



**Riverside, 4 Canning Road, Lowestoft, Suffolk,
NR33 0EQ**

Planning Committee North

Members:

Councillor Paul Ashdown (Chairman)
Councillor Jenny Ceresa (Vice-Chairman)
Councillor Jocelyn Bond
Councillor Norman Brooks
Councillor Linda Coulam
Councillor Graham Elliott
Councillor Andree Gee
Councillor Malcolm Pitchers
Councillor Craig Rivett

Members are invited to a **Meeting of the Planning Committee North**
to be held in the Conference Room, Riverside, Lowestoft
on **Tuesday, 10 September 2019 at 2:00 pm**

An Agenda is set out below.

Part One – Open to the Public

Pages

1 Apologies for Absence and Substitutions

2 Declarations of Interest

Members and Officers are invited to make any declarations of Disclosable Pecuniary or Local Non-Pecuniary Interests that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.

3 Declarations of Lobbying and Responses to Lobbying

To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.

		Pages
4	East Suffolk Enforcement Action – Case Update ES/0134 Report of the Head of Planning and Coastal Management	1 - 14
5	DC/19/1366/FUL - 2A Trinity Street, Bungay, Suffolk, NR35 1EH ES/0135 Report of the Head of Planning and Coastal Management	15 - 20
6	DC/19/1367/LBC - 2A Trinity Street, Bungay, Suffolk, NR35 1EH ES/0136 Report of the Head of Planning and Coastal Management	21 - 26
7	DC/19/1373/FUL - 1A Broad Street, Bungay, Suffolk, NR35 1EE ES/0137 Report of the Head of Planning and Coastal Management	27 - 32
8	DC/19/1374/LBC - 1A Broad Street, Bungay, Suffolk, NR35 1EE ES/0138 Report of the Head of Planning and Coastal Management	33 - 38
9	DC/19/2193/FUL - 9 Market Place, Bungay, Suffolk, NR35 1AP ES/0139 Report of the Head of Planning and Coastal Management	39 - 44
10	DC/19/2194/LBC - 9 Market Place, Bungay, Suffolk, NR35 1AP ES/0140 Report of the Head of Planning and Coastal Management	45 - 50

Part Two – Exempt/Confidential

Pages

There are no Exempt or Confidential items for this Agenda.

Close



Stephen Baker, Chief Executive

Speaking at Planning Committee Meetings

Interested parties who wish to speak will be able to register to do so, using an online form. Registration may take place on the day that the reports for the scheduled meeting are published on the Council's website, until 5.00pm on the day prior to the scheduled meeting.

To register to speak at a Planning Committee, please visit

<https://www.eastsuffolk.gov.uk/planning/planning-applications/planning-committee/> to complete the online registration form. Please contact the Customer Services Team on 03330 162 000 if you have any queries regarding the completion of the form.

Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

For more information, please refer to the Code of Good Practice for Planning and Rights of Way, which is contained in the East Suffolk Council Constitution

(<http://www.eastsuffolk.gov.uk/assets/Your-Council/East-Suffolk-Council-Constitution.pdf>).

Filming, Videoing, Photography and Audio Recording at Council Meetings

The Council, members of the public and press may record / film / photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk (in advance), who will instruct that they are not included in any filming.

If you require this document in large print, audio or Braille or in a different language, please contact the Democratic Services Team on 01502 523521 or email:

democraticservices@eastsuffolk.gov.uk



The national Charter and Charter Plus Awards for Elected Member Development

East Suffolk Council is committed to achieving excellence in elected member development

www.local.gov.uk/Community-Leadership



PLANNING COMMITTEE NORTH

Title of Report:

East Suffolk Enforcement Action– Case Update

Meeting Date

10 September 2019

Report Author and Tel No

**Mia Glass
01502 523081**

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 22 August 2019. At present there are 16 such cases.

Information on all cases has been updated at the time of preparing the report such that the last bullet point in the status column shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

RECOMMENDATION

That the report concerning Outstanding Enforcement matters up to 22 August 2019 be received.

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
2008/0193	17/09/2008	North	25 Kessingland Cottages, Rider Haggard Lane, Kessingland	Breach of Condition Unauthorised use of chalet as main or sole residence	<ul style="list-style-type: none"> • Breach of Condition Notice • Compliance expired following extension of time • Further consideration by Service Manager and Legal • See Enforcement Notice ref 2008/004 for further information – committee aware of personal circumstances of occupants • Officers, seniors and legal held meeting, 23/01/2019 to discuss the options available to move forward with the case. • Contact made with occupants on 6 February 2019 and legal advice been sought on progressing the case. • Further information being gathered from other bodies. 	ONGOING – under review.
EN08/0264 & ENF/2013/0191	15/01/2010	North	Pine Lodge Caravan Park, Hazels Lane, Hinton	Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	<ul style="list-style-type: none"> • 15/10/2010 - EN served • 08/02/2010 - Appeal received • 10/11/2010 - Appeal dismissed • 25/06/2013 - Three Planning applications received • 06/11/2013 – The three applications refused at Planning Committee. • 13/12/2013 - Appeal Lodged 	20/09/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> 21/03/2014 – EN's served and become effective on 24/04/2014/ 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. 10/11/2015 – Informal hearing held 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. Trial date set for 21/04/2017 Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>hardstanding and access be removed by 16/06/2017.</p> <ul style="list-style-type: none"> • 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. • 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. • 21/11/2017 – Mobile home and steps removed from site. • Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. • 27/06/2018 – Compliance visit conducted to check on whether the 2010. • 06/07/2018 – Legal advice being sought. • 10/09/2018 – Site revisited to check for compliance with Notices. • 11/09/2018 – Case referred back to Legal Department for further action to be considered. • 11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <ul style="list-style-type: none"> • 01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. • Injunction granted. Three months given for compliance with Enforcement Notices served in 2010. • 13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action. • 04/02/2019 –Site visit undertaken to check on compliance with Injunction served on 01/11/2018 • 26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee • High Court hearing 27/03/2019, the case was adjourned until the 03/04/2019 • 03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>the non-attendance as was required in the Order of 27/03/2019.</p> <ul style="list-style-type: none"> 11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019. 07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019. 	
EN/09/0305	18/07/2013	South	Park Farm, Chapel Road, Bucklesham	Storage of caravans	<ul style="list-style-type: none"> Authorisation granted to serve Enforcement Notice. 13/09/2013 -Enforcement Notice served. 11/03/2014 – Appeal determined - EN upheld Compliance period extended to 4 months 11/07/2014 - Final compliance date 05/09/2014 - Planning application for change of use received 21/07/2015 – Application to be reported to Planning Committee for determination 14/09/2015 – site visited, caravans still in situ, letter sent to owner requesting their removal by 30/10/2015 	April 2021

