest dwellings through an existing access which serves as a public car park. Pedestrian links form part of this application which protects the safety of people walking within the car park area. The application has not raised any issues of highway safety.*
- *Would be of an acceptable size and scale that contributes to the character of the village and the “Sense of Place” – this is a small development of five dwellings that has been sensitively designed to reflect the traditional features of this area of East Bergholt.*

- *Is within 800 metres of the Village Heart or Focal Points* – the site is within the defined Village Heart area shown on Map 4 within the Neighbourhood Plan.

Policy EB2 goes on to say, Housing development of up to 15 homes that is well designed and integrated into the village will be preferred. The proposed five dwellings is considered to comply with policy EB2.

- 3.47 Policy EB3 of the Neighbourhood Plan specifically talks about housing development within the Village Heart.
- 3.48 This is a small-scale development of only five dwellings and satisfies policy EB2. Neither the Heritage Team nor Historic England has raised an objection, and no harm to the settings of the listed buildings, conservation area or non-designated heritage assets has been identified. The dwellings have been traditionally design in their scale, form, massing and siting. However, this is considered to be backland development of the beer garden of the Red Lion. Whilst it is not detrimental to the character of the Conservation Area or listed buildings, it would result in the loss of a green area which is not publicly accessible and is in private ownership.
- 3.48 Policy EB4 provides details of the type, tenure and sizes of dwellings that would be acceptable. This is a small scheme that does not reach the threshold for affordable housing contribution. The site is limited in space and therefore only smaller units would be suitable in this location. The policy states that at least 40% of new dwellings should be one or two-bedroom homes. This scheme is 100% two-bedroom units. No actual housing need has been established through the assessment because of the number of extant planning permissions already in place for East Bergholt.
- 3.49 Policy EB5 encourages housing designed for older people. This is a small scale development; although considered to be backland development, it is within a mixed use area with existing development on three sides of the site. The dwellings have been designed to lifetime standards (which now fall under Building Regulations Part M4(3) – Wheelchair User Dwellings) and offer the opportunity for existing residents in the village to downsize and move into the Village Heart where facilities are easily accessible by foot or Motability scooters. The development is within 400 metres of St. Marys Church.
- 3.50 The proposal overall is not completely policy compliant as the Local Housing Needs Assessment does not explain fully that there is a need for further housing within East Bergholt. However, this is a small development of sensitively-designed and well located dwellings that may be suitable for older people in the village to downsize to.
- 3.51 It should be made clear that this aspect is not considered to be enabling development to help the viability of the public house. Building dwellings within the curtilage of a public house is seen as a short term “fix” to help support a business. The viability aspect comes from the expansion of the business by way of the two extra letting rooms for the public house.
- 3.52 Overall, the scheme is considered to be acceptable and issues raised by statutory consultees have been addressed.

3.53 However, the public car park is the key to the whole scheme. Neither of the two other elements would be possible - using parts of the existing car park as parking areas for the letting rooms and the new dwellings. This would erode the site area of the existing car park, which is defined by the red line site area submitted as part of the Asset of Community Value application, which both parties (the Parish Council and the Landowner) were consulted on as part of the ACV process.

3.54 This erosion of the total site area is not considered to be acceptable. It is unlikely that the proposed dwellings would be able to provide enough area for parking and private amenity space for the five dwellings proposed on just the existing land associated with the beer garden of the public house.

4.0 Nearby Services and Connections Assessment of Proposal

4.1 The Red Lion and public car park are within the heart of the village. The Post Office, Co-op store, pharmacy and other shops/cafes are within this area of the village. There are pedestrian links to other areas of the village from this location, including the primary school, high school and doctor's surgery. This area is considered to have very good connection with services within the village but also easy access to the A12 and to mainline railway links at nearby Manningtree and Colchester to access a wider range of services and employment opportunities in Ipswich, Colchester and London.

5.0 Site Access, Parking and Highway Safety Considerations

5.1 The access to the proposed development would be from the existing public car park access onto The Street in East Bergholt. The SCC Highway Authority was consulted on the application and has raised no objection following further details being submitted to address concerns of pedestrian safety and ongoing maintenance of the restrictions within the public car park.

5.2 The proposed storage building for the public house with letting rooms above would provide two dedicated parking spaces for the two bedrooms to the north of the building. These two parking spaces are separate from the other parking arrangements within the main public car park. The number of parking spaces for this element of the proposed development is considered to be acceptable.

5.3 The proposal is to re-arrange the public car park, with the existing public conveniences being demolished and a new public convenience building being erected within the car park. The layout of the car park is proposed to be changed to allow for access to the proposed new dwellings. The car park area also forms access points to the BT Building and the village cemetery to the west of the car park. These must be kept free of parked vehicles at all times for 24 hour access.

- 5.4 The public car park currently has 32 (including three for people with disabilities) standard marked parking bays and two coach parking bays. The new layout shows 29 standard marked parking bays and three for people with disabilities. The coach parking has been reduced to one parking bay. There is no loss of parking of cars within the car park but there is a loss of one coach bay. SCC Highway Authority is content that vehicles can turn and move within this new layout.
- 5.5 SCC Highway Authority raised concerns about pedestrian and cycle movements around the car park, particularly to access the public conveniences. A revised drawing was submitted showing a footpath which runs along the eastern, southern and western boundaries of the car park.
- 5.6 The five dwellings would have a segregated parking area to define the private parking for the dwellings from the public car parking area. The areas are separated by a brick wall. A total of ten parking spaces are provided for the five dwellings which each have two bedrooms. This is compliant with current parking standards.
- 5.6 In terms of site access, parking and highway safety, the proposal is considered to be acceptable and is compliant with current Suffolk Parking Standards

