

Item No: 9

Reference: B/08/00780/DPA

Parish: SUDBURY

Location: Land south of 1-5 Siam Place, Sudbury –‘Siam Gardens’

Proposal: Erection of two metal railings and gates

Applicant: Babergh District Council

Case Officer: Graham Chamberlain

Date for Determination: 07/07/08

This application is referred to the Development Committee as the applicant is Babergh District Council. The implementation of development is reliant upon the allocation of grant monies and the proposal has been brought before Members prior to the expiry of the notification period.

THE SITE

1. The site is located off Gaol Lane in Sudbury Town Centre. ‘Siam Place’ (as the site is known locally) is a small parcel of land currently used as a public park. It was formally part of a larger Victorian garden which belonged to Siam House. Much of the larger garden was built over to provide the adjoining public car park.
2. The site currently comprises a predominantly lawned area with a brick and flint wall surrounding it on two sides. The other sides face the car park and are delineated by a low post and rail timber fence with access points. There is trees and shrubs on the boundaries, the trees being relatively mature and important to the character of the area.
3. The site is in a mixed use area of Sudbury, with business and residential surrounding the site. The terraced Victorian cottages to the north and east enclose the site and reinforce the Victorian character of Goal Lane.
4. The site is located within the Sudbury Town Centre Conservation Area.

THE PROPOSAL

5. The application is for two metal railings and gates at the two entrances which would be provided as part of the proposals to improve the gardens. The gates would be 2.4m high and 1.5m wide. The gates would be lockable and would be finishes in galvanised mild steel. The gates would be closed of an evening but open during the day to allow public access to the gardens.
6. The proposed railings and gates follow a wider Victorian theme for the boundary treatment with a dwarf wall finished in recycled Suffolk White Brickwork with steel railings above. The wall and railings do not require permission as they are less than 2m in height and do not front a highway.
7. The other works proposed which involve the formation of a path, the provision of a wall and planting do not form part of this application and can not be considered by the Development Committee as they are also deemed to be ‘permitted development’.

RELEVANT HISTORY

8. B/08/00187 – Construction of footpaths and areas of hardstanding with 22 up lighters. Erection of brick wall with metal railings and gate - Withdrawn

NATIONAL GUIDANCE

9. **PPS1** – Delivering Sustainable Development

PLANNING POLICIES

10. The following Development Plan policies are applicable to the proposal:

- **CN01** - New Development
- **CN04** - Crime Prevention and Accessibility
- **CN08** - Conservation Area

This report only includes policy references. For further details please see Page 4.

OBSERVATIONS

11. Sudbury Town Council – To be reported.

REPRESENTATIONS

12. To be reported.

PLANNING CONSIDERATIONS

13. The proposal is for the erection of two metal railings and gates in a Conservation Area. The principle of the development is acceptable subject to compliance with relevant planning policies.

Design and Impact on Conservation Area

14. Policy CN01 states that all new developments should be appropriate for that location so that local distinctiveness is maintained. This is echoed in PPS1 which places significant emphasis on quality design in the planning system (Para 35) stating that development which fails to improve the quality and character of the area should not be supported. In Conservation Areas, Policy CN08 states that new development should preserve or enhance the character of that conservation area retaining the elements which contribute to its special character.
15. The entrance gates proposed would be finished in a Victorian style, echoing the style of Victorian railings. The area around the site is predominantly Victorian in character due to the terraced buildings which surround the site. Consequently the style of the gates is appropriate. As the gates are not a solid structure, it would be possible for people to see into the gardens. This would preserve an important view in the Conservation Area whilst enhancing the site by providing security in the evenings. Therefore the proposed gates would be appropriate for the location echoing the distinctive Victorian character of this part of the Conservation Area and would both preserve and enhance the special character the gardens afford the conservation area.

Crime Prevention and Accessibility

16. Policy CN04 states that development proposals will need to ensure that the potential for crime and vandalism is 'designed out'. Siam Gardens had been subject to anti social behaviour. The Sudbury Market Town Partnership and Babergh District Council sought the advice of the Crime Reduction/Architectural Liaison Officer (POLARC) (Sudbury Police) in 2005. A report was prepared which stated that Siam Gardens had suffered from crime but was also an area where there was a fear of crime. A number of recommendations were proposed for the site such as giving it a 'purpose', better signage, tree works and a general refurbishment. The gates are part of the refurbishment. A key recommendation from the POLARC was that natural surveillance across the site should be improved with the ability to control access designed in.
17. The gates will enable natural surveillance during the day when the gardens would be in use, and would provide the opportunity for the gardens to be locked of an evening. The gates are therefore an important part of the refurbishment project. The gates consequently adhere to Policy CN04.
18. The gates would have a level threshold and would be wide enough for access by all sectors of the community. The gates would be set into the site so that people would not step directly into the car park when exiting the gardens.

REASON FOR APPROVAL

19. The proposal is considered to be in accordance with Policies CN01, CN08 and CN04 of the Babergh Local Plan Alteration No. 2 (2006). The size, location and design of the gates are acceptable, adhering with the development plan.

RECOMMENDATION

20. That subject to the receipt of no material representations approval of the application be delegated to the Chief Planning Control Officer upon expiry of the consultation period.