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 11/02/2016 – Site visited, caravans still in situ. Legal advice sought as to further action. • 09/08/2016 – Site re-visited, some caravans re-moved but 20 still in situ. Advice to be sought. • Further enforcement action to be put on hold and site to be monitored • Review in January 2019 • 29/01/2019 - Legal advice sought; letter sent to site owner. • 18/02/2019 – contact received from site owner. • 04/04/2019 – Further enforcement action to be placed on hold and monitored. • Review in April 2021. 	
ENF/2014/0104	16/08/2016	South	Top Street, Martlesham	Storage of vehicles	<ul style="list-style-type: none"> • 23/11/2016 – Authorisation granted to serve an Enforcement Notice • 22/03/2017 – Enforcement Notice served. Notice takes effect on 26/04/2017. Compliance period is 4 months. • 17/07/2017 – Enforcement Notice withdrawn and to be re-served • 11/10/2017 – Notice re-served, effective on 13/11/2017 – 3 months for compliance 	30/09/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> • 23/02/2018 – Site visited. No compliance with Enforcement Notice. Case to be referred to Legal Department for further action. • Notice withdrawn • 09/07/2018 – Notice reserved, compliance date 3 months from 06/08/2018 (expires 06/11/2018) • 01/10/2018 - PINS has refused to accept Appeal as received after the time limit. • Time for compliance is by 06/12/2018 • Site visit to be completed after the 06/12/2018 to check for compliance with the Notice • 07/12/2018 – Site visit completed, no compliance, case passed to Legal for further action. • 17/01/2019 – Committee updated that Enforcement Notice has been withdrawn and will be re-served following advice from Counsel. • 21/02/2019 – Authorisation granted by Committee to serve an Enforcement Notice. Counsel has advised that the Council give 30 days for the site to be cleared before the Notice is served. 	

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> 01/04/2019 – Enforcement Notice served. 28/05/2019 – Enforcement Appeal has been submitted to the Planning Inspectorate. 	
ENF/2016/0292	11/08/2016	South	Houseboat Friendship, New Quay Lane, Melton	Change of use of land	<ul style="list-style-type: none"> 11/08/2016 – Authorisation granted to serve Enforcement Notice with an 8 year compliance period. Enforcement Notice to be drafted Enforcement Notice served on 20/10/2016, Notice effective on 24/11/ 2016 – 8 year compliance period (expires 24/11/2024). 	24/11/2024
ENF/2016/0425	21/12/2016	North	Barn at Pine Lodge, Hazels Lane, Hinton	Breach of Condition 2 of PP C/09/1287	<ul style="list-style-type: none"> EN served on 21/12/2016 Notice becomes effective on 25/01/2017 Start date has been received. Public Inquiry to be held on 08/11/2017 Enforcement Appeal to be re-opened Public Inquiry set for 15/05/2018. 06/06/2018 – Appeal dismissed. Three months for compliance from 06/06/2018 (expires 06/09/2018). Site visit to be conducted once compliance period has finished. 09/10/2018 – Site visit conducted, no compliance with Enforcement Notice. 	20/09/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>Case to be referred to Legal Services for further action.</p> <ul style="list-style-type: none"> • Site visit due on 07/01/2019. • 07/01/2019 – Site visit undertaken, no compliance with Notice. Case referred back to Legal Services for further action. • 26/02/2019 – Update to be given at Committee. • Awaiting update from Legal. • 07/05/2019 – Officers returned to the High Court to seek an Injunction for failure to comply with the Enforcement Notice. An Injunction was granted and the owner is required to comply with the Injunction by 03/09/2019 	
ENF/2017/0170	21/07/2017	North	Land Adj to Oak Spring, The Street, Darsham	Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins	<ul style="list-style-type: none"> • 16/11/2017 – Authorisation given to serve EN. • 22/02/2018 – EN issued. Notice comes into effect on 30/03/2018 and has a 4 month compliance period • Appeal submitted. Awaiting Start date • Appeal started, final comments due by 08/02/2019. • Waiting for decision from Planning Inspectorate. 	31/07/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2017/0387	14/08/2018	South	64 Grange Road Felixstowe	Untidy Site	<ul style="list-style-type: none"> • 14/08/2018 – S215 Notice served • 3 months for compliance from 13/09/2018 • 12/11/18 - Site in the process of being cleared. • 24/12/2018 - Site has been predominantly cleared. • 26/02/2019 – Property has recently been sold, final works expected to be done imminently. • Property sold at auction, further time given to clear site. 	31/07/2019
ENF/2015/0279/ DEV	05/09/2018	North	Land at Dam Lane Kessingland	Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.	<ul style="list-style-type: none"> • Initial complaint logged by parish on 22/09/2015 • Case was reopened following further information on the 08/12/2016/ • Retrospective app received 01/03/2017. • Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over 	30/10/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<p>the case, she communicated and met with the owner on several occasions.</p> <ul style="list-style-type: none"> • Notice sever by recorded delivery 05/09/2018. • Appeal has been submitted. Awaiting Start date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. 	
ENF/2018/0057/	15/11/2018	North	The Stone House, Low Road, Bramfield	Change of use of land for the stationing of chiller/refrigeration units and the installation of bunds and hardstanding	<ul style="list-style-type: none"> • Enforcement Notices served on 10/12/2018 • Notice effective on 24/01/2019 • 3 months given for compliance • Appeal submitted awaiting Start Date. • Start letter received from the Planning Inspectorate. Statement due by 30/07/19. 	30/10/2019
ENF/2018/0276	23/11/2018	North	Bramfield Meats, Low Road, Bramfield	Breach of Condition 3 of planning permission DC/15/1606.	<ul style="list-style-type: none"> • Breach of Condition Notice served • Application received to Discharge Conditions • Application pending decision 	31/07/2019
ENF/2018/0319/ COND	19/12/2018	North	Windy Acres Mutfordwood Lane Mutford	Change of use of 'Day Room' to permanent residential accommodation.	<ul style="list-style-type: none"> • Retrospective planning application submitted 26/10/2018 • Planning application refused 29/11/2018 	30/07/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
					<ul style="list-style-type: none"> Enforcement Notice served to rectify breach relating to the change of use of 'day room to residential dwelling' on 19/12/2018. Site visit to be conducted to check for compliance with the Enforcement Notice. Site visited 31/07/2019, notice has been complied with. 	
ENF/2018/0330/L ISTM	17/05/2019	North	Willow Farm, Chediston Green, Chediston	Unauthorised double glazed windows installed into a Listed Building	<ul style="list-style-type: none"> Listed Building Enforcement Notice served on 17/05/2019. Notice takes effect on 20/06/2019. Three months for compliance Appeal has been submitted, awaiting a start date. 	30/11/2019
ENF/2018/0543/ DEV	24/05/2019	North	Land at North Denes Caravan Park The Ravine Lowestoft	Without planning permission operational development involving the laying of caravan bases, the construction of a roadway, the installation of a pumping station with settlement tank and the laying out of pipe works in the course of which waste material have been excavated from the site and deposited on the surface.	<ul style="list-style-type: none"> Temporary Stop Notice Served 02/05/2019 and ceases 30/05/2019 Enforcement Notice served 24/05/2019, comes into effect on 28/06/2019 Stop Notice Served 25/05/2019 comes into effect 28/05/2019. Appeal has been submitted. Awaiting Start date. 	30/11/2019

LPA Reference	Date of Authorisation (Panel/ Delegated)	North/South	Location	Breach	Status	Date by which Compliance Expected (or Prosecution Date)
ENF/2018/0385/ COND	01/08/2019	North	28 Beverley Close Lowestoft	Breach of condition 2 & 3 of DC/15/2586/FUL	<ul style="list-style-type: none"> Breach of Condition Notice served 01/08/2019. 	01/02/2020
ENF/2019/0272/ DEV	16/08/2019	South	Rosery Cottage Barn, Lodge Road, Great Bealings	Change of use of a building	<ul style="list-style-type: none"> Enforcement Notice served 16/08/2019. 	17/12/2019

PLANNING COMMITTEE NORTH – 10 September 2019

ES/0135

APPLICATION NO DC/19/1366/FUL

EXPIRY DATE: 03 July 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: Full

APPLICANT: Bungay Town Council

LOCATION: 2A Trinity Street, Bungay, Suffolk, NR35 1EH

PARISH: Bungay

PROPOSAL: As part of Town Centre CCTV System the following items to be placed on building - 3 cameras (332mm) from base to lens x 14 x 8 4 transmitters/receivers on mounting pole & 1 waterproof box 400 x 400 x 200. Also associated cabling; pictures of building & equipment attached together with crime statics. Unable to use lampposts for camera's due to camera shake.

