

## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/17/04483 as amended Bell Hill Cottage, Rickinghall	
<b>2</b>	<b>Date of Response</b>	16.1.18	
<b>3</b>	<b>Responding Officer</b>	Name:	Paul Harrison
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage
<b>4</b>	<b>Summary and Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	<ol style="list-style-type: none"> <li>1. The Heritage Team considers that the proposal would cause <ul style="list-style-type: none"> <li>• no harm to a designated heritage asset because impact on historic fabric is minimised and continuing use is secured.</li> </ul> </li> <li>2. The Heritage Team recommends approval with appropriate conditions.</li> </ol>	
<b>5</b>	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Please refer to earlier comments from colleagues – I limit my comments to the details of the proposed ceiling now submitted.</p> <p>It is expected that some 60 new fixings would be needed; this is quite limited in comparison with the number of fixings securing the existing lath and plaster ceiling; the method of attachment is designed to minimise disturbance during the fixing; the suspended ceiling would be reversible allowing the existing plaster to be re-exposed in the future.</p> <p>Although the merit of the structure above the existing ceiling cannot be ascertained without harmful opening-up, we consider that whatever its merit, the impact of the fixings is within acceptable limits.</p> <p>For these reasons the proposed ceiling is considered acceptable.</p>	
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# Consultee Comments for Planning Application DC/17/04483

## Application Summary

Application Number: DC/17/04483

Address: The Newsagent Bell Hill Cottage The Street Rickinghall Inferior IP22 1BN

Proposal: Planning Application - Part change of use to form A5 hot food takeaway with extraction equipment and flue.

Case Officer: Rebecca Biggs

## Consultee Details

Name: Mrs Leeann Jackson-Eve

Address: Wayside, Cherry Tree Lane, Botesdale Diss, Suffolk IP22 1DL

Email: rickinghall\_pc@btopenworld.com

On Behalf Of: Rickinghall Superior And Inferior Parish Clerk

## Comments

The PC has no additional comments on this application.

*Antek Lejk & Victoria Curry  
Bell Hill House  
The Street  
Rickinghall  
IP22 1BN*

Planning Department  
Mid Suffolk District Council  
Council Offices  
High Street  
Needham Market  
Ipswich  
IP6 8DL

22<sup>nd</sup> January 2018

Dear Sir/Madam

**Objection to Application for Planning Permission – DC/17/04483**

1. We are the owners of Bell Hill House which is attached to The Old Newsagents, Bell Hill Cottage, the Street, Rickinghall, the subject of planning application DC/17/04483.
2. Our property and the connected shop were originally one property, which have been separated into two properties in recent times, but which have many shared features. Whilst the accommodation at the back of Bell Hill Cottage is new, The Old Newsagents is an integral part of the original house and of significant age. It is the reason that the property is also Grade II listed.
3. Because of the interconnected nature of the two buildings, whilst it is acceptable to operate a small shop during office hours, it would be wholly unreasonable to operate a Hot Food Takeaway from this building late into the evening.
4. The shop does not have its own drainage system. It operates on a shared domestic system, which travels through our property, with two manholes accessible within our building. Whilst this may be adequate for a small shop, a conversion to a food preparation facility would not be appropriate and with the additional loading would create the potential for blockages and damage to occur in our property.
5. Similarly, the mains water passes through our property and we are concerned that a food preparation facility would make significant demands on water supply and could lead to loss of water pressure for us.

6. This is a medieval timber framed building and, even with fire insulation, the risk of fire would inevitably be heightened if the use were changed to a Hot Food Takeaway. No professional fire risk assessment has been carried out, as we requested in previous correspondence, and we do not believe this planning application should be approved without such a risk assessment taking place, with a clear understanding of the scale of any remedial action required and its impact from a heritage perspective. We understand that the original intention to install a separate three phase electricity supply has been abandoned on the grounds of cost and therefore the loading on a single phase electrical system will create greater fire risk.

