

17 January 2022

Mr Philip Ridley
East Suffolk Council,
Head of planning and Coastal Management
East Suffolk House, Riduna Park,
Station Road, Melton,
Woodbridge,
IP12 1RT

Dear Mr Ridley

115 College Road, Framlingham

I write on behalf of the Suffolk Preservation Society (SPS) regarding the deteriorating condition of 115 College Road. The building is in a highly prominent location within the Framlingham Conservation Area and its increasingly derelict condition impacts negatively on the visual amenity of the wider area and the setting of adjoining listed Framlingham College.

The SCDC 2013 Conservation Area Appraisal states that *this building makes a very important contribution to the character of the conservation area, highlighting that: the weather boarded walls and black glazed pan tile roof are not only unusual details in this character area, but the building is the only example of a completely weather boarded dwelling in the entire conservation area.* Despite the extant consent for the sensitive scheme of repair and re-use (ref: 19/3669/FUL), the building condition continues to worsen. Since the consent was granted roof tiles have slipped and the resultant water ingress will accelerate the deteriorating condition of the building. Accordingly, the local planning authority must take necessary action to arrest further decline of the building.

The Society is fully aware of the non-designated heritage status of the building which limits the use of Urgent Works Powers. Nevertheless, the council does have powers under S215 of the Town and Country Planning Act. A local planning authority may use a maintenance notice (section 215 notice) **where the condition of land or buildings adversely affects the amenity of an area.** This section 215 notice can be used in England to require the owner or occupier to deal with the poor state of a building or land.

Section 215 has been effectively used on town centre street frontages, rural sites, derelict buildings, and semi-complete development as well as the more typical rundown residential properties and overgrown gardens. The Best Practice Guidance, Town and Country Planning Act 1990 Section 215, January 2005 states that: *LPAs should use s215 powers proactively; they should not just be complaint-led. LPAs should certainly not be afraid of using s215 powers. LPAs have reported that it is a relatively straightforward power to use and that it can deliver extremely good results. For example in one LPA, of 130 s215 notices served between April 2000 and April 2004 the vast majority resulted in a very*

high standard of remedial works with prosecution and/or direct action for non-compliance only being required in less than 10% of cases. And continues:

Another context in which s215 notices may be used successfully is in relation to listed buildings and their setting, and in the enhancement of conservation areas. In one LPA, for instance, s215 action has resulted in improvements being carried out to 41 listed buildings and 104 premises in conservation areas. The scope of works that can be required in s215 notices is wide and includes planting, clearance, tidying, enclosure, demolition, re-building, external repairs and repainting.

Your Local Planning Enforcement Plan March 2019 when considering S215 Notices states that: *It is likely we will use a Section 215 Notice in connection with a prominent and derelict site, particularly if it has started to attract fly tipping, or an important town centre street frontage that has fallen into disrepair, particularly if it falls within a Conservation Area.*

The process of serving the Notice is straightforward and allows for the council to carry out the specified works if the land owner does not comply, and ultimately, there is the risk of prosecution in the Magistrates Court, where a successful prosecution may result in a fine of up to £1,000 and a criminal record. In the light of this accessible remedy that is readily available to the LPA, the Society urges that East Suffolk Council approach the College and advise them that unless immediate remedial works are put in place to avoid further deterioration, that officers are prepared to take appropriate action to address the ongoing decline of 115 College Road.

Unless the Council is prepared to take a pro-active and robust approach to this situation, another significant part of the district's heritage may be lost. The Society urges that all available powers are used in a proportionate and effective way to safeguard the future of this important part of Suffolk's humble heritage.

Yours sincerely,



Fiona Cairns IHBC MRTPI
Director

Cc:

Cllr Richie, Planning Portfolio Holder

Cllr Cook, Cllr Freeman Ward Councillors

Enforcement Team Leader

Framlingham Town Council

Robert Scrimgeour, Principal Conservation Officer

Reuben Higgins

Timothy Easton

Dr Paul Bradley