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastssuffolk.gov.uk

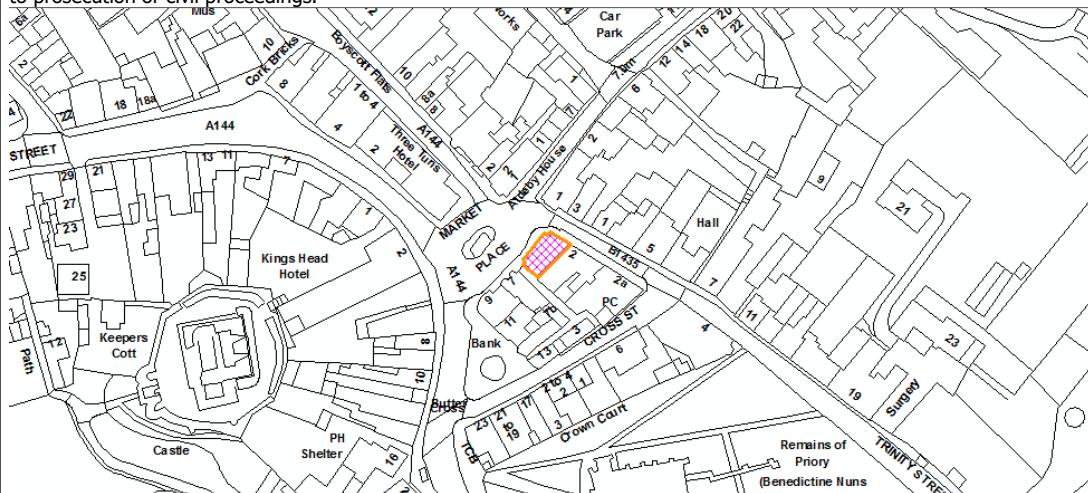
Phone: 01502 523067

MAP

DC/19/1366/FUL- 2A Trinity Street, Bungay, NR35 1EH

DO NOT SCALE SLA100019684

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Centre of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay.
- 1.2 The application seeks Planning Permission to install CCTV cameras and associated equipment on the front and side elevations of the building which is a Grade II listed building which is situated in a prominent position within the Bungay Conservation Area.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage assets of the Grade II listed building and the Bungay Conservation Area due to the prominence and appearance of the modern equipment proposed; this harm is considered to be less than substantial in terms of the NPPF.
- 1.4 However, it is considered that the harm to the significance of the Listed Building would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.5 This application is before the Planning Committee at the request of the Referral Panel.

2 SITE DESCRIPTION

- 2.1 Listed as No 5 Market Place, the application property is Grade II Listed; listed in 1972 the List description states; *"Early 19th century facing to earlier work connecting to No. 2 Trinity Street, qv 3 storeys. Stucco. Pilasters from 1st to 2nd floors flanking center. 1st floor center window has pedimented case with consoles. French windows at 1st floor. Small center balcony with ornamental railings. Eared architraves to side 1st floor windows. Moulded 2nd floor band. Pantiles. Slightly projecting wood shop front with flank pilasters and central entrance. Nos. 1 to 11 (odd), Nos. 11A, 13 and 17 to 21 (odd) form a group together with the Butter Cross"*.
- 2.2 The building has a very symmetrical façade which makes a strong classical statement, which is in a very prominent position within the Conservation Area on the Market Place and in full view when approaching from Broad Street.

3 PROPOSAL

- 3.1 This application seeks full planning permission for three CCTV cameras, two on the front elevation and one on the side. Four receiving/transmission dishes situated on a supporting pole 800mm in length situated at high level behind the parapet. A waterproof electrical box is required and is proposed to be positioned behind the parapet out of sight.
- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council : It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.
- 4.2 Suffolk Police: The scheme has been well thought out and that CCTV could have a positive effect on reducing crime. The location of the cameras has been well thought out to ensure that they link to each other and cover the most strategic areas.
- 4.3 Third Party Representations : None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	17.05.2019	10.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	17.05.2019	10.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 15.05.2019 Expiry date 06.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2 Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 states that in exercise of planning functions as respects listed buildings the local planning authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” Section 72 states that with regard to Conservation Areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.
- 7.3 National Planning Policy Framework (NPPF) (2019)
- 7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP8.29 – Design
- WLP8.37 – Historic Environment
- WLP8.39 – Conservation Areas

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Heritage Assets of the Conservation Area and the Listed Building has been highlighted to the applicant. No 2a Trinity Street has a very symmetrical façade which makes a strong classical statement and is situated in a very prominent position within the Conservation Area on the Market Place. The building can be seen in full view when approaching from Broad Street, currently there are no additions to this elevation, in the way of modern elements.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed. This removes the requirement for multiple dishes and requires just one dish which can be mounted directly to the building. Also electric boxes are only provided externally in the locations of lesser sensitivity. The one instance in Beccles which required equipment to be situated on a listed building used all of the above measures to minimise the harm to the historic environment.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. The system requires a signal to be received and transmitted from the building before this within the system (9 Market Place) and then on to the main receiving point at 1A Broad Street; two receivers and two transmitters are required to provide sufficient bandwidth. As the system needs an electricity supply from the host building an external meter box is proposed, together with associated cabling runs.

The harm arises, not so much from the cameras as these can be relatively unobtrusive but the associated equipment highlighted above which can be particularly harmful to the significance of the heritage assets of the Conservation Area and Listed Building.

- 8.7 The applicant has provided amended details which group the cameras in one location and uses one supporting pole for the four dishes, which is now proposed to be situated behind the face of the parapet. The electricity box has been moved from the side elevation of the building to be situated behind the parapet at roof level, cabling would be hidden by the water down pipes. The changes made minimise the harm to the significance of the listed building.

Justification and Public Benefit:

- 8.11 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.9 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO's within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.
- 8.10 On the basis of the amended information we have now received there would still be harm to the significance of the Listed building and Bungay Conservation Area. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage assets and any features of special architectural interest.
- 8.11 The harm to the significance of the heritage asset should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheets received on 29 March 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building.