#### **Parking, traffic and danger to road users and pedestrians**

7. The proposed takeaway has no dedicated parking spaces. It erroneously claims that there is sufficient on-street parking along the length of Rickinghall & Botesdale. The application states that 50% of orders will normally be collected on foot. There is no evidence to support this assertion and, whilst this may be true in the other larger urban centres served by this hot food takeaway chain, that is unlikely to be true in a village location. We would expect significant traffic, especially at peak hours, which would not be accommodated by the odd free parking space over the road. Inevitably cars will pull up outside the takeaway and probably pull up onto the kerb outside our house, due to the narrowness of the road, thereby causing danger of accidents, noise and nuisance to our own property, and restricting access for us and other pavement users. Our front door opens directly onto the pavement next to the proposed takeaway and this will create a serious danger to us as we leave our house, especially at night when it is dark.
8. Whilst acknowledging that, from the SCC highways perspective of traffic flow, this may not be significant enough to justify rejecting this application, this is a very significant impact on this residential area that needs taking into account. Mid Suffolk's own local plan S7 states that such applications should result in "*no significant loss of amenity for nearby residents, not detract from environmental amenity and local distinctiveness.*"
9. A fast food takeaway is likely to have very different access requirements than a newsagents and post office. Most people are likely to access the takeaway by car and the hours of business are much greater, with high peaks when people access the takeaway at main mealtimes. Parking is one of the key concerns of the local community as evidenced in the Parish Councils Traffic Survey in 2016. Several submissions cite the Shop/Post Office as one of the biggest parking problems, which will only be amplified at peak serving hours.

#### **Impact on residential amenity**

10. Even with sound insulation, the proposal will inevitably create more noise and for many more hours in the week. There will be additional noise and disturbance from the street with customers entering and leaving the premises and additional numbers of cars parking and pulling away and car doors being opened and closed, as well as the risk of people congregating outside. Our bedroom and ensuite facilities are directly above and adjacent to the shop entrance and a number of our rooms face directly onto the street. We often have children staying and they go to bed much earlier than the closing time of 10pm.

11. The proposal states that *“the location in the high street makes this is a suitable place for this commercial activity without significant additional disturbance to the existing neighbourhood”*. This fails to understand the nature of village life in Rickinghall and Botesdale. This is not a High Street, with many shops and activities. Apart from the pub (which is well served by its own designated parking at the rear of the building) and the village shop, this area of the village is exclusively residential. Inevitably the additional noise and disturbance, from people and vehicles, from 11am until 10pm, seven days a week it going to have a negative impact on this residential area.
12. The Council Committee report in para 1.3 states that: *“Other than the pub, the site is surrounded by dwellings and is situated within the Rickinghall and Botesdale Conservation Area.”* However, it also suggests that because there are other takeaways and businesses elsewhere in the village then there is already commercial activity that means the impact of this application would not be significant. It goes on to state in para 9.5 that: *“objections received did not detail nuisance from the existing businesses.”* This fails to recognise that these other commercial properties and their impact, are a significant distance away, with the exception of the Bell Inn, which is a quiet village Inn with its own parking facilities. These other businesses do not impact on this residential part of the village, but a fast food takeaway replacing the shop, with no parking and limited on street options, would have a serious detrimental impact on local residents. Indeed, in the village centre where these other facilities are located there are frequently problems of cars parking on the opposite pavement and obstructing the passage of pedestrians.
13. The difference between the impact of a shop that does not open beyond 5.30pm and a takeaway staying open until 10pm every day, is very significant in a residential area.

