

WICKHAM MARKET PARISH COUNCIL

CHAIR: Cllr IVOR FRENCH



PLANNING COMMITTEE

Chair: Cllr Dick Jenkinson

MINUTES of the meeting of Wickham Market Parish Council Planning Committee held on Tuesday 25 February 2025 at 18:00

- PL24: 47 **Present from the Council:** Cllr Jenkinson (Chair) A Besly (Clerk)
Cllr Day L Castle (Deputy Clerk)
Cllr French
- PL24: 48 **Present from the Public:** 6
- PL24: 49 **Open Public Forum session** (3 minutes per person): Several members of the public wanted to speak. For privacy purposes, they are not named in the minutes.
- One member of the public read a prepared statement in support of the planning application which is replicated in Annex 1.
- Another member of the public read a detailed prepared statement which is replicated in Annex 2.
- Another member of the public disputed some of the statements in Annex 2
- There then followed a number of comments from members of the public which were impossible to capture due to the uncontrolled nature of the public participation. These included:
- Cost of restoration, work already undertaken, historical arguments regarding the state of the wall and lack of agreement between parties, the inappropriate solution of a fence to replace the wall and the temporary nature of the fence.
- The public participation was brought to a close to allow the planning Committee to discuss material considerations.
- PL24: 50 **Apologies for Absence:** None
- PL24: 51 **Declarations of Interest in items on the agenda:** None (This item was promoted to be above the Open Public Forum at the Chair's discretion)
- PL24: 52 **Proposal to approve the draft minutes** of the Wickham Market Parish Council Planning Committee of 4 September 2024. The minutes were reviewed and it was proposed they be approved and signed. **All Agreed**
- PL24: 53 **Review and agree comments DC/23/4856/FUL and DC/23/4857/LBC Proposal:** Secure and conserve Grade II listed boundary wall between 95 and 96A High Street, Wickham Market. The work is essential to avoid further deterioration and hazard. Site address: The George Community Inn, High Street, Wickham Market, Woodbridge, Suffolk IP13 0SD Consultation letter expiry date: 26 February 2025.
- There was a detailed discussion regarding the boundary wall which was continually interrupted by members of the public. However, the key material considerations the committee considered were:
- Overlooking:**
- It was noted that without the full restoration of the wall or some form of temporary screening, the neighbouring property to the George would be overlooked by people using the area to the rear of the premises.
- Effect on a listed building:**
- Regardless of recent history, it was recognised that the wall now requires significant restoration.
 - The current project timetable now does not allow sufficient time for this to take place before the George opens.
 - The proposed structure must be temporary on order to secure and conserve the wall.
 - To classify the proposed structure as temporary, a time limit condition should be applied
- Public Safety**
- While it could be argued that the wall should have been managed earlier, it must now be made safe.
- After further deliberation, it was proposed that WMPC response should be: "Wickham Market Parish Council have no objection to this proposal." Two voted for, one against: **Carried**

However, the Parish Council request that the temporary fence should carry a condition that it is actually temporary and a time limit is set to reinstate the damaged area of the wall. **All Agreed**

PL24: **54 Review and agree comments DC/25/0277/FUL**

Proposal: Change of use from agricultural to equestrian including 2 x mobile stables. Site address: Part Land South Of The Crescent And West Of, Walnuts Lane, Wickham Market, Suffolk, IP13 0RZ

Consultation letter expiry date: 5 March 2025.

This application was discussed and it was noted that it appeared to be retrospective as the structures were already in place. It was proposed that WMPC enter a "No Objection" comment. **All Agreed**

PL24: **55 Date of next meeting:** To be arranged as required.

Meeting Closed 19:30

Signed.

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Date.

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Annex 1

Points for Planning Meeting 25th February 2025

1. Despite making extensive enquiries, no owner of the wall can be found
2. As a consequence there is no legal case for the Society or Mr Rudston to be forced to repair the wall.
3. However, the wall continues to deteriorate and constitutes a safety hazard.
4. The "do nothing" option would leave both gardens partially unusable due to the need to fence off the hazardous areas.
5. The restoration of the George has been beset with unforeseen construction issues which have resulted in a significant cost over-run The Society has been working tirelessly over the past year to fill the funding gap that arose from the cost over-run.
6. The Society's priority at this time is to get the business up and running- Without the business generating a significant revenue stream, there can be little hope of fully restoring the wall.
7. The Society have every intention of repairing the wall when funds permit. However, an interim solution has been proposed for consideration here that, while not ideal, does tackle the issue of safety and the prevention of further deterioration while funding is sought for a full restoration.
8. The first part of the Listed Building Consent Application seeks permission to make the wall safe and to stop or slow down the deterioration.
9. In the second part of the Application, so as to afford some privacy to users of the George and the neighbours, it is proposed that a temporary fence is erected until such time that the Society and Mr Rudston can agree how a full repair can be funded.
10. Those seeking to have the Listed Building Consent Application refused without a viable alternative may be perceived to be at least partially responsible for further deterioration of the wall.
11. Remember, there are two sides to a wall.