BACKGROUND INFORMATION: See application ref: DC/19/1366/FUL at www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH – 10 September 2019

ES/0136

APPLICATION NO DC/19/1367/LBC

EXPIRY DATE: 03 July 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: LBC

APPLICANT: Bungay Town Council

LOCATION: 2A Trinity Street, Bungay, Suffolk, NR35 1EH

PARISH: Bungay

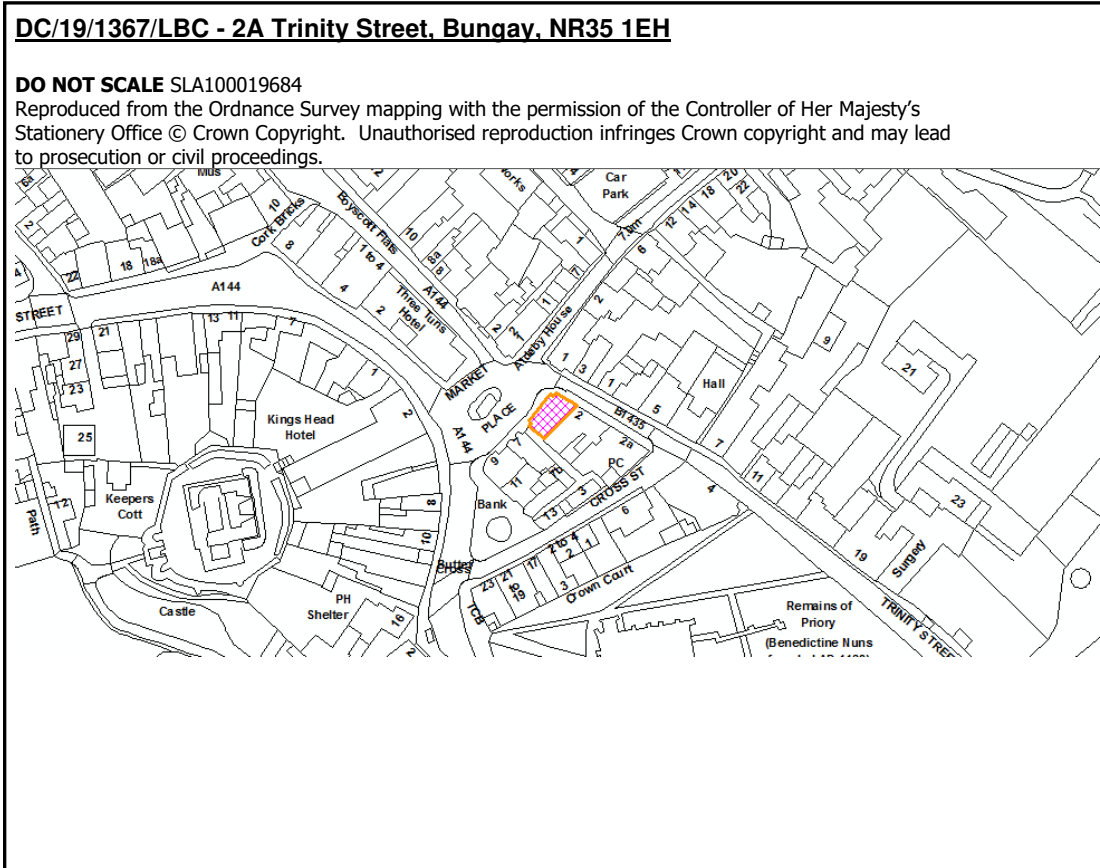
PROPOSAL: Listed Building Consent - As part of Town Centre CCTV System the following items to be placed on building - 3 cameras (332mm) from base to lens x 14 x 8 4 transmitters/receivers on mounting pole & 1 waterproof box 400 x 400 x 200. Also associated cabling; pictures of building & equipment attached together with crime statics. Unable to use lampposts for camera's due to camera shake.

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastsuffolk.gov.uk

Phone: 01502 523067

MAP



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Center of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay
- 1.2 The application seeks Listed Building Consent to install CCTV cameras and associated equipment on the front and side elevations of the building which is a Grade II listed building and is situated in a prominent position within the Bungay Conservation Area.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage asset of the Grade II listed building due to the prominence and appearance of the modern equipment proposed; this harm is considered to be less than substantial in terms of the NPPF.
- 1.4 However, it is considered that the harm to the significance of the Listed Building would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.5 This application is before the Planning Committee at the request of the Referral Panel.

2 SITE DESCRIPTION

- 2.1 Listed as No 5 Market Place, the application property is Grade II Listed; listed in 1972 the List description states; *"Early 19th century facing to earlier work connecting to No. 2 Trinity Street, qv 3 storeys. Stucco. Pilasters from 1st to 2nd floors flanking center. 1st floor center window has pedimented case with consoles. French windows at 1st floor. Small center balcony with ornamental railings. Eared architraves to side 1st floor windows. Moulded 2nd floor band. Pantiles. Slightly projecting wood shop front with flank pilasters and central entrance. Nos. 1 to 11 (odd), Nos. 11A, 13 and 17 to 21 (odd) form a group together with the Butter Cross"*.
- 2.2 The building has a very symmetrical façade which makes a strong classical statement, the building is in a very prominent position within the Conservation Area on the Market Place and in full view when approaching from Broad Street.

3 PROPOSAL

- 3.1 This application seeks listed building consent for the installation of three CCTV cameras, two on the front elevation and one on the side. Four receiving/transmission dishes situated on a supporting pole 800mm in length situated at high level behind the parapet. A waterproof electrical box is required and is proposed to be positioned behind the parapet out of sight.
- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council: It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.
- 4.2 Third Party Representations: None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	17.05.2019	10.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	17.05.2019	10.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 15.05.2019 Expiry date 06.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent the Local Planning Authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.
- 7.3 National Planning Policy Framework (NPPF) (2019)
- 7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP8.29 – Design
 - WLP8.37 – Historic Environment

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Listed Building has been highlighted to the applicant. No 2a trinity Street has a very symmetrical façade which makes a strong classical statement and is situated in a very prominent position within the Conservation Area on the Market Place. The building can be seen in full view when approaching from Broad Street, currently there are no additions to this elevation, in the way of modern elements.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed. This removes the requirement for multiple dishes and requires just one dish which can be mounted directly to the building. Also electric boxes are only provided externally in the locations of lesser sensitivity. The one instance in Beccles which required equipment to be situated on a listed building used all of the above measures to minimise the harm to the historic environment.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. This system requires a signal to be received and transmitted from the building before this within the system (9 Market Place) and then on to the main receiving point at 1A Broad Street; two receivers and two transmitters are required to provide sufficient bandwidth. As the system needs an electricity supply from the host building an external meter box is proposed, together with associated cabling runs. The harm arises, not so much from the cameras as these can be relatively unobtrusive but the associated equipment highlighted above which can be particularly harmful to the significance of the heritage assets of the Conservation Area and Listed Building.
- 8.7 The applicant has provided amended details which group the cameras in one location and uses one supporting pole for the four dishes, which is now proposed to be situated behind the face of the parapet. The electricity box has been moved from the side elevation of the building to be situated behind the parapet at roof level, cabling would be hidden by the water down pipes. The changes made minimise the harm to the significance of the listed building.

Justification and Public Benefit:

- 8.8 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.9 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO's within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.
- 8.10 On the basis of the amended information we have now received there would still be harm to the Listed building. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage asset and any features of special architectural interest.
- 8.11 The harm to the significance of the heritage asset should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That listed building consent be **APPROVED** subject to the following conditions:

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

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheets received on 29 March 2019, for which permission is hereby granted or which are subsequently

submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building.