### **The Principle of Development**

14. The Supplementary Planning Guidance – Retention of Shop, Post Offices and Public Houses in Villages (SPG) (2004) states that: *“permission will not be granted for change of use which could cause the loss of an existing general store/post office within the settlement boundary or within comfortable walking distance unless it can be demonstrated that alternative facilities are available in the same village or there is no reasonable prospect of the use being retained or resurrected or there is no significant support from the community.”* Apart from the Co-op store, the Newsagents, which also included the village post office, is one of the last retail outlets in the village and is a much-valued resource for the local community, especially the post office, and in particular to those who do not have transport.
15. The newsagents/post office was closed due to the serious illness and subsequent death of the previous owner and was fairly quickly secured by the applicant. The suggestion that this change of use could be reversed does not reflect the reality of this application. If this change of use were approved, the post office would be lost to the village.
16. The Council Committee report in para 7.12 – 7.14 makes mention of public health policy on obesity. It suggests that this is largely an issue for urban local authorities such as London Boroughs and that Mid Suffolk does not have a policy relating to this. It states in para 7.14 that: *“Whilst, it is appreciated that obesity is a countryside issue, it is not considered that the provision of this*

*additional facility in this locality would give rise to a significant increase in health care problems or obesity as to warrant refusal.” We suspect that this view has not been arrived at in consultation with local public health officials. Suffolk has higher admission rates to hospital relating to obesity than all 33 London Boroughs, and the growth in obesity is serious enough for Public Health England to issue guidance in March 2017 “Health matters: obesity and the food environment” it offers advice to local authorities on using planning policies to tackle obesity by: “ensuring development avoids over-concentration of hot food takeaways in existing town centres or high streets, and restricts their proximity to schools or other facilities for children and young people and families” it states that “Restricting the proliferation of new fast food outlets benefits the whole community by:*

- *Reducing the amount of litter in the area*
- *Cutting down on discarded food waste and litter, which can stop foraging animals and pests*
- *Improving the visual appeal of the local environment and reducing night-time noise*
- *Reducing traffic congestion caused by short-term car parking outside takeaways*
- *Improving access to healthier food in deprived communities, which may contribute to reducing health inequalities.”*

17. If this proposal were approved and another fast food outlet was opened, it would place Rickinghall and Botesdale in the worst 20% of areas for fast food outlets density in the country. The lack of a policy, cannot be used as an excuse for avoiding wider responsibilities to the local community.

### **Planning Balance**

18. The Council’s Committee Report for the Planning Applications sets out a view that the Council’s Local Plan may be considered “absent” in terms of non-industrial commercial development outside of towns and that as a result the in paragraph 14 of the National Planning Policy Framework may apply (i.e. that planning permission should be granted unless the adverse impacts of this significantly and demonstrably outweigh the benefits of doing so).
19. It is incorrect to state that the development plan is absent here. Paragraph 14 of the Framework refers to the development plan being absent rather than any particular form of development not being catered for by the plan. There are other policies in the development plan relating to this settlement and the acceptability of development proposals in general. The Council has an adopted development plan, but this does not positively plan for non-industrial commercial development outside of town centres. The logical interpretation is therefore that there is no policy support for the Applications in the Council’s Local Plan and therefore in accordance with section 38(6) of the 2004 Act planning permission should be refused as it is in conflict with the development plan unless there are any material considerations which indicate otherwise.
20. Over and above this, we believe that there is a demonstrable adverse impact, which significantly outweighs any benefit, in terms of the serious reduction in neighbourhood amenity in this residential area, detrimental impact on an historic Grade II listed building, as well as wider responsibilities to stop the proliferation of unhealthy food outlets.

Yours faithfully

***Antek Lejk & Victoria Curry***

*Antek Lejk & Victoria Curry  
Bell Hill House  
The Street  
Rickinghall  
IP22 1BN*

Planning Department  
Mid Suffolk District Council  
Council Offices  
High Street  
Needham Market  
Ipswich  
IP6 8DL