25 February 2025

Annex 2

Summary of Objection from a member of the public

We formally object to the application for the fencing of the boundary wall due to the GMC's ongoing failure to preserve the historic wall between 93a & 95 The High Street, Wickham Market. Despite professional advice and available funding, the GMC has allowed the structure to deteriorate, resulting in wilful neglect of a historic asset.

Granting these applications significantly impacts our privacy rights, increases noise pollution affecting our property, and undermines our right to enjoy our home. Additionally, it is inconsistent with local conservation measures and is not supported by East Suffolk Council's Heritage Officer, who warned that its approval would set a dangerous precedent. He concluded that the application does not meet NPPF requirements at para 208 now 215.

Grounds for Objection

1. Failure to Undertake Essential Repairs

- In March 2021, Colin Owen (GMC) confirmed that urgent buttressing was required to prevent the wall's imminent collapse. A structural engineer's report recommended immediate action.
- Despite written assurances (see attached email) that a buttress would be installed, no action was taken. This led to a partial collapse in August 2022, followed by a substantial collapse in October 2022.
- Mike Cooper (GMC) confirmed in writing (see attached email) that sufficient funding was available to restore the wall. However, the GMC now publicly claims financial constraints—contradicting their own statements.
- The groundworks, foundations, and capping of the remaining wall suggest a long-term structure rather than a temporary measure.
- Seaman site managers advised the GMC to undertake buttressing before the collapse and to include restoration in the ongoing schedule of works.
- The GMC removed this from their current scope of works demonstrating wilful neglect of a historic asset and failure to fulfil their project objective of fully restoring a community landmark.
- The wall is part of the George Pub and as such should be included in the original scope of works supported by The Heritage Fund and others.

East Suffolk Councils Planning Team should not grant permission for temporary hoarding when it serves as a pretext for indefinite delays in essential repairs—this is a standard interpretation of planning law.

2. Heritage and Conservation Considerations

- The wall is a historic asset contributing to Wickham Market's character and The George Pub's character, it is considered part of a listed building's curtilage. It also falls within a conservation area and should be afforded relevant protection as a Historic Asset as part of the GMC's scope of existing works.
- East Suffolk Council's Heritage Planning Officer, Robert Scrimgeour, states that the proposed fence is not in keeping with the site's heritage and is only acceptable if reinstatement is part of the same works. He explicitly states: "At no time have I supported the partial or full loss of the historic boundary wall without a clear proposal for its reinstatement as part of the same works."
- The submitted plans indicate that the fence footings will be reinforced with concrete. The boundary wall will be removed and capped—thus clearly indicating a permanent, long-term structure.
- The term 'Temporary' implies imminent works to be undertaken to restore the original boundary wall. At no point does either application state a time scale for the works to commence or to be completed.
- The application for temporary fencing contradicts conservation principles by not ensuring the reinstatement of the original boundary walled brick and flint structure as without a timeframe for completion temporary becomes permanent.
- By permitting further delays to the restoration of the wall the GMC could indefinitely cite funding issues and project cost overruns as justification for inaction.

- The GMC can not be allowed to pick and choose what bits of a historical asset they deem fit for restoration. The wall is part and parcel of the original scope of work funded by the Heritage Lottery Grant.

3. Impact on Residential Amenity

- The collapse has resulted in a loss of privacy, allowing public visibility into our property from The George building site and the footpath running along George Lane through no fault of ours.
- The wall served as a noise barrier; its absence as a solid brick and flint structure will increase noise pollution, especially with the proposed beer garden and pizzeria, which is cited as an essential commercial asset.
- The wall provided security, deterring trespassers. Its removal increases the risk of unauthorised access to our property. The proposed wooden solution would be easily scale-able should one wish to do so.
- The application would severely impact our right to enjoy our property which is a legal right in both Common law and Property law.