BACKGROUND INFORMATION: See application ref: DC/19/1367/LBC at
www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH – 10 September 2019

ES/0137

APPLICATION NO DC/19/1373/FUL

EXPIRY DATE: 27 June 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: FUL

APPLICANT: Bungay Town Council

LOCATION: 1A Broad Street, Bungay, Suffolk, NR35 1EE

PARISH: Bungay

PROPOSAL: To put two receivers onto front of building on one pole and associated cable. Dimensions of each receiver is 189mm x 189mm x 125mm. Weight 0.530kg. This is part of the Bungay Town Centre CCTV system.

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastsuffolk.gov.uk

Phone: 01502 523067

MAP

DC/19/1373/FUL- Council Offices, 1A Broad Street, Bungay, NR35 1EE

DO NOT SCALE SLA100019684

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Center of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay
- 1.2 The application seeks planning permission to install two receivers on a supporting pole to the front roof slope of the building which is a Grade II listed building. This is the Town Council's office building and all the images from the CCTV cameras around the town are received at this point.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage assets of the Grade II Listed Building and Bungay Conservation Area due to the prominence and appearance of the modern equipment proposed, this harm is considered to be less than substantial in terms of the NPPF.
- 1.4 However, it is considered that the harm to the significance of the heritage assets would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.6 This application is before the Planning Committee of the building is in the ownership of East Suffolk Council.

2 SITE DESCRIPTION

- 2.1 Listed together with 10 Earsham Street, the application property is Grade II Listed; Historic England state that "it is a good example of a late C18/ early C19 townhouse with an elegant stair; it has an opulently designed billiard room extension which is unusual for a town house of fairly modest size; the hand of the architect is apparent in every detail of the highly decorative treatment, creating a richly appointed and finely crafted billiard room of architectural distinction; the billiard room has survived with a remarkable degree of intactness. The house is located in the historic center of Bungay and is surrounded by a large number of listed buildings with which it has strong group value, particularly 12 Earsham Street".
- 2.2 This building is very prominent on the approach into Bungay along Broad Street. The building has some unusual features externally, particularly at first floor level, not least the cornice which is delicately dentilled and the wide plaster band below is decorated with elaborate strapwork incorporating figures and masks, and a narrow band of egg-and-dart.

3 PROPOSAL

- 3.1 This application seeks planning permission for the installation of two receiver dishes on the front roof slope situated on a supporting pole of a maximum of 1.5 metres in length, coloured black. The dimensions of each receiver are 189mm x 189mm x 125mm. Weight 0.530kg. The colour of the receivers is white.

- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council : It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.
- 4.2 Suffolk Police: The scheme has been well thought out and that CCTV could have a positive effect on reducing crime. The location of the cameras has been well thought out to ensure that they link to each other and cover the most strategic areas.
- 4.3 Third Party Representations : None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	17.05.2019	10.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	17.05.2019	10.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 08.05.2019 Expiry date 06.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2 Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 states that in exercise of planning functions as respects listed buildings the local planning authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” Section 72 states that with regard to Conservation Areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.
- 7.3 National Planning Policy Framework (NPPF) (2019)

7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP8.29 – Design
- WLP8.37 – Historic Environment
- WLP8.39 – Conservation Areas

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Heritage Assets of the Conservation Area and the Listed Buildings has been highlighted to the applicant. 1A Broad Street is situated in a very prominent location within the Conservation Area on the approach into the Town Centre of Bungay.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. Our preference in this case is that the receiver is attached to the chimney so it is out of direct view and at a higher level. The Town Council have indicated that this is not possible due to access to the chimney. Negotiations have taken place and the position of the receiver pole has been amended to be situated on the roof rather than attaching to the plaster cornice detail. This would be less harmful to historic fabric of the building but would still be in a very prominent location, which would harm the significance of the Listed Building.

Justification and Public Benefit:

- 8.7 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.8 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO's within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.
- 8.9 On the basis of the amended information we have now received there would still be harm to the Listed building and the character and appearance of the Conservation Area due to the prominent location of the proposed pole for the receivers; it does now avoid impacting on the plaster cornice below the eaves level, which the pole was originally intended to attach to. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage assets and any features of special architectural interest.
- 8.10 The harm to the significance of the heritage assets should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building and the Character and appearance of the Conservation Area, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheet received on 29 March 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building

BACKGROUND INFORMATION: See application ref: DC/19/1373/FUL at www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH – 10 September 2019

APPLICATION NO DC/19/1374/LBC

EXPIRY DATE: 27 June 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: LBC

APPLICANT: Bungay Town Council

LOCATION: 1A Broad Street, Bungay, Suffolk, NR35 1EE

PARISH: Bungay

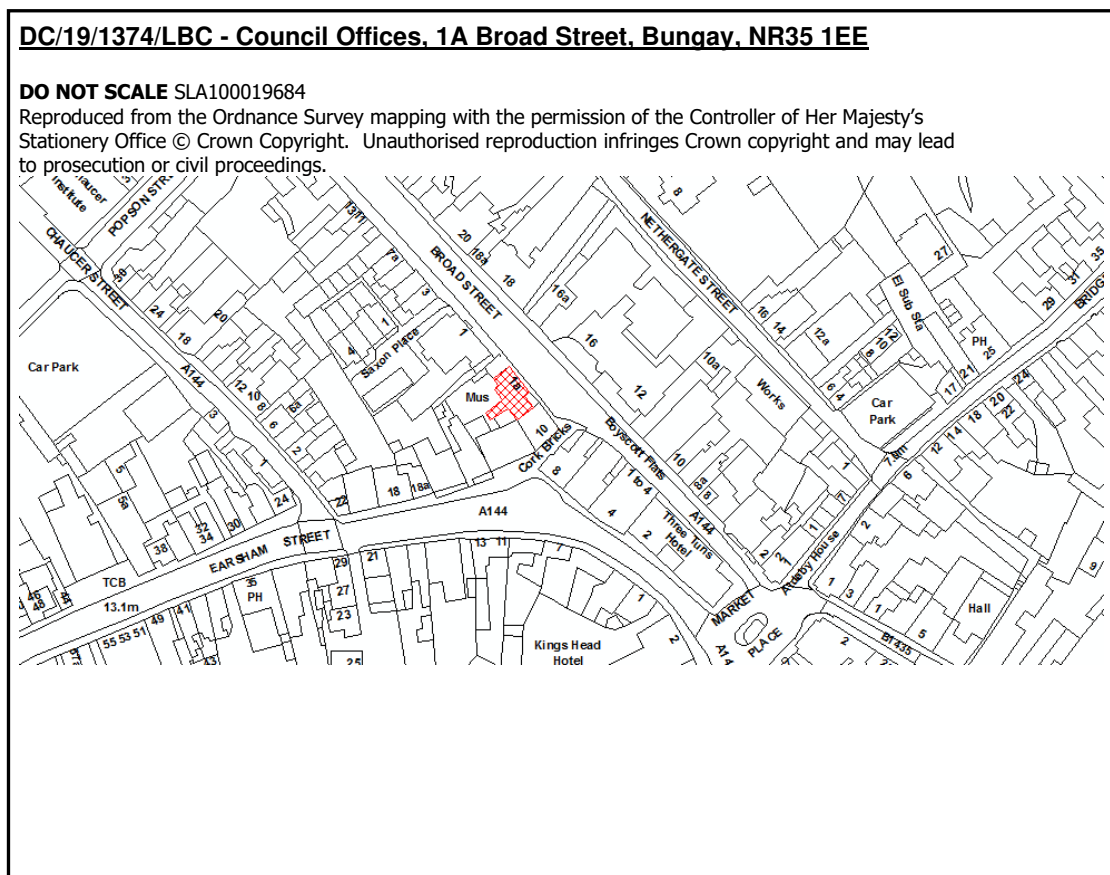
PROPOSAL: To put two receivers onto front of building on one pole and associated cable. Dimensions of each receiver is 189mm x 189mm x 125mm. Weight 0.530kg. This is part of the Bungay Town Centre CCTV system.