24<sup>th</sup> January 2018

Dear Sir/Madam

**Objection to Listed Building Application – DC/17/04484 and  
Application for Planning Permission – DC/17/04483**

1. We are the owners of Bell Hill House which is attached to The Old Newsagents, Bell Hill Cottage, the Street, Rickinghall, the subject of Listed Building Application DC/17/04484 and planning application DC/17/04483. We have written separately in relation to both of these applications, but we also wish to draw attention to another aspect of this application, which we believe means both applications should be rejected.
2. Para 10.25 of the planning officers report states that: *“the Planning Authority must determine the acceptability of the sound proofing measure proposed.”* In order to provide improved sound insulation and fire resistance the applicants have proposed to install a suspended ceiling, involving 60 connections into the joists above. The application provides no evidence of the adequacy of this level of protection. There have been no acoustic or fire safety evaluations and our bedroom area is directly above this proposal. Without adequate evidence that we will be protected from fire risk and noise, this application should be rejected.
3. In addition, the applicant does not have the right to carry this work out. These joists are part of our property, Bell Hill House, not the Newsagents or Bell Hill Cottage. The applicant has no right to attach any new fixings to these joists, nor has requested any permission to do so. For the avoidance of doubt, we are clear that such permission would not be granted to make these connections into our joists. Our solicitors will be writing to the applicant about this matter.
4. In addition, there is a significant heritage impact of this proposal, as the joists are likely to be 18<sup>th</sup> century, even though the shop front and lath and plaster ceiling is 19<sup>th</sup> century. And the



impact of these 60 fixing points on joists of this age is likely to be detrimental to the original structure as well as being irreversible.

5. We are concerned that the applicant and their agent has chosen not to discuss any of the proposed alterations with us and has failed to disclose that they do not have the right to make the alterations that they have put forward. The original joists are likely to be 18<sup>th</sup> century and of historic significance. Attaching a modern suspended ceiling via 60 fixing points could do significant damage to these original timbers (notwithstanding the fact that they do not have the legal right to do so). In the absence of a viable proposal to provide suitable acoustic insulation and fire protection, we hope that you will take note of these factors and reject these applications.

Yours faithfully

***Antek Lejk & Victoria Curry***

9, Oswald Mews,  
Chapel Lane,  
Botesdale;

Suffolk IP22 1BH.

22<sup>nd</sup> January 2018.

Ms Rebecca Biggs

Growth and Sustainable Planning Dept.

Mid Suffolk District Council

Council Offices

High Street

Needham Market

Ipswich IP6 8DI.

Dear Ms. Biggs.

ref. Application for Planning Permission DC/17/04483.

Thank you for your letter of 4<sup>th</sup> January about  
Part change of use to form A5 hot food takeaway at  
the Newsagent Bell Hill Cottage.

My objections are basically unchanged and I  
refer you to my letter of 15<sup>th</sup> September 2017. I am very  
concerned about the traffic congestion a 5<sup>th</sup> takeaway  
would cause to the village. Already having a fish &  
chip shop almost next door to a Chinese takeaway is  
causing a dangerous situation only a few yards from  
the proposed site. Coming down the one-way road and

joining Fen Lane in order to turn into the main street  
your visibility is obstructed by cars parked both  
sides of the road; one side they are parked on the  
pavement and the road. This junction is always very  
busy with people from the Dr's surgery and <sup>especially</sup> at school  
delivery/collection times. This situation will be further  
complicated with another take-away, and the traffic  
that will generate.

Our village could become noised with rubbish dirt,  
traffic problems, smelling of fat. The remaining shops on  
the main street will all be take-aways - 5 of them,  
including 2 pubs which also offer a take-away service.  
The whole character and pleasure of living here will  
be spoiled. I beg the authority will think again!

Yours sincerely,

Mid Suffolk District Council  
Planning Department  
Endeavour House  
Russell Road  
Ipswich  
IP1 2BX

Fire Business Support Team  
Floor 3, Block 2  
Endeavour House  
8 Russell Road  
Ipswich, Suffolk  
IP1 2BX

Your Ref:  
Our Ref: FS/F190985  
Enquiries to: Angela Kempen  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: <http://www.suffolk.gov.uk>

Date: 15/01/2018

Dear Sirs

**The Newsagent, Bell Hill Cottage, The Street, Rickingham Inferior IP22 1BN**  
**Planning Application No: DC/17/04483**

I refer to the above application.