6.0 Design and Layout

- 6.1 This application is a re-submission of a previous scheme where the number of dwellings has been reduced as has the height of the buildings in order to safeguard the setting of the Conservation Area and nearby Listed Buildings. Pre-application advice from both Planning and Heritage officers was sought and further pre-application advice was taken direct from Historic England because of the setting of the Grade II* listed building, The Gables.
- 6.2 The storage/B&B building has been redesigned to reflect the existing antique shop on the adjacent site. The ground floor is given over to the pub store, (which is badly needed as demonstrated by the container recently installed in the service yard area and the walk-in fridge licence application DC/22/01688), with two bed and breakfast rooms above, aligning with the increased focus of staycations in what is a popular tourist area drawing in over 200,000 tourists a year. These are described as important additions to The Red Lion to ensure the sustainable development of the business and to encourage tourism which is a mainstay of the local economy and consistent with Policies EM01 and EM20 of the EBNP.
- 6.3 The ridge of the proposed building is the same height as the antique shop and the depth of the plan has been reduced to five metres and the length of the building reduced to 10.6 metres. The building has a similar pallet of materials to the antique shop in the form of a simple barn. The ground floor is weatherboarded with painted hard wood casement windows/louvres and plank doors with simple plate architraves giving the characteristic classical highlights. In the gables are casement windows to the bed and breakfast rooms below the eaves. There is a simple plain tiled roof in the same manner as the antiques shop with high level hips, a feature common on barns which help to reduce apparent bulk. On the first floor are two small dormers facing onto the Red Lion Garden which light

bathrooms and a small dormer on the north side lighting the stairwell. There are no overlooking issues towards The Gables and the overall effect of the building is that of a barn which cannot be mistaken for a private house.

- 6.4 The Gables is an important Grade II* listed building, and care has been taken to avoid disruption to its setting. The pub store is clearly defined within the Red Lion curtilage. There was formerly a building on the site and in recent years a shipping container. The nearest part of the Gables is 100 metres away and there is a modern two-metre-high brick wall around its boundary. The boundary edge is clearly defined and densely planted with trees, many of which are at least 11 metres tall. There is a narrow verge between the wall and the car park, and this is to be maintained. This means there is no visual connection between the proposed development and The Gables.
- 6.5 The car park has been redesigned to accommodate the entrance and vehicle manoeuvring requirements for the new cottages and maintains the existing 32 marked spaces and formally allocates two coach bays which were not previously designated. There are three designated disabled access bays, and three bays are served with electrical charging points. Drawing 1429-A-6 shows car and coach manoeuvring within the car park and drawing 1429-A-7 shows service vehicles. It should be noted that, although East Bergholt Parish Council leases the carpark from The Red Lion, clause 4.5 allows customers of The Red Lion to park free of charge and demonstrates that the provision of a car park is vital to the sustainability of the business and is consistent with Policy-EB11 in the EBNP.
- 6.6 The yellow box formally allocated within the plan for cemetery vehicles is positioned at the cemetery entrance allowing funeral traffic a guaranteed space. The route to the BT building is maintained.
- 6.7 The two coach bays recently installed are illustrated in more detail on drawings numbers 1429-A-18 and 19. These illustrate that these bays are unusable for more than one coach, because of the restrictions placed by their position in the car park and the large turning circles required to manoeuvre. The Coach bays are also too small and severely restrict disabled access around the coaches and access for luggage.
- 6.8 Highways has confirmed that the size of the area is only large enough for one coach. The new single proposed coach bay has been considered with safety and access in mind and complies with the British Parking Associations Guidelines. The layout also accounts for easy and safe access for emergency and utility vehicles safely around the public and coach area.
- 6.9 The car park is to be covered in block paving from the cobbled raised table at the entrance from The Street to the entrance into the area of housing. This is a more appropriate and sympathetic material for the conservation area with a colour distinction between the private road for the houses and the public road onto The Street, which is currently black tarmac. Drainage is to be renewed and there is a public footpath running through the carpark to the cemetery which does not enter the area of the private houses and is an improvement on the existing arrangement. There is a small loss of trees and

shrubs in the area of the car park, but this is modest and is more than compensated for by new planting in the pub garden and the area around the new houses. The two mature Hornbeam trees are retained, and an Owl box and hedgehog boxes are to be incorporated into the new planting scheme. The Arboricultural Officer has raised no objection to the loss of the trees proposed by the development.

- 6.10 The proposed site plan shows two reserved spaces for occupants of the B&B rooms as required by the Suffolk Highway Authority. The area of planting to the east is to be retained and the area of planting to the west is to be adapted for the required parking bays but would retain the existing silver birch trees. Access to the back of house area for The Red Lion remains unchanged. It is proposed to improve access into the car park by making the entrance area a no parking zone with double yellow lines. This is justified by the illustration of the turning circles at the entrance for coaches and fire appliances. It is noted that this is privately owned land and therefore the enforcement of the yellow lines would be the responsibility of the landowner or tenant.
- 6.11 The existing toilet block is an unattractive and uninviting building within this sensitive area. The design and materials are not sympathetic to its setting within the conservation area and close to heritage assets. It is proposed to be demolished. However, the client recognises the community value of providing public conveniences and is prepared to provide new ones as part of the proposal which are of a size and scale suitable for the conservation area and the AONB as shown on drawing 1429-A-14. This element of the proposal would result in the loss of three toilet cubicles. The existing public conveniences are not a welcoming place and provide an area where people may not feel secure, this does nothing to enhance the Conservation Area. However, this is an important facility for the village and its loss would not be supported. The proposed new public conveniences would provide a more suitably subservient building and would be located in a better position where there is more natural surveillance, and therefore people are less likely to feel nervous about using the facility.
- 6.12 The proposed houses are two-bedroom properties of modest scale, reflecting existing backland development in East Bergholt. The proposal is for five cottages arranged in a row of three and a pair of semi-detached dwellings with a green area between with views through the site to the Congregational Church. Each row runs parallel to the site boundary and each house has a small front garden defined with a low post and rail fence, its own front door and back garden. This informal arrangement is in line with pre-application advice and is a response to the backland setting. The five cottages are of a similar design which creates a sense of community.
- 6.13 The houses are to be positioned to the south of the site, but would still maintain a 6-metre deep private garden for each house. This means the entire built development of the houses and most of the associated access and parking are outside the conservation area. However, to be able to access the dwellings and provide parking, a portion of the public car park would be shaved off and included in this private ownership area. This would reduce the amount of available parking on the site should the tenant or landowner wish to reconfigure the car park at a later time.