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastsuffolk.gov.uk

Phone: 01502 523067

MAP



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Center of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay
- 1.2 The application seeks listed building consent to install two receivers on a supporting pole to the front roof slope of the building which is a Grade II listed building. This is the Town Council's office building and all the images from the CCTV cameras around the town are received at this point.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage assets of the Grade II listed building due to the prominence and appearance of the modern equipment proposed, this harm is considered to be less than substantial in terms of the NPPF.
- 1.4 However, it is considered that the harm to the significance of the Listed Building would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.5 This application is before the Planning Committee of the building is in the ownership of East Suffolk Council.

2 SITE DESCRIPTION

- 2.1 Listed together with 10 Earsham Street, the application property is Grade II Listed; Historic England state that "it is a good example of a late C18/ early C19 townhouse with an elegant stair; it has an opulently designed billiard room extension which is unusual for a town house of fairly modest size; the hand of the architect is apparent in every detail of the highly decorative treatment, creating a richly appointed and finely crafted billiard room of architectural distinction; the billiard room has survived with a remarkable degree of intactness. The house is located in the historic center of Bungay and is surrounded by a large number of listed buildings with which it has strong group value, particularly 12 Earsham Street".
- 2.2 This building is very prominent on the approach into Bungay along Broad Street. The building has some unusual features externally, particularly at first floor level, not least the cornice which is delicately dentilled and the wide plaster band below is decorated with elaborate strapwork incorporating figures and masks, and a narrow band of egg-and-dart.

3 PROPOSAL

- 3.1 This application seeks listed building consent for the installation of two receiver dishes on the front roof slope situated on a supporting pole of a maximum height of 1.5 metres, coloured black. The dimensions of each receiver is 189mm x 189mm x 125mm. Weight 0.530kg. The colour of the receivers is white.

- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council : It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.

- 4.2 Third Party Representations : None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	17.05.2019	10.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	17.05.2019	10.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 08.05.2019 Expiry date 06.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

- 7.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent the Local Planning Authority shall have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”

- 7.3 National Planning Policy Framework (NPPF) (2019)

- 7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP8.29 – Design
- WLP8.37 – Historic Environment

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Listed Building has been highlighted to the applicant. 1A Broad Street is situated in a very prominent location within the Conservation Area on the approach into the Town Centre of Bungay.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. Our preference in this case is that the receiver is attached to the chimney so it is out of direct view and at a higher level. The Town Council have indicated that this is not possible due to access to the chimney. Negotiations have taken place and the position of the receiver pole has been amended to be situated on the roof rather than attaching to the plaster cornice detail. This would be less harmful to historic fabric but would still be in a very prominent location, which would harm the significance of the Listed Building.

Justification and Public Benefit:

- 8.7 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.8 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO’s within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.

- 8.9 On the basis of the amended information we have now received there would still be harm to the Listed building. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage asset and any features of special architectural interest.
- 8.10 The harm to the significance of the heritage asset should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That listed building consent be **APPROVED** subject to the following conditions:

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

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheets received on 29 March 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details:

- Details of the attachment of the pole to the existing roof and how the building will be weather proofed.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

5. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building.

BACKGROUND INFORMATION: See application ref: DC/19/1374/LBC at
www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH – 10 September 2019

ES/0139

APPLICATION NO DC/19/2193/FUL

EXPIRY DATE: 24 July 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: Full

APPLICANT: Bungay Town Council

LOCATION: 9 Market Place, Bungay, Suffolk, NR35 1AP

PARISH: Bungay

PROPOSAL: As part of town centre CCTV system. The following items to be placed on the building. 2 Camera's (332 mm from base to lens). 4 transmitters / receivers and a waterproof box (400 x 400 x 200).

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastsuffolk.gov.uk

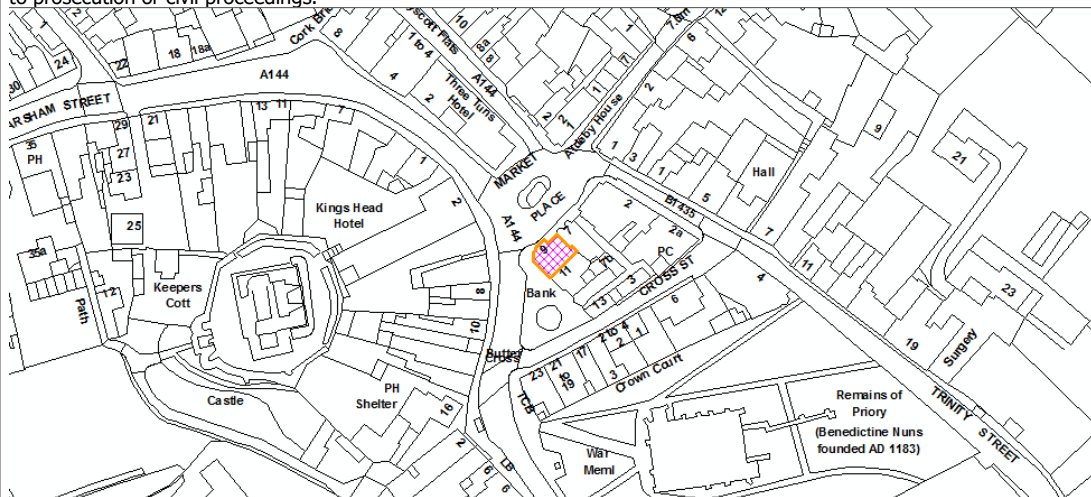
Phone: 01502 523067

MAP

DC/19/2193/FUL- 9 Market Place, Bungay, NR35 1AP

DO NOT SCALE SLA100019684

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Center of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay
- 1.2 The application seeks planning permission to install CCTV cameras and associated equipment on the front and side elevations and the chimney of the building which is a Grade II listed building and is situated in a prominent position within the Bungay Conservation Area and in close proximity to the Grade I listed Butter Cross.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage assets of the Grade II listed building and surrounding Conservation Area due to the prominence and appearance of the modern equipment proposed; this harm is considered to be less than substantial in terms of the NPPE.
- 1.4 However, it is considered that the harm to the significance of the Listed Building would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.5 This application is before the Planning Committee at the request of the Referral Panel.

2 SITE DESCRIPTION

- 2.1 Listed as Market Place (East side) No 9 & No 11, the application property is Grade II Listed; listed in 1949, the List description states; *"Early C18, 2 storey and attic, 3 gabled sash dormers. Colourwashed brick. Tiles. Cove cornice, 6 sash windows in flush frames, rusticated cambered arches. Entrance door with fanlight and wood case. Mainly modern shop fronts. 4 flush frame sash windows, north west, at 1st floor. Originally 1 building, essentially part of the old market. Nos 1 to 11 (odd), Nos 11A, 13 and 17 to 21 (odd) form a group together with the butter cross"*.
- 2.2 This is a highly visible location in the Market Place within the Bungay Conservation Area which has the added sensitivity of being in close proximity to the Grade I Listed Butter Cross of which views are afforded to this building from the Butter Cross and the Market Place, off which lead five main roads.