The plans have been inspected by the Water Officer who has the following comments to make.

**Access and Fire Fighting Facilities**

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

**Water Supplies**

No additional water supply for fire fighting purposes is required in respect of this planning application.

/Continued

OFFICIAL

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Yours faithfully

Mrs A Kempen  
Water Officer

Copy: Mrs S Roberts, Roberts Molloy Associates, 3 Church Lane, Bressingham, Diss  
IP22 2AE  
Enc: Sprinkler information

## Rebecca Biggs

---

**From:** Henry Landis  
**Sent:** 29 January 2018 14:23  
**To:** Rebecca Biggs  
**Cc:** Fire Business Support Team  
**Subject:** FW: Development Control B site visit. Our Ref F190985  
**Attachments:** Site location and block plan.pdf; DC\_17\_04484-PROPOSED\_FLOOR\_AND\_ELEVATION\_PLANS\_AND\_SPECIFICATION\_NOTES-310685 2.pdf

**Importance:** High

Hi Rebecca

Thanks for your enquiry.

I have just tried to phone you and spoke to Jo instead, who asked me to put my comments into writing.

I understand that this building is listed as Grade 2 by Historic England.

It is noted from the planning drawings that there is a flying freehold with part of Bell Hill House that is over the front of the takeaway shop. It is also noted that the access to the first floor storage within the shop is through the residential accommodation.

The sound insulation and fire resistance upgrade work will need to be in accordance with approved methods and will need to meet Building Regulations standards.

Under the Regulatory Reform (Fire Safety ) Order 2005 the commercial area will require a suitable fire risk assessment that takes into account persons who may be at risk from a fire breaking out in the premises, such as persons sleeping in either building.

It is recommended that the take away is provided with a fire alarm system that is designed and installed in accordance with the provisions of BS5839-6:2016 in the residential accommodation using interlinked grade D detectors in the following locations.

- Smoke detector/sounder in existing Sitting/dining room ground floor
- Smoke detector in passage way outside the prep & stores ground floor
- Smoke detector in passageway on first floor outside of storage/flue room
- Smoke detector/sounder in first floor bedroom.

In addition to the above, a stand alone fire alarm system should be installed with detectors in the following locations

- Heat detector in the front of house waiting area interlinked with either.
  - a. A smoke detector/sounder in the area between the first floor bedroom and ensuite on the first floor in Bell Hill House or
  - b. Interlinked into the fire alarm system installed in Bell Hill House.

This will provide the occupiers of both dwelling with early warning of a fire in the commercial area while preventing nuisance calls in Bell Hill House.

The provision of heat detection as described above can compensate for nominal fire resistance between the occupancies and provide early warning in case of fire.

### **Automatic Water Fire Suppression System**

For the protection of the occupiers using this building and for the conservation of the heritage value of the building, Suffolk Fire and Rescue Service strongly recommend that proper consideration is given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler/water mist system. A system, installed and maintained in accordance with current standards, can, in the event of fire:

- Actively save lives and prevent injuries.
- Reduce property damage.
- Minimise the amount of water used to extinguish fires by controlling them when they are small.
- Reduce the environmental impact associated with toxic smoke entering the atmosphere.
- Avoid the negative social consequences associated with serious fires occurring in communities.

Furthermore, the installation of sprinklers can facilitate design flexibility and also, the flexible use of space within the building, post-occupation.

Regards



**Henry Landis, MSc, GFireE**

Inspecting Officer  
Protection (Fire Safety)

✉ [henry.landis@suffolk.gov.uk](mailto:henry.landis@suffolk.gov.uk)

📞 01473260588

📞 01284741436 Direct

**Suffolk Fire and Rescue Service  
Fire and Public Health Directorate**

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

[www.suffolk.gov.uk](http://www.suffolk.gov.uk)



**"Salus Populi Suprema Lex Esto"**



## Consultation Response Pro forma

<b>1</b>	<b>Application Number</b>	DC/17/04484 as amended Bell Hill Cottage, Rickinghall	
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		Job Title:	Heritage and Design Officer
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# Consultee Comments for Planning Application DC/17/04484

## Application Summary

Application Number: DC/17/04484

Address: The Newsagent Bell Hill Cottage The Street Rickingham Inferior IP22 1BN

Proposal: Listed Building Application - Insertion of internal extraction equipment with external flue, internal sound proofing and fire-proofing partitions and new internal door.