- 6.14 Despite being modest in scale, the cottages would provide good-sized, well-proportioned rooms. A 1850mm x 1450mm ground floor WC is the approved size for conversion to a bathroom in accordance with lifetime homes policy. The dwellings would be built to Part M4(3) of the Building Regulations which is Wheelchair User Dwellings making them to lifetime home standard.
- 6.15 The site for the housing is surrounded by a 2-metre-high soft red brick wall, creating a defensible space around the housing development. There are openings for cars to arrive and leave and the road is suitable for bin lorries, removal vans and emergency vehicles to manoeuvre.
- 6.16 There is a green zone of planting between the eastern house and the pub garden and a gap between the rows of houses which maintains the verdant character of the setting and provides views through the site to the Congregational Church with new trees planted in this area. There are also new trees in the area of residents' car parking and the cemetery entrance. The rear gardens are subdivided with native species hedges planted either side of a close boarded fence.
- 6.17 Car parking is to the north of the site behind the central part of the north boundary wall, so residents' cars are not seen from the Red Lion car park. There are no cars parked in front of the houses, so the scale of the houses is not compromised. The residents' road would be resin bonded gravel to differentiate the residential space from the Red Lion car park. Every other parking bay would have an electric charging point. There are 10 residents parking bays shown, meeting a requirement for two bays per household.
- 6.18 All the houses in the development are to be of timber-framed construction. An energy assessment has been commissioned for the buildings on the site which details the energy requirements for the houses and the renewable energy sources which have been designed to exceed current building regulations.
- 6.19 The houses have the typical local character of a vernacular terrace with lime-rendered walls and a plain-tiled mansard roof with lead covered dormers. The street elevation has classical highlights with sash windows and a door case which is typical of East Bergholt. The rear of the properties is less formal with the roof coming much lower, similar to Red Lion Cottage and cottages in The Street directly opposite The Red Lion.

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

- 7.1 The site is within the Dedham Vale Area of Outstanding Natural Beauty (AONB) and next to the East Bergholt Conservation Area. The proposal should meet requirement under Policies CR02 – Areas of Outstanding Natural Beauty and should consider requirements under CN08 – Conservation Areas from the Babergh Local Plan (2006).
- 7.2 A Landscape and Visual Impact Assessment (LVIA) was submitted which reached the conclusion that the new development, if designed with sensitive materials and appropriate scale, form and massing, would not have a major impact on the landscape character.

- 7.3 From the desktop review, the proposed development has experienced a series of amendments following feedback after pre-application consultation. Having reviewed the proposal and LVIA, the landscape officer does not have major concerns on the proposed development, and consider that the site has the capacity to absorb the development as shown on the latest submitted drawings (30.08.2022).
- 7.4 A number of existing trees are proposed to be removed but new trees have been proposed to mitigate for tree loss. It is expected that a range of native trees proposed including some long-life expectancy trees (for example, pedunculate oak, hawthorn). When space is a constraint, native varieties could be acceptable at appropriate locations, but these should be kept to a minimum and ensure they are beneficial to wildlife.
- 7.5 It was noticed that the existing brick wall to the north of the site has some planting growing against it. The current drawings are not showing any planting at this location. The landscape officer requests that this planting is retained and enhanced as it does contribute to softening the brick wall elevation and hard surface area of the car park.
- 7.6 The soft landscape areas to the front of the new dwellings is welcomed, however these are currently proposed as grass. In order to improve the public realm of the new development, create a sense of place and enhance the built character, these areas should include some planting that is in-keeping with the rural character of the village; that is to say terraced, cottage-style planting.
- 7.7 The proposed open space in between new building blocks should include a range of planting which enhances biodiversity and provides visual interest. The same should apply to the soft landscape areas within the public and private car park.
- 7.8 In general, the use of flowering lawns instead of amenity grass is encouraged, where appropriate. Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term. The Landscape Officer has recommended that some of the grass areas should be specified as flowering lawns.
- 7.9 The proposed resin bound gravel for the private car park is held to be appropriate and to contribute to delivering a more sensitive setting for the listed building and to be in keeping with the rural character of the village.
- 7.10 The new brick wall, which is in keeping with the character of the village and with the existing wall at the public car park, is welcomed. However, some of the other boundary treatment is not clear, such as the boundary to private gardens facing onto footpaths and boundary for new Pub store/bed and breakfast building. Details on the type of fencing should be submitted to include height, type and material of proposed boundaries. It is noted that details on the proposed brick wall have already been submitted. It is recommended that brick wall is proposed on those elevations facing into the public realm and footpaths. This will assist in keeping with the local character.
- 7.11 The LPA's Ecologist has reviewed the Preliminary Ecological Appraisal (Bright Green Environmental Ltd, August 2022), supplied by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority Habitats and Species.

- 7.12 The ecologist is satisfied that there is sufficient ecological information available for determination, following the provision of the bat emergence survey, confirming the likely absences of roosting bats within the toilet block, and the updated ecological report.
- 7.13 This provides certainty for the LPA of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 7.14 The mitigation measures identified in the Preliminary Ecological Appraisal (Bright Green Environmental Ltd, August 2022) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species.
- 7.15 The ecologist also supports the proposed bespoke biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. This should be secured via Biodiversity Enhancement Strategy to be delivered prior to any works above slab level.
- 7.16 This application falls within the 13km Zone of Influence (ZOI) for the Stour and Orwell Estuaries SPA & Ramsar site. Consequently, the LPA is advised that a financial contribution should be sought, in line within the Suffolk Recreational disturbance Avoidance and Mitigation Strategy (RAMS), from the residential development within the 13 km ZOI specified.
- 7.17 A Habitats Regulations Assessment (HRA) record has been prepared to determine any adverse effect on site integrity and secure the developer contribution for delivery of the visitor management measures at the Stour & Orwell Estuaries SPA & Ramsar site.
- 7.18 This enables the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1 A land contamination assessment is a requirement of the validation process for new housing schemes. This was received with the application submission. The Environmental Protection Team has reviewed the assessment and is content that the land on which the proposed dwellings would be built is safe for future occupiers of the site.
- 8.2 The site is wholly within Flood Zone 1 and is considered to be at low risk of flooding. Surface Water will be dealt with by way of soakaways within the site.
- 8.3 Foul drainage will be way of the mains sewage system.