3 PROPOSAL

- 3.1 This application seeks listed building consent for the installation of two CCTV cameras, one on the front and side elevations. Four receiving/transmission dishes situated on the chimney and associated electricity box situated on the top of the existing shop front.
- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council : It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.
- 4.2 Suffolk Police: The scheme has been well thought out and that CCTV could have a positive effect on reducing crime. The location of the cameras has been well thought out to ensure that they link to each other and cover the most strategic areas.
- 4.3 Third Party Representations : None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	7.06.2019	28.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	7.06.2019	28.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 16.06.2019 Expiry date 27.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2 Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 states that in exercise of planning functions as respects listed buildings the local planning authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*” Section 72 states that with regard to Conservation Areas “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*”.
- 7.3 National Planning Policy Framework (NPPF) (2019)
- 7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:

- WLP8.29 – Design
- WLP8.37 – Historic Environment
- WLP8.39 – Conservation Areas

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Heritage Assets of the Conservation Area and the Listed Buildings has been highlighted to the applicant. No 9 Market Place is situated in a very prominent position within the Conservation Area on the Market Place. The building can be seen from a variety of angles and is viewed in the context of the Grade I listed Butter Cross, currently there are no additions to this elevation, in the way of modern elements.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed. This removes the requirement for multiple dishes and requires just one dish which can be mounted directly to the building. Also electric boxes are only provided externally in the locations of lesser sensitivity. The one instance in Beccles which required equipment to be situated on a listed building used all of the above measures to minimise the harm to the historic environment.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. This system requires a signal to be received and transmitted from the building before this within the system and then on to the main next camera at 2A Trinity Street; two receivers and two transmitters are required to provide sufficient bandwidth. As the system needs an electricity supply from the host building an external meter box is proposed, together with associated cabling runs. The harm arises, not so much from the cameras as these can be relatively unobtrusive but the associated

equipment highlighted above which can be particularly harmful to the significance of the heritage assets of the Conservation Area and Listed Building.

- 8.7 The Town Council have made a number of improvements to the proposal on this building. The cameras are now proposed to be situated on the fascia of the shopfront and coloured black to match. The receiver and transmitter dishes were proposed to be situated on two separate poles on the front and side elevation of the building, these would now be sited on the chimney of the property. The electric box is suggested to be sited on top of the shop front. The changes proposed minimise the harm to the significance of the listed building.

Justification and Public Benefit:

- 8.8 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.9 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO's within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.
- 8.10 On the basis of the amended information we have now received there would still be harm to the Listed building and the Surrounding Conservation Area. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage assets and any features of special architectural interest.
- 8.11 The harm to the significance of the heritage assets should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That planning permission be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheets received on 30 May 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building.

BACKGROUND INFORMATION: See application ref: DC/19/1366/FUL at www.eastsuffolk.gov.uk/public-access

PLANNING COMMITTEE NORTH – 10 September 2019

ES/0140

APPLICATION NO DC/19/2194/LBC

EXPIRY DATE: 24 July 2019 (extension of time agreed until 13 September 2019)

APPLICATION TYPE: LBC

APPLICANT: Bungay Town Council

LOCATION: 9 Market Place, Bungay, Suffolk, NR35 1AP

PARISH: Bungay

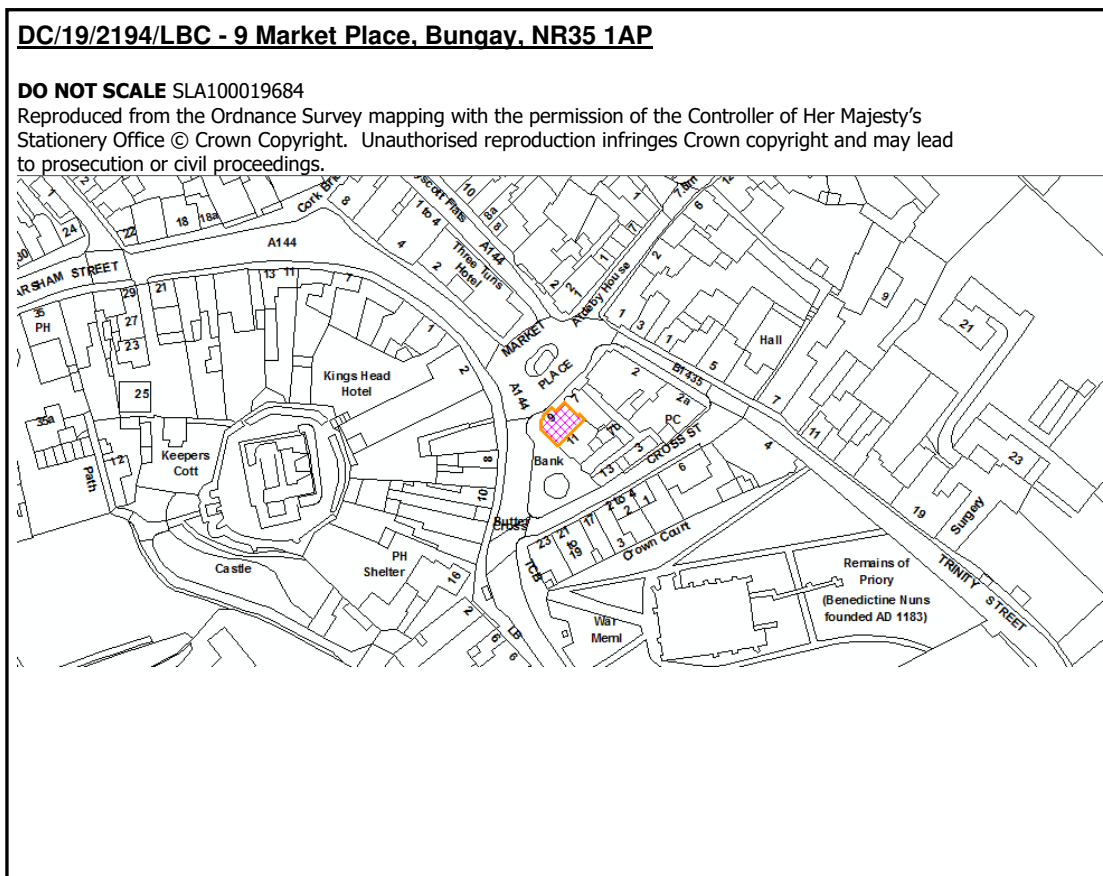
PROPOSAL: Listed Building Consent - As part of town centre CCTV system. The following items to be placed on the building. 2 Camera's (332 mm from base to lens). 4 transmitters / receivers and a waterproof box (400 x 400 x 200).