Case Officer: Rebecca Biggs

## Consultee Details

Name: Mrs Leeann Jackson-Eve

Address: Wayside, Cherry Tree Lane, Botesdale Diss, Suffolk IP22 1DL

Email: rickingham\_pc@btopenworld.com

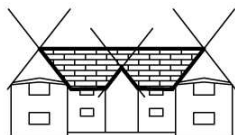
On Behalf Of: Rickingham Superior And Inferior Parish Clerk

## Comments

The Parish Council has received expert advice from Mr Nicholas Joubert, a professional Historic buildings consultant and member of the Council. Mr Joubert's advice is attached in full.

The Council agree with the expert advice that obscuring the 17th century fabric by lining out walls inside Bell Hill Cottage and installing a new suspended ceiling will result in harm to the significance of the grade II listed building in terms of paragraphs 132 and 134 of the NPPF. The Council is also concerned by changes to the building which might be associated with the increased risk of fire resulting from the change of use.

The Council are not convinced that the harm resulting from the proposed changes is necessary to bring the vacant listed building into a viable use and do not consider the harm to its historic significance has been clearly and convincingly justified, as required by paragraph 132 of the NPPF. The Parish Council therefore objects to the granting of consent.



**Nicolaas Joubert MSc.**  
**Historic Buildings Consultant Ltd.**  
M: 07717533498  
E: [historicbuildings.haa@gmail.com](mailto:historicbuildings.haa@gmail.com)

Nicolaas Joubert  
Stanley Cottage,  
Bury Road,  
Rickingham  
Diss  
IP22 1HA

FAO: Rickingham / Botesdale Parish Councils

Ref: DC/17/04484  
Date: 23/01/18

The Newsagent, Bell Hill Cottage, The Street, Rickingham Inferior. IP22 1BN

Dear Sir / Madam,

In response to your request to consider and comment on the potential impact posed to the Grade II listed building, due to a proposed change of use and alterations to the building, please find my comments below.

A 'Listed Building Justification' was submitted by the applicants following the concerns raised by the Mid-Suffolk Heritage team. The previous planning statement lacked an assessment of impact of the proposed work on the listed building in accordance with the requirements of paragraph 128 of the NPPF. The heritage team does not oppose the proposed change of use but does have concerns regarding the proposed internal work to the building.

The 'revised' assessment has addressed some of these concerns but failed to consider the impact on the historic character of the building.

I would like to raise concern in accordance with paragraph 131; '*...the desirability of sustaining and enhancing the significance of heritage assets*' and paragraph 132 of the NPPF.

Past alterations to the interior of the newsagent were carried out in a manner which were less than considerate of the historical character, fabric and significance of the Grade II listed building. Most of the former fixtures, fittings and wall linings have now

been removed exposing much of the historic fabric of the C17 service addition of the building.

The necessity for historic buildings to be adapted enabling them to be put to viable uses are accepted; however, this must not compromise their historical significance, fabric or character. Where possible, steps should be taken to reverse inappropriate additions, fixtures, fittings and fabric which detracts from the significance and character of a historic building. A change of use and associated alterations should in all cases enhance the listed building and its setting, and not detract from it due to inappropriate changes to the character or fabric of the listed building.

It is stated by the 'Listed Building Justification' that the proposal will not affect the historic fabric of the building as the historic fabric will be lined with new stud walls with an air gap, fire lining and sound insulation. Although this is an appropriate treatment to protect the historic fabric of the building it will have a direct impact on the C17 character of the two-bay service end of the C16 house.