4. Financial and Legal Detriment

- The failure to install a buttress or temporary support by the GMC in 2021 has significantly increased the repair cost, now estimated at £57,000 (per GMC's main contractor, Seamans).
- The provision of the proposed temporary structure would cost £17,000 according to the GMC's estimates. It makes no financial sense to spend this sum leaving the remaining sum for restoration still to be found.
- The GMC should seek further costings for the restoration of the wall. As Seaman's quote seems highly inflated. While we understand Seamans are the main contractor surely a competitive tender process would reduce this cost to an acceptable amount.
- We also believe that the costing for the buttress was included in Seamans original scope of works at the point of tender and should have been instructed back in 2021.
- Approval of the temporary fencing could allow the GMC to indefinitely delay necessary restoration. Without an enforceable timeline, for reinstatement works, there is no incentive to complete the work once the temporary measure is in place.
- The proposal would set a precedent allowing developers to pick and choose which work to undertake without consequence. It is the GMC's choice not to undertake these works appropriately in a timely fashion.
- East Suffolk Councils Planning Team should never support such applications without a requirement for reinstatement in the same works schedule.
- This point can not be laboured enough. You would be setting a very dangerous precedent by agreeing to these applications. As stated by Robert Scrimgeour, East Suffolk Heritage Planning Officer, February 2024 and restated in 2025.
- 5. Misrepresentation of Funding and Potential Planning Enforcement
- The GMC's conflicting statements by confirming funding in writing while publicly claiming financial constraints suggest intentional delay rather than financial necessity.
- East Suffolk Councils Planning Team have the right to object to applications, recommend conditions, or refuse outright plans where developers misrepresent financial constraints to justify inaction.(see attached email from Mike Cooper, GMC).
- In this case, there is clear documented evidence (attached) to support the fact that the GMC are misrepresenting their position. They are an unbelievably well-funded project (£2,000,000.00 as publicised).
- Failure to instigate cost controls, the reduction of planned scopes of works, the re forecasting of costs, labour, building materials should not be at the detriment firstly of a heritage asset (the brick and flint boundary wall) or secondly us as direct neighbours.
- Accepting the applications for a temporary fence does not address the issue of the GMCs failure to act as appropriate stewards of a historical asset and their inaction causing serious harm to said asset which is undeniable.

- It should be noted that all supporting comments on the East Suffolk Councils Planning Application portal for the fencing application come from the GMC themselves or from shareholders in the project, who have a vested interest in its approval.
- Wickham Markets Parish Councils Planning Team who voted two in favour of the application and one against were both shareholders in the George project and have a vested interest in it as did those supporting the plans on the night of the Parish Council's planning meeting. It should be noted that the Chairperson of the Wickham Market Parish Council (not a shareholder) objected to the applications.

Conclusion

The GMC has failed in its duty to protect and maintain a key heritage asset, despite access to 2 million pounds in Heritage Funding, Public Grants and Charitable donations as well as Shareholder contributions to fund this project. The GMC has repeatedly failed to follow years of professional advice from their own structural engineers and specialist contractors received before the heritage assets collapsed. Approving the temporary fencing application would reward inaction and risk leaving the wall unrestored indefinitely, as there is no stated timeline for restoration works to be completed by. This would leave no grounds for recourse or any rights to enforce compliance if there is as I suspect a failure to undertake restorative works within a timely fashion. Finally, granting this application would without doubt set a dangerous precedent for future works involving historical assets as stated by East Suffolk Council's own Heritage officer in 2024 and repeated in 2025. Finally, the applications do not meet NPPF tests stated in para 208 now 215.

Requested Action

We urge East Suffolk Council to:

1. Reject the applications for temporary fencing.
2. Require the GMC to undertake full restoration of the historic asset following professional structural engineer's advice and in accordance with East Suffolk Council's own Historical Planning Officer recommendations.
3. We urge the Planning Authority to require the GMC to carry out the restoration works within their present budget and to complete these works within the stated restoration works timeframe as they should have done all along.
4. We ask the Planning Team to recognise that approving these applications would set a dangerous precedent for other developers of historic assets in East Suffolk.
5. We note the Wickham Markets Parish Councils Planning Team's recommendation for a Temporary fence as we understand it in planning terms the word 'temporary' implies 'imminent works' to be undertaken in restoring the boundary wall to its original state.

We politely and with due respect remind East Suffolks Planning Team of Robert Scrimgeour's statement: "At no time have we (East Suffolk Planning Authority) permitted the loss or partial loss of a historic boundary wall without the inclusion of a proposal for its reinstatement as part of the same works.