CASE OFFICER : Iain Robertson

Email: Iain.Robertson@eastsuffolk.gov.uk

Phone: 01502 523067

MAP



1 EXECUTIVE SUMMARY

- 1.1 This application is one of a series of applications within the Town Center of Bungay in order to establish a CCTV system which covers key areas of the Town Centre in a bid to reduce crime figures which are reported to be on the increase since the loss of the presence of PCSO's within Bungay
- 1.2 The application seeks listed building consent to install CCTV cameras and associated equipment on the front and side elevations of the building and the chimney which is a Grade II listed building and is situated in a prominent position within the Bungay Conservation Area and in close proximity to the Grade I listed Butter Cross.
- 1.3 Negotiations have taken place with the applicant in order that the harm caused by this proposal is minimised. The proposal would still be considered to harm the significance of the designated heritage asset of the Grade II listed building due to the prominence and appearance of the modern equipment proposed; this harm is considered to be less than substantial in terms of the NPPF.
- 1.4 However, it is considered that the harm to the significance of the Listed Building would be outweighed by the public benefit of the proposal and the application can therefore be recommended for approval.
- 1.5 This application is before the Planning Committee at the request of the Referral Panel.

2 SITE DESCRIPTION

- 2.1 Listed as Market Place (East side) No 9 & No 11, the application property is Grade II Listed; listed in 1949, the List description states; *"Early C18, 2 storey and attic, 3 gabled sash dormers. Colourwashed brick. Tiles. Cove cornice, 6 sash windows in flush frames, rusticated cambered arches. Entrance door with fanlight and wood case. Mainly modern shop fronts. 4 flush frame sash windows, north west, at 1st floor. Originally 1 building, essentially part of the old market. Nos 1 to 11 (odd), Nos 11A, 13 and 17 to 21 (odd) form a group together with the butter cross"*.
- 2.2 This is a highly visible location within the Market Place within the Conservation Area which has the added sensitivity of being in close proximity to the Grade I Listed Butter Cross of which views are afforded to this building from the Butter Cross and the Market Place, off which lead five main roads.

3 PROPOSAL

- 3.1 This application seeks listed building consent for the installation of two CCTV cameras, one on the front and side elevations. Four receiving/transmission dishes situated on the chimney and associated electricity box situated on the top of the existing shop front.
- 3.2 The application is supported by a Design and Access Statement and photos showing the approximate locations of the equipment.

4 CONSULTATIONS/COMMENTS

- 4.1 Bungay Town Council : It was proposed by ST, seconded by ML, and unanimously RESOLVED that these plans are recommended for APPROVAL with no comments.
- 4.2 Third Party Representations : None received

5 PUBLICITY:

- 5.1 The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area, Listed Building	7.06.2019	28.06.2019	Beccles and Bungay Journal
Conservation Area, Listed Building	7.06.2019	28.06.2019	Lowestoft Journal

6 SITE NOTICES

- 6.1 The following site notices have been displayed:

General Site Notice Reason for site notice: Conservation Area, listed Building.
Date posted 16.06.2019 Expiry date 27.06.2019
Date posted 16.08.2019 Expiry date 09.09.2019

7 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 7.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant listed building consent the Local Planning Authority shall have “*special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*”.
- 7.3 National Planning Policy Framework (NPPF) (2019)
- 7.4 The East Suffolk Council - Waveney Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
- WLP8.29 – Design
 - WLP8.37 – Historic Environment

8 PLANNING CONSIDERATIONS

- 8.1 The NPPF and the Local Plan give significant weight to conserving and enhancing the historic environment. Paragraph 193 of The NPPF states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.
- 8.2 Paragraph 194 of the NPPF states that *“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”*.
- 8.3 Paragraph 196 of the NPPF states that *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal”*.

Heritage Considerations:

- 8.4 The importance of minimising the harm to the Listed Building has been highlighted to the applicant. No 9 Market Place is situated in a very prominent position within the Conservation Area on the Market Place. The building can be seen from a variety of angles and is viewed in the context of the Grade I listed Butter Cross, currently there are no additions to this elevation, in the way of modern elements.
- 8.5 The Council has been involved in providing advice with regard to the CCTV system in Beccles. In Beccles the majority of the installations have been able to be attached to non-listed buildings and areas of lesser prominence within the Conservation Area. A different approach has been taken there where a high point (Bell Tower) is used to receive signals from each installation. The images are then transmitted to the Town Hall by cable removing the need for a receiving dish at street level on the Town Hall which is Grade II listed. This removes the requirement for multiple dishes and requires just one dish which can be mounted directly to the building. Also electric boxes are only provided externally in the locations of lesser sensitivity. The one instance in Beccles which required equipment to be situated on a listed building used all of the above measures to minimise the harm to the historic environment.
- 8.6 In this instance the use of the Church Tower is not a possibility which would minimise the amount of equipment required. This system requires a signal to be received and transmitted from the building before this within the system and then on to the main next camera at 2A Trinity Street; two receivers and two transmitters are required to provide sufficient bandwidth. As the system needs an electricity supply from the host building an external meter box is proposed, together with associated cabling runs. The harm arises, not so much from the cameras as these can be relatively unobtrusive but the associated equipment highlighted above which can be particularly harmful to the significance of the heritage assets of the Conservation Area and Listed Building.

- 8.7 The Town Council have made a number of improvements to the proposal on this building. The Cameras are now proposed to be situated on the fascia of the shopfront and coloured black to match. The receiver and transmitter dishes were proposed to be situated on two separate poles on the front and side elevation of the building, these would now be sited on the chimney of the property. The electric box is suggested to be sited on top of the shop front. The changes proposed minimise the harm to the significance of the listed building.

Justification and Public Benefit:

- 8.8 As required by Paragraph 194 of the NPPF any harm to the significance of a designated heritage asset requires clear and convincing justification.
- 8.9 Within the supporting information to this application the Town Council have highlighted that since the loss of the presence of PCSO's within Bungay Town Centre figures indicate that crime is on the rise. The images from these cameras could be downloaded by the Police for use in criminal proceedings.
- 8.10 On the basis of the amended information we have now received there would still be harm to the Listed building. In terms of the NPPF the harm would be less than substantial and of a low degree of harm. It is considered that in accordance with Policy WLP8.37 of the Local Plan the proposal has sought to preserve the heritage asset and any features of special architectural interest.
- 8.11 The harm to the significance of the heritage asset should be weighed against the public benefits of the proposal as required by paragraph 196 of the NPPF. The public benefit of introducing a CCTV system within the town centre is considered to outweigh the harm that would be caused and would meet the requirements of the NPPF. Due regard has been given to the requirements of section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9 CONCLUSION

- 9.1 The importance of providing a CCTV system to cover Bungay Town Centre has been highlighted by the applicant and it is considered that adequate consideration has been given to other less harmful methods of installation. Negotiations have taken place with the applicant to minimise the harm of the proposal as much as possible.
- 9.2 Although there would still be harm to the significance of the Listed building, the harm has been minimised. In terms of the NPPF the harm would be less than substantial and in this instance it is considered that the harm would be outweighed by the public benefit.
- 9.3 Accordingly, it is recommended that the application is approved.

10 RECOMMENDATION

That listed building consent be **APPROVED** subject to the following conditions:

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

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with photo montages received on 13 August 2019 and datasheets received on 30 May 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Within six months of the cessation of the use of the equipment it shall be removed from the building.

Reason: In order to safeguard the special architectural or historic interest of the building.

4. Notwithstanding the transmission and receiving dishes, which are proposed to be white, the equipment shall be colour coded to match that of the surface that it is attached to and thereafter maintained in that condition.

Reason: In order to safeguard the special architectural or historic interest of the building.

BACKGROUND INFORMATION: See application ref: DC/19/1367/LBC at www.eastsuffolk.gov.uk/public-access