As illustrated on the photographs contained within the 'Listed Building Justification', a section of the timber frame with wattle-and-daub infill panels are exposed in the south-west wall of the C17 service end. There appears to have been an original window or C17 doorway (further investigation is required) in this wall which informs of the historical circulation and plan form of the building. This was not considered in the assessment. The alterations will obscure this evidence and thus detract from the historical character of this space.

It is also proposed to add an additional level of ceiling over the shop at the front of the building. This will provide additional sound insulation and fire separation. The existing ceiling is proposed to be retained and the ceiling beam over the shop to remain exposed to view. The age of the ceiling is unknown as this has not been assessed. The new ceiling is to be secured over the existing with fixings penetrating the existing floor joists. These joists probably date to the C17; however, this is unclear as it has not been assessed. The depth with which the ceiling beam projects beyond the ceiling is unclear from the assessment. This is of importance as the beam is a significant historic feature within this space. Any alteration to the ceiling should expose the beam with enough depth beyond the new ceiling to emphasise its prominence. The proposed ceiling requires a minimum cavity of 50 mm plus 12.5 mm wallboard with skimmed finish. This will enable 30 minutes of fire resistance. For 60 minutes of fire resistance a minimum cavity of 50 mm and 2 x 12.5 mm wallboard with a skimmed finish will be required. The latter is proposed. This equates to a 75 mm (plus skimmed finish) projection beyond the existing ceiling. This may have a substantial impact on the prominence of the ceiling beam within this space. These alterations will have a direct physical impact on the historic fabric of the building.

The business nature of the proposed hot food take-away holds a higher than average risk of fire to the Grade II listed heritage asset. Naturally this is of concern. To enable

the use of the building in this manner, several necessary alterations are required which will have a negative impact on the historic character and fabric of the building.

As shown and discussed in the 'Listed Building Justification', little of the historic fabric and character of the building was exposed to view during its use as a newsagent. This cannot be viewed as a justification to support the proposed alterations to the building which will have a negative impact on the character and potentially the fabric of the listed building. Much of the modern fabric was recently stripped away to expose the historic fabric beneath. This has provided an opportunity to reverse later inappropriate alterations to the fabric of the building, and by exposure enhance the character and understanding of the heritage asset.

The proposed change of use of the former newsagent from an A1 to an A5 hot food take-away will have an unavoidably detrimental impact on the character and significance of the listed building. Careful consideration should therefore be given as to whether this is an appropriate viable use of the historic asset which is consistent with its conservation.

Yours sincerely,

Nicolaas Joubert  
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*MSc. Buildings Conservation*

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22<sup>nd</sup> January 2018

Dear Sir/Madam

**Objection to Listed Building Application – DC/17/04484**

1. We are the owners of Bell Hill House which is attached to The Old Newsagents, Bell Hill Cottage, the Street, Rickinghall, the subject of Listed Building Application DC/17/04484. We have written separately in relation to the planning application for change of use DC/17/04483.
2. We object to this application on the following grounds:
3. The proposed flue will not adequately protect us from odours, because it is too low. It is not above the ridge height of much of our property and, whilst your adviser David Harrold suggests this is not a requirement, the HSE's "Catering Information Sheet No. 10" states that *"high-level discharge is often needed to prevent nuisance to neighbouring properties. Avoid rain caps and other devices that impede upward vertical velocity."* This is not the case in this application and the proposal also includes a cap on the proposed flue. These two issues are contrary to the HSE guidance.
4. Your adviser also fails to recognise that we do have windows in our property which are above the height of the eaves and there is a risk of odours entering our property. In addition, two of the bedrooms with roof ridges above this height also have vaulted ceilings, so having direct access to the roof area rather than being protected by a loft ceiling.
5. In addition, it is not satisfactory to say that the predominant wind direction will take odours away from our property, because, clearly wind directions do vary and when the wind is not blowing in the predominant direction, we will be directly affected by the inadequate height.