9.0 Heritage Issues

- 9.1 The issues which the Heritage Team is concerned with relate to the potential impact of the proposals on the setting and, therefore, the significance of the Grade II listed The Red Lion, a 17th century timber-framed, red brick building; the Grade II listed Cottage to the north of The Red Lion, also known as Red Lion Cottage, an 18th century timber framed building; and the Grade II* listed The Gables, a late 16th century and 19th century building. The proposals also have the potential to affect East Bergholt Conservation Area as the proposal site stands part within and part without the western boundary, and it stands within close proximity to non-designated heritage assets including the Congregational Church.
- 9.2 This application follows various discussions during pre-application submissions with both the Planning and Heritage Teams, and an earlier Planning application (DC/20/05800). During that advice, the Heritage Team did not oppose the principle of development on the proposal site, but focused on achieving an organic, small-scale, respectful and sensitively-detailed scheme, which responds to the architectural language of its context. Recommendations were given to help the proposals provide an appropriate hierarchy to existing development and reflect its backland location.
- 9.3 The scheme has been amended following the most recent advice, and it is considered to reflect those discussions.
- 9.4 Scale, layout and the detailed design are considered fundamental aspects necessary to achieve a suitable scheme which preserves the settings of both designated and non-designated buildings within its proximity, and the character and appearance of the conservation area.
- 9.5 The heights of the proposed dwellings, the pub store and B&B building have all been sufficiently reduced from previous schemes to appear subservient to The Red Lion and Red Lion Cottage.
- 9.6 The layout of the dwellings has been broken up into two parts to help reduce the visual massing and create a less regimented arrangement which better reflects the more organic morphology of the village. The architectural language in the scheme is traditional, and may be influenced in part by Constables stable block, as well as Hatters and The Old House which are on the opposite side of the road to the pub. The proposed designs are arguably a combination of vernacular style with some simplified Classical detailing.
- 9.7 The scheme also incorporates traditional forms such as gambrel roofs and low eaves to rear catslides, as a way of demonstrating subservience and providing an ancillary character to the development. The break in the ridge line and the articulation given to the design of the houses helps to minimise visual massing and retain an appropriate hierarchy as back-land development. Similarly, the pub store and B&B building has been simplified. Its cladding, reduced size of its openings and the small dormers with louvred windows helps provide a vernacular and utilitarian aesthetic which in turn reflects its subservient status, which is also helpfully portrayed in the visualisation.

- 9.8 The Heritage Team acknowledges the minor concerns regarding scale noted by Historic England. However, the combination of articulation, materials and layout which have been employed, as well as the reduction in height from earlier iterations is considered sufficient to address the Heritage Team's earlier concerns.
- 9.9 The public convenience has been located to the north-west corner of the site as discussed. Due to its proposed location and position against a hedge, which would help to soften its appearance, it would on balance appear relatively discreet. In addition, there is an enhancement to the hard surfacing in the car park, which involves the removal of tarmac, with its suburbanising effect, and the introduction of block paving with resin-bound gravel to the private car parking area. Whilst the Heritage Team acknowledges Historic England's comments in regard to this point, the Heritage Team concludes the changes would provide a more sensitive finish which would amplify the small scale, pedestrian-friendly nature of the residential space, as well as reinforcing the distinction between public and private spaces. The brick boundary wall and vegetation would also help to delineate the public and private spaces, as well as reduce the visual impact of parked vehicles. The soft landscaping incorporated into the development is also supported and would help to avoid an overly urban character to the site.
- 9.10 The scheme is therefore considered to sustain the various heritage assets in the vicinity and is in line with previous advice. This is subject to a number of details to be agreed by condition, in order to achieve a well detailed scheme which respects and reflects the importance and traditions of its surroundings.
- 9.11 Therefore, the application is considered to cause no harm to the significance of the listed buildings and non-designated heritage assets, nor to the character and appearance of the conservation area, subject to appropriate details to be agreed by condition.
- 9.12 Historic England was consulted on the application because of the possible impact on the setting of a Grade II* Listed Building. Its initial response raised concerns over the height of the buildings proposed and also on the surfacing material of the car park. During a re-consultation on some revisions to the scheme, Historic England has withdrawn its concerns and is in agreement with the Heritage Team's recommendation for conditions.

10.0 Impact on Residential Amenity

- 10.1 The proposed storage building with letting rooms above would be located to the rear of Red Lion Cottage. The Cottage is not within the ownership of the Red Lion PH. The Cottage is a two-storey dwelling facing onto The Street with a small private rear garden. The new storage building would be built behind the single-storey garage of Red Lion Cottage. The storage building is two storeys in height with letting rooms at first floor level. The height of the building and window positions are important features of the building when considering the residential amenity of existing neighbours.
- 10.2 The storage building has been positioned to the northeast of Red Lion Cottage. The roof design includes hipped gables to soften the impact of the massing of the building, but also helps with any overshadowing. The height at 6.4 metres (to the ridge) and position of the building on the site are not considered to cause a loss of daylight to the Cottage or

to its garden. The height of the building is very similar to that of the adjacent shop building.

