

# Public Document Pack



COMMITTEE: **Planning Committee**

VENUE: **Council Chamber, Corks Lane,  
Hadleigh**

DATE: **Wednesday, 13 September 2017  
at 9.30 a.m.**

## Members

Sue Ayres  
Simon Barrett  
Peter Beer  
David Busby  
Derek Davis  
Alan Ferguson  
Kathryn Grandon

John Hinton  
Michael Holt  
Adrian Osborne  
Stephen Plumb  
Nick Ridley  
David Rose  
Ray Smith

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk.

## AGENDA

### PART 1

ITEM	BUSINESS	<u>Page(s)</u>
1	<u>SUBSTITUTES AND APOLOGIES</u>  Any Member attending as an approved substitute to report giving his/her name and the name of the Member being substituted.  To receive apologies for absence.	
2	<u>DECLARATION OF INTERESTS</u>  Members to declare any interests as appropriate in respect of items to be considered at this meeting.	
3	<u>TO CONFIRM THE MINUTES OF THE MEETING HELD ON 2 AUGUST 2017 - TO FOLLOW</u>	
4	<u>TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME</u>	

ITEM	BUSINESS	<u>Page(s)</u>
5	<u>QUESTIONS BY THE PUBLIC</u>  To consider questions from, and provide answers to, the public in relation to matters which are relevant to the business of the meeting and of which due notice has been given in accordance with the Committee and Sub-Committee Procedure Rules.	
6	<u>QUESTIONS BY COUNCILLORS</u>  To consider questions from, and provide answer to, Councillors on any matter in relation to which the Committee has powers or duties and of which due notice has been given in accordance with the Committee and Sub-Committee Procedure Rules.	
7	<u>SITE INSPECTIONS</u>  In addition to any site inspections which the Committee may consider to be necessary, the Corporate Manager – Growth and Sustainable Planning will report on any other applications which require site inspections.  The provisional date for any site inspections is Wednesday 20 September 2017.	
8	<u>PL/17/15 PLANNING APPLICATION FOR DETERMINATION BY THE COMMITTEE</u>  An Addendum to Paper PL/17/15 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.	1 - 4
a	<u>B/17/00912 Home Farm, The Green, Hadleigh (Pages 5 - 18)</u>	

Notes:

1. The next meeting is scheduled for Wednesday 27 September 2017 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
3. The Council has adopted a Charter for Public Speaking at Planning Committees, a link is provided below:

<http://baberghmidsuffolk.moderngov.co.uk/documents/s4772/Public%20Speaking%20Arrangements.pdf>

Those persons wishing to speak on a particular application must register their interest to speak no later than **two clear working days before the Committee meeting**, as detailed in the Charter for Public Speaking (adopted 30 November 2016).

The registered speakers will be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- A representative of the Parish Council in whose area the application site is located to express the views of the Parish Council;
- An objector;
- A supporter;
- The applicant or professional agent / representative;
- County Council Division Member(s) who is (are) not a member of the Committee on matters pertaining solely to County Council issues such as highways / education;
- Local Ward Member(s) who is (are) not a member of the Committee.

Public speakers in each capacity will normally be allowed **3 minutes** to speak.

Local Ward Member(s) who is (are) not a member of the Committee are allocated a maximum of **5 minutes** to speak.

For further information on any of the Part 1 items listed above, please contact Linda Sheppard on (01473) 826610 or via e-mail at [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk).

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## PL/17/15

### BABERGH DISTRICT COUNCIL

#### PLANNING COMMITTEE

13 September 2017

#### SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer	Decision
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#### **APPLICATIONS REQUIRING REFERENCE TO PLANNING COMMITTEE**

1.	5 - 18	<b>B/17/00912</b>	<b>HADLEIGH</b> – Home Farm, The Green	AS	
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Philip Isbell  
Corporate Manager – Growth and Sustainable Planning

## BABERGH DISTRICT COUNCIL

### PLANNING COMMITTEE

#### SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE PLANNING COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Corporate Manager - Development Management, do not come within the scope of the Scheme of Delegation to Officers adopted by the Council or which, although coming within the scope of that scheme, she/he has referred to the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:-

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

#### DELEGATION TO THE CORPORATE MANAGER - DEVELOPMENT MANAGEMENT

The delegation to the Head of Economy includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Planning Committee.