6. The shop and our house are grade II listed and whilst the flue would be passing through the more modern part of the building it will have a direct visual impact on the whole building. Making the flue higher to provide us with adequate protection would not be in keeping with the heritage of the property and the skyline and therefore the application should be rejected.
7. This is a medieval timber framed building and, even with fire insulation, the risk of fire would inevitably be heightened if the use were changed to a Hot Food Takeaway. No professional fire risk assessment has been carried out, as we requested in previous correspondence, and we do not believe this planning application should be approved without such a risk assessment taking place, with a clear understanding of the scale of any remedial action required and its impact from a heritage perspective. We understand that the original intention to install a separate three phase electricity supply has been abandoned on the grounds of cost and therefore the loading on a single phase electrical system will create greater fire risk.
8. Your adviser, David Harrold states in his email attached to the Council Report: *"in the absence of any information from a competent person I would not be able to advise on the adequacy of sound insulation between the premises other than old timber frame building can be very poor due to historic methods of construction and materials used."* The proposed sound proofing does not use specialist sound proofing materials, but is of a standard construction. The party wall between our property and the takeaway is a thin timber and wattle and daub wall, with extremely poor sound insulation. If this application were approved, it would provide noise and disturbance to us late into the evening and should therefore be rejected.
9. There are a number of concerns from your advisers about the sound proofing and insulation measures in terms of their impact on this grade II listed building. Para 10.17 suggests that the extent of previous fittings in the shop have resulted in only a small section of the original timbers being visible. It is our contention that previous shop owners have not protected the visual integrity of this heritage building, but this should not be an excuse to further erode its integrity. The fact that the building has been compromised and would be further compromised by the work required to turn it into a fast food takeaway only serves to demonstrate that this change of use would be an entirely inappropriate use of this historic building.

Yours faithfully

***Antek Lejk & Victoria Curry***

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24<sup>th</sup> January 2018

Dear Sir/Madam

**Objection to Listed Building Application – DC/17/04484 and  
Application for Planning Permission – DC/17/04483**

1. We are the owners of Bell Hill House which is attached to The Old Newsagents, Bell Hill Cottage, the Street, Rickinghall, the subject of Listed Building Application DC/17/04484 and planning application DC/17/04483. We have written separately in relation to both of these applications, but we also wish to draw attention to another aspect of this application, which we believe means both applications should be rejected.
2. Para 10.25 of the planning officers report states that: *“the Planning Authority must determine the acceptability of the sound proofing measure proposed.”* In order to provide improved sound insulation and fire resistance the applicants have proposed to install a suspended ceiling, involving 60 connections into the joists above. The application provides no evidence of the adequacy of this level of protection. There have been no acoustic or fire safety evaluations and our bedroom area is directly above this proposal. Without adequate evidence that we will be protected from fire risk and noise, this application should be rejected.
3. In addition, the applicant does not have the right to carry this work out. These joists are part of our property, Bell Hill House, not the Newsagents or Bell Hill Cottage. The applicant has no right to attach any new fixings to these joists, nor has requested any permission to do so. For the avoidance of doubt, we are clear that such permission would not be granted to make these connections into our joists. Our solicitors will be writing to the applicant about this matter.
4. In addition, there is a significant heritage impact of this proposal, as the joists are likely to be 18<sup>th</sup> century, even though the shop front and lath and plaster ceiling is 19<sup>th</sup> century. And the



impact of these 60 fixing points on joists of this age is likely to be detrimental to the original structure as well as being irreversible.

5. We are concerned that the applicant and their agent has chosen not to discuss any of the proposed alterations with us and has failed to disclose that they do not have the right to make the alterations that they have put forward. The original joists are likely to be 18<sup>th</sup> century and of historic significance. Attaching a modern suspended ceiling via 60 fixing points could do significant damage to these original timbers (notwithstanding the fact that they do not have the legal right to do so). In the absence of a viable proposal to provide suitable acoustic insulation and fire protection, we hope that you will take note of these factors and reject these applications.

Yours faithfully

***Antek Lejk & Victoria Curry***