- 10.3 The windows to the building are relatively small. This building has been designed to look like an outbuilding and therefore residential elements, such as windows and doors, have been kept to a minimum. There are windows at the gable ends which sit under the hipped gables. The roof of the building is very steeply pitched which results in relatively small rooms at first floor level. The floor plan shows that the bed will sit directly under the gable end windows. Therefore, it is unlikely that, unless a guest is standing on the bed, these windows would cause an overlooking issue to the Cottage.
- 10.4 Changes are proposed to the car park area. These changes are relatively minor and are not considered to cause any further loss of residential amenity than already exists with noise from vehicles moving around the car park area.
- 10.5 The other area of concern for residential amenity is around the impact of the public house beer garden and plant for extraction and refrigeration at the Red Lion on the proposed new dwellings. A Noise Assessment has been carried out. The Environmental Protection Team has reviewed the information. Concerns were raised that an Entertainments Licence held by the public house may lead to an issue of noise for future residents. Further information has been received and reviewed by the Environmental Protection Team. The applicant has offered mitigation measures for the new dwellings to protect future residents of the properties from noise. Conditions are required that these measures are used in the construction of the dwellings.

11.0 Planning Obligations / CIL

- 11.1 The five proposed dwellings would be subject to CIL payments.

12.0 Parish Council Comments

- 12.1 East Bergholt Parish Council has given comprehensive responses to consultations that have been carried out during the application process. Generally, the Parish is supportive of the storage/B&B building which would support the existing business, with some changes required. However, it has strong objections to the changes of the public car park and the new dwellings. Listed below are the main concerns raised by the Parish Council.

- Impact of parking from the previously allowed six B&B rooms at the public house – This issue is covered under a separate planning permission with a condition on parking arrangement to be agreed. The proposed two additional lettings rooms provide their own parking spaces that is not included in the public car parking area.
- How this application supports the viability of the public house – The storage building with letting rooms is considered to support the viability of the existing business. The other elements of the application are subject to their own assessment which is not considered to be enabling development.
- The loss of three cubicles of the public conveniences – There would be a loss of WC facilities which currently stands at five cubicles. The new public conveniences would

provide two cubicles. However, the public conveniences are still provided in the car park area and would be available to visitors.

- New public conveniences block the rights of way to the cemetery – the public conveniences are positioned away from the cemetery access point. It is close to the BT building access but does not block it.
- The proposed car parking bays are too small and not compliant with Parking Standards – The SCC Highway Authority has been consulted on the car park layout and has raised no objection on Parking Standard grounds
- Double yellow lines within the car park will remove informal parking – Currently people park informally along the wall of The Gables. This, of course, provides further parking opportunities in addition to the 32 marked bays. The yellow lines have been introduced to protect the access point and allow for larger vehicles to manoeuvre within the site safely.
- Double yellow lines will impact the Conservation Area – the Heritage Team and Historic England have not raised an objection to the yellow lines. They are widely seen within the Conservation Area on public roads. It is likely that this may stop people from parking and knocking the historic wall of The Gables with their vehicle doors which is considered a benefit.
- Ridge height of the storage building at 6.4 metres will impact the Conservation Area – The height of this building is similar to that of the shop building adjacent. Both Historic England and the Heritage Team are content with the height.
- The storage building will impact the residential amenity of Red Lion Cottage in terms of light and privacy – this is discussed in the residential amenity section of the report.
- Duplication of office buildings – This element of the proposed has been removed from the proposal description. There are to be no office buildings.
- Concerns of further housing in the village – this is discussed in the Principle of Development section above.
- Impacts on the AONB, Conservation Area and heritage assets – This is discussed in the Heritage and Landscape sections above.
- Fails to meet an identified need – This is discussed in the Principle of Development above.
- Loss of trees in the Conservation Area – Loss of trees is mitigated with additional planting.
- Scale and density of build – The scale and density are held to respect the heritage assets.
- Detrimental to the amenity of the dwellings in Cemetery Lane. The dwellings in Cemetery Lane have large gardens and there is good spacing between the proposed dwellings and the dwellinghouses in the Lane.
- Backland development – This is backland development but there is already development on three sides of the site.
- Harm the approach to the cemetery – the access to the cemetery will remain free from obstruction
- Obscure the views of the Congregational Church – The church is already partially obscured because of the shrubbery and trees within the site.
- Dwellings not suitable for older people – the dwellings will be Part M4(3) compliant with Building Regulations making them suitable for wheelchair users.
- Not affordable dwellings – the site area and number of dwellings proposed does not reach the threshold to require affordable housing contribution.

- Development would alter the character of this part of the village because of density of build – there would be a change in the character from what is currently an extension to the beer garden to built form. This is not necessarily a bad thing; however, it acknowledged that it would be a change.
- Lack of 2-metre distance between semi-detached dwellings and the church boundary – the gardens are 6 metres in depth from the boundary.
- £80,000 of public money has been spent on upgrading the car park in the last year already – the Parish Council has chosen to upgrade the car parking facilities. The tarmac is not a sensitive material within the conservation and the proposed materials are more in-keeping with the character of the area. This is not a planning consideration.
- Removal of the public conveniences is unsustainable – although there would be a loss of three cubicles, two separate cubicles are provided so there is not a total loss of public conveniences on the site.
- New dwellings would impact the public car park – parking for both the B&B lettings room and the dwellings would encroach onto areas currently leased by the Parish Council for the purposes of public car parking.
- Concerns of public parking whilst works are carried out – It is unclear how the public car parking would be managed during the construction of the scheme.
- Applicant failed to give notice to the Parish Council that an application had been submitted when they are an interested party because of the lease of the car park – This was rectified once it had been brought to the Council's attention. The Parish Council was not disadvantaged on commenting on the application because they were sent a consultation letter when the application was registered. The Parish Council has also been re-consulted during the course of the application process.
- No pre-application discussion had taken place between the applicant and Parish Council – This is unfortunate and the applicant was advised to speak to the Parish prior to submitting an application.
- The Local Housing Needs Assessment is inadequate – The assessment has not identified a specific need for the dwellings.
- Noise impact on residential properties – A noise assessment has been provided and been through consultation with the Environmental Protection Team.
- The footpath around the car park – will people use it? – Clearly, whilst people can be encouraged to use footpaths, they cannot be forced to do so.
- Historic England's comments on the heights of the buildings – Historic England has confirmed that it made a mistake with their consultation response. The height of the buildings proposed are acceptable.
- Economic Development's comments on car parking – Car parking is discussed above.
- Parking pressure because of 30 staff who work at the public house who may drive to work – There is already a conflict with staff and public parking. There is no loss of the amount of standard and disabled parking bays available on the site by the proposed development.
- The Design, Access and Heritage Statement suggests that the ten dwellings in Hadleigh Road, adds weight to this scheme is incorrect – Each application is assessed on its merits.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1 This application comprises three elements – the storage building/B&B letting rooms with parking for the public house, the erection of five dwellings and associated parking in the public house beer garden and the reconfiguration and new public conveniences of the public car park.
- 13.2 All three elements are linked, with the key to development being the public car park. All of the land involved is owned by the applicant. However, the car park is leased to East Bergholt Parish Council and is run as a “free to park” public car park. The car park is subject to its own policy in the East Bergholt Neighbourhood Plan which protects it for parking. The car park is also listed as an Asset of Community Value, with a defined red line which is the area of the lease.
- 13.3 There are certain aspects of this proposal which are acceptable in policy terms and others that are not. The storage/B&B building is considered to be acceptable and would enhance the business opportunity for the public house and provide additional visitor accommodation in a tourist village. The dwellinghouses, although a departure from the development do score well when assessed against the policies in the Neighbourhood Plan and the Core Strategy. However, a need for further housing in East Bergholt has not been established. The demolition of the existing public conveniences and replacement with a more sensitive building is considered to be acceptable, although there would be a net loss of three cubicles. The reconfiguration of the public car park would not result in a loss of marked standard and disabled parking bays, but result in the loss of one coach parking bay. However, the two coach parking bays, as currently set out, would not be usable because of the tight turn circles required for the vehicles to move around the site.
- 13.4 There would be a loss of some trees and shrubs on the site to enable the development to take place. However, this is mitigated by additional planting and wildlife features. Concerns raised by the Heritage Team and Historic England have been addressed in terms of the number of residential units, design and scale and are now acceptable. Concerns raised about noise from the public house on future residents of the proposed dwellings have also been rectified by a noise assessment. Highway concerns over pedestrian safety have been addressed with a footpath that runs around the site to allow access to The Street and the public conveniences.
- 13.5 As mentioned, the key to the development is the public car park. The car park is protected by policy EB11 of the Neighbourhood Plan, which seeks to retain the use of the land for parking of vehicles. Technically this does not change with the proposals. However, to allow space for dedicated parking for the letting rooms of the public house, a piece of land with the access area of the car park, which is currently planted with trees and shrubs, would be used for two parking bays. The five dwellings provide ten dedicated parking spaces behind a wall to define the public and private areas of parking within the site. To enable the private parking, it is necessary to shave part of the car

parking area from the public car park (where the existing public conveniences are sited). This area forms part of the lease agreement with the Parish Council and also forms the red line area of the Asset of Community Value listing. Policy EB11 allows for the public car park to be used for other purposes, if the loss of the land is offset somewhere else within the Village Heart. There is no evidence in this application that such an offset can be achieved and is available. Therefore, the aspirations of the Neighbourhood Plan in Project EB12 for enhancements to the car park are unlikely to be achievable in the future if a new layout were required to provide additional parking bays because the size of the site will have been diminished.

RECOMMENDATION

That the application is REFUSED planning permission/listed building consent/other for the following reason:-

1. The proposed development is not acceptable because the public car park within the Village Heart would be reduced in size. The loss of area of the car park, which is listed as an Asset of Community Value, has not been offset to provide additional parking elsewhere as required by Policy EB11 of the East Bergholt Neighbourhood Plan. The car park is an important feature within the Village Heart and provides essential off-road free parking, which encourages vehicles away from the public highway, and is a main route through the village and within the East Bergholt Conservation Area, which forms the historic core of this important tourist destination. The proposed development is considered to conflict with policy EB11 of the East Bergholt Neighbourhood Plan 2016 and conflict with the aims of the National Planning Policy Framework 2021, Paragraph 8.

Furthermore, if the loss of car parking area is unacceptable, this would impact on the five dwellinghouses because the provision of parking to current adopted Parking Standards would not be achievable and, therefore, the dwellings would be unacceptable because the site would become cramped from overdevelopment. This would be contrary to policies CN01 and TP15 of the Babergh Local Plan 2006, policy CS11 and CS15 of the Babergh Core Strategy 2014 and policy EB2 of the East Bergholt Neighbourhood Plan 2016 which are consistent with the aims of the National Planning Policy Framework 2021.

Appendix 1. Planning History

REF: DC/17/02501	Planning Application - Erection of single storey side extensions to side and rear. Change of use of land from class A4 (pub garden) to class C3 (residential garden) and erection of new southern boundary wall	DECISION: GTD 11.08.2017
REF: DC/17/02502	Application for Listed Building Consent - Erection of single storey side extensions to side and rear. Internal alterations; alterations to existing fenestration and replacement of entrance doors. Repairs to boundary wall along The Street and erection of new southern boundary wall.	DECISION: GTD 11.08.2017
REF: DC/17/03151	Planning Application - Change of Use of outbuilding (Class A4) to (Class A1) antiques and craft shop; Erection of external staircase, re-roofing, alterations to fenestration.	DECISION: GTD 11.08.2017
REF: DC/17/03152	Application for Listed Building Consent- Erection of external staircase, alterations to fenestration, re-roofing and internal alterations in conjunction with conversion to facilitate change of use to antiques and craft shop.	DECISION: GTD 11.08.2017
REF: DC/17/04366	Discharge of Conditions application for DC/17/03151 and DC/17/03152 - Conditions 3 (Fenestration) and 4 (Stair details)	DECISION: GTD 05.10.2017
REF: DC/17/04370	Discharge of Conditions Application for DC/17/02501 - Conditions 3 (frames), 4 (eaves and verge details), 5 (brickwork), 6 (roofing materials) and 7 (rainwater goods)	DECISION: GTD 01.12.2017
REF: DC/17/04602	Application for Listed Building Consent - Removal of internal partitions and doors to lobby and cask store, and removal of existing bar. Installation of new walls, doors and bar. Revisions to internal layout of previously approved rear	DECISION: GTD 15.11.2017

extension (DC/17/02502)

REF: DC/17/04997	Planning Application. Change of Use of land (Class A4 pub garden) to (C3 residential garden); Erection of new boundary wall and fence (amended height to that approved under DC/17/02501)	DECISION: GTD 28.11.2017
REF: DC/17/05846	Discharge of Conditions for application relating to DC/17/04602 Condition 3. (Door details) Condition 4(Brickwork bond details)	DECISION: GTD 24.01.2018
REF: DC/17/05996	Discharge of Conditions application for DC/17/04997 - Condition 3 (Agreement of brickwork bond details)	DECISION: GTD 24.01.2018
REF: DC/17/06000	Discharge of Conditions for Application DC/17/02502/LBC- Conditions 3 (frames), 4 (eaves and verge details), 5 (brickwork), 6 (roofing materials) and 7 (rainwater goods)	DECISION: PGR 01.12.2017
REF: DC/17/06099	Application for Listed Building Consent - Repairs to roof.	DECISION: GTD 07.02.2018
REF: DC/18/02431	Full Planning Application - Erection of single storey side and rear extensions; external stairs; creation of 2 No. Holiday let units; change of use of land from Class A4 (pub garden) to Class C3 (residential garden); erection of new southern boundary wall. As amended by plans and details received 1st and 7th August 2018 to show revised internal layout and amended use of upper floors.	DECISION: GTD 12.09.2018
REF: DC/18/02432	Application for Listed Building Consent- Erection of single storey side and rear extensions; external stairs; internal and external alterations as described in the schedule of works; erection of new southern boundary wall. As amended by revised plans received 7th August 2018.	DECISION: GTD 12.09.2018
REF: DC/18/04014	Notification of works to Trees in a Conservation Area - Cherry (T1) Reduce height and width by 50%. Sycamore (T2)	DECISION: RNO 04.10.2018

Fell

REF: DC/19/02507	Non Material Amendment to DC/18/02431 to alter fenestration.	DECISION: GTD 10.07.2019
REF: DC/19/02509	Application for Listed Building Consent. Erection of single storey side and rear extensions. External stairs. Internal and external alterations as described in the schedule of works. Erection of new southern boundary wall (revisions to Approval DC/18/02432)	DECISION: GTD 11.07.2019
REF: DC/20/00479	Notification of Works to Trees in a Conservation Area - Fell 3no. Acacia trees.	DECISION: RNO 06.03.2020
REF: DC/20/00764	Application for Listed Building Consent - Installation of new external door and window, and internal alterations (as per schedule of works).	DECISION: GTD 15.04.2020
REF: DC/20/00768	Non-material Amendment to DC/18/02431. Removal of external escape stair. Replace ground floor window with a door. Replace second floor door with a window.	DECISION: GTD 15.04.2020
REF: DC/20/01368	Discharge of Conditions Application for DC/19/02509- Condition 8 (Extraction Equipment)	DECISION: GTD 05.01.2021
REF: DC/20/01428	Discharge of Conditions Application for DC/18/02431- Condition 9 (Extraction Equipment)	DECISION: WFI 18.08.2020
REF: DC/20/02954	Discharge of Conditions Application for DC/20/00764 - Condition 3 (Details of Smoke Vent Detail) and Condition 4 (Fenestration)	DECISION: GTD 20.08.2020
REF: DC/20/03086	Discharge of Conditions Application DC/19/02509 - Condition 3 (Fenestration), Condition 4 (Eaves and Verges), Condition 5 (Brickwork Bond Details), Condition 6 (Agreement of Materials), Condition 7 (Rainwater Goods)	DECISION: GTD 15.10.2020

REF: DC/20/03124	Discharge of Conditions Application for DC/18/02431 - Condition 4 (Fenestration), Condition 5 (Eaves and Verges), Condition 6 (Brickwork Bond Details), Condition 7 (Agreement of Materials), Condition 8 (Rainwater Goods)	DECISION: GTD 15.10.2020
REF: DC/20/05800	Planning Application. Erection of 7No 2 bedroom terrace dwellings, 1No garden office building and 1No store / commercial building. Demolition of toilet block. Car park improvements.	DECISION: WDN 15.03.2021
REF: DC/21/00517	Development consisting of 7 No. 2 bedroom terrace properties to the rear of the Red Lion. Change of use of Red Lion from A4 to C1 along with new Garden office building and store / accommodation building.	DECISION: WFI 29.01.2021
REF: DC/21/06566	Planning Application. Change of use from Public House Class A4 to Hotel Class C1 Use.	DECISION: WDN 01.02.2022
REF: DC/21/06567	Application for Listed Building Consent. Internal alterations to facilitate change of use from public house to hotel.	DECISION: WDN 01.02.2022
REF: DC/22/01688	Full Planning Application - Use of first floor and second floor as 5no. bed and breakfast rooms with en-suites, change of use of retail shop to bed and breakfast room with office for pub at first floor, siting of storage container, water tank, erection of a cold store and screen fencing.	DECISION: GTD 01.09.2022
REF: DC/22/01689	Application for Listed Building Consent - Internal and external alterations to facilitate conversion of first floor and second floor to 5no. bed and breakfast rooms with en-suites, conversion of retail shop to bed and breakfast room with office for Pub at first floor, all as detailed in the Heritage and Design & Access Statement	DECISION: GTD 01.09.2022

REF: DC/22/03043	Planning Application - Construction of 5no. dwellings, storage building with two bed and breakfast rooms for the Hotel and Brasserie, public convenience building (following demolition of existing Toilet Block) and alterations to car park.	DECISION: PCO
REF: DC/22/05008	Discharge of Conditions Application for DC/22/01688- Condition 5 (Scheme of Parking Management), Condition 6 (EV Charging Infrastructure), Condition 7 (Refuse Bins and Collection Areas), Condition 8 (Secure Cycle Storage), Condition 9 (Noise Prevention Measures), Condition 10 (Noise Prevention Measures), Condition 11 (Screening to External Plant) and Condition 12 (Mechanical Ventilation to Outbuilding)	DECISION: PCO
REF: DC/22/05053	Discharge of Conditions Application for DC/22/01689- Condition 3 (Internal Door Details), Condition 4 (Intumescent Paint), Condition 5 (Screening to External Plant) and Condition 6 (Mechanical Ventilation to Outbuilding)	DECISION: PCO
REF: B/0050/79/LBC	Alterations and first floor extension, (as amended by letter received from applicant on 11th June 1979).	DECISION: GRA 26.06.1979
REF: B/0463/79/FUL	Alterations and first floor extension (as amended by letter received from applicant on 11th June 1979)	DECISION: GRA 26.06.1979
REF: B/0039/77/LBC	Demolition of a non-listed building in a Conservation Area (old bus garage).	DECISION: GRA 05.08.1977
REF: B//01/00964	Application for Listed building consent - external redecoration	DECISION: GRA
REF: DC/17/05665	Planning Application - Rendering of existing brickwork walls and replacement of modern clay plain tiles with reclaimed peg tiles	DECISION: GTD 18.01.2018
REF: B/0168/76/FUL	Erection of temporary toilet facilities with access	DECISION: GRA 14.04.1976

REF: B/0184/76/FUL	Erection of toilet facilities	DECISION: GRA 14.04.1976
REF: B//89/01193	APPLICATION UNDER REGULATIONS 4(1) AND 6(1) OF THE TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1976 - STATIONING OF MOBILE LIBRARY VAN EACH THURSDAY 1430 TO 1630 HOURS AND EACH SATURDAY 1400 TO 1630 HOURS FOR A TEMPORARY PERIOD OF 5 YEARS	DECISION: GRA
REF: B//92/00577	APPLICATION UNDER REGULATION 4 OF THE TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1976 - CHANGE OF USE OF PART OF EXISTING CAR PARK TO RECYCLING CENTRE FOR PUBLIC USE	DECISION: GRA
REF: B//94/00985	APPLICATION UNDER REGULATION 3 OF THE TOWN & COUNTRY PLANNING GENERAL REGULATIONS 1992 - RENEWAL OF P.P. B/89/1193 - STATIONING OF MOBILE LIBRARY VAN EACH THURSDAY 14.30 TO 16.30 HOURS & EACH SATURDAY 14.00 TO 16.30 HOURS	DECISION: GRA 20.10.1994
REF: B/0185/76/FUL	Construction of car park and access, and demolition of bus garage	DECISION: GRA 14.04.1976
REF: DC/20/03718	Discharge of Conditions Application for DC/19/05290 - Condition 3 (Wall and Gate Details)	DECISION: GTD 22.09.2020
REF: DC/20/03952	Discharge of Conditions Application for DC/19/05290- Condition 3 (Wall and Gate Details)	DECISION: WDN 14.09.2020
REF: DC/21/03338	Application for Listed Building Consent. - Repairs to roof and replacement of tiles and mullion window.	DECISION: GTD 04.08.2021
REF: DC/21/06284	Application for works to trees in a Conservation Area: Fell 1no Ash tree in rear garden with severe root decay	DECISION: RNO 17.12.2021

REF: DC/22/02245	Application for Listed Building Consent: Repointing and brick repairs to 2no existing chimneys	DECISION: GTD 05.07.2022
REF: DC/22/02637	Application for Listed Building Consent - Alterations to internal layout of part ground floor, and conversion and alterations to garage to form games room.	DECISION: GTD 13.07.2022
REF: DC/22/03110	Notification of Works to Trees in a Conservation Area- Reduce 1No. Beech by 30%. Fell 4No. Sycamore Trees.	DECISION: RNO 22.07.2022
REF: DC/22/03501	Discharge of Conditions Application for DC/22/02245 - Condition 4 (Sample Panel of Pointing to Brickwork to Twin Chimney Stack)	DECISION: GTD 25.07.2022
REF: B/0276/76/OUT	Erection of dwelling	DECISION: REF 21.05.1976
REF: B/0783/77/FUL	Erection of two metre high garden wall.	DECISION: GRA 21.12.1977
REF: B/15/01226	Fell 1 no. Poplar tree.	DECISION: GRA 12.10.2015
REF: B/13/00800	Remove 1 No. Eucalyptus Tree	DECISION: GRA 16.08.2013
REF: B/12/00368	Application for Listed Building Consent - Erection of rear conservatory. Demolition of existing rear conservatory as amplified by CON1243 and CON160 received 2nd May 2012.	DECISION: GRA 23.05.2012
REF: B/04/01671	Felling of 1 No. Italian Poplar tree and 1 No. Silver Birch tree. Removal of a trunk of 1 No. Eucalyptus tree and reduction in height of 1 No. Yew hedge.	DECISION: GRA
REF: B/0789/79/FUL	Temporary storage of one mobile trailer.	DECISION: GRA 31.08.1979
REF: B/0332/81/FUL	Renewal of planning permission B/789/79. Temporary storage of one mobile trailer.	DECISION: GRA 28.04.1981

REF: B//00/00546	Erection of a 22.5 metre high mast with 3 cross polar antennae, 2 dish antennae and radio equipment cabin	DECISION: REF 16.05.2000
REF: B//01/01078	Erection of rear single storey extension and conservatory; erection of double garage (existing garage to be demolished) as amended by revised plans received on 14.9.01 to show revised siting and handing of garage	DECISION: GRA
REF: B/04/01210	Erection of two-storey rear extension.	DECISION: GRA
REF: B/0685/76/FUL	Extension to provide kitchen, W.C. and Store.	DECISION:
REF: B/03/01188	Erection of front entrance porch (existing front porch to be demolished) and insertion of replacement front entrance doors.	DECISION: GRA 27.08.2003