(Minute No 48(a) of the Council dated 19 October 2004).

### **PLANNING POLICIES**

The Development Plan comprises saved policies in the Babergh Local Plan adopted June 2006. The reports in this paper contain references to the relevant documents and policies which can be viewed at the following addresses:-

The Babergh Local Plan: <http://www.babergh.gov.uk/babergh/LocalPlan>

National Planning Policy Framework:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

## **LIST OF ABBREVIATIONS USED IN THIS SCHEDULE**

<b>AWS</b>	<b>Anglian Water Services</b>
<b>CFO</b>	<b>County Fire Officer</b>
<b>LHA</b>	<b>Local Highway Authority</b>
<b>EA</b>	<b>Environment Agency</b>
<b>EH</b>	<b>English Heritage</b>
<b>NE</b>	<b>Natural England</b>
<b>HSE</b>	<b>Health and Safety Executive</b>
<b>MoD</b>	<b>Ministry of Defence</b>
<b>PC</b>	<b>Parish Council</b>
<b>PM</b>	<b>Parish Meeting</b>
<b>SPS</b>	<b>Suffolk Preservation Society</b>
<b>SWT</b>	<b>Suffolk Wildlife Trust</b>
<b>TC</b>	<b>Town Council</b>





# Agenda Item 8a

## Committee Report

**Item No: 1**

**Reference:** B/17/00912

**Case Officer:** Alex Scott

**Ward:** Hadleigh North.

**Ward Member/s:** Cllr Tina Campbell. Cllr Siân Dawson.

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## Description of Development

Outline - Erection of 15 dwellings with associated access works

## Location

Home Farm, The Green, Hadleigh, Ipswich IP7 6AE

**Parish:** Hadleigh

**Site Area:** 1.26 ha

**Conservation Area:** No

**Listed Building:** No

**Received:** 30/03/2017

**Expiry Date:** 15/09/2017

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**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Small Scale - Dwellings

**Environmental Impact Assessment:** NA.

**Applicant:** Miss Dibben

**Agent:** KLH Architects Ltd.

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## DOCUMENTS SUBMITTED FOR CONSIDERATION

This decision refers to drawing number 2690-0102 P01 received 31/03/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 2690-0102 P01 - Received 31/03/2017

Existing Site Plan 2690-0100 P01 - Received 31/03/2017

Proposed Site Plan ( Indicative) 2690-0101 P01 - Received 31/03/2017

3D/Axonometric Drawings ( Indicative) 2690-0104 P01 - Received 31/03/2017

Land Levels ( Indicative) 2690-0103 P01 - Received 31/03/2017

Highway Access Plan D10107/15/001 - Received 31/03/2017

Arboricultural Assessment - Existing - 5560-D - Received 31/03/2017

Arboricultural Assessment - Proposed - 5560-D - Received 31/03/2017

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The application, plans and documents submitted by the Applicant can be viewed online at [www.babergh.gov.uk](http://www.babergh.gov.uk). Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

It is a “Major” application for:

- A residential development proposal for 15 or more dwellings

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## **PART TWO – APPLICATION BACKGROUND**

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### **History**

There is no previous planning history associated with the application site.

### **All Policies Identified As Relevant**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

### **Summary of Policies**

NPPF - National Planning Policy Framework  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS15 - Implementing Sustainable Development  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
CS21 - Infrastructure Provision  
CN01 - Design Standards  
HS28 - Infilling/Groups of dwellings  
TP15 - Parking Standards - New Development

### **List of other relevant legislation**

- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act

- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **Details of Previous Committee / Resolutions and any Member site visit**

None.

### **Details of any Pre Application Advice**

Positive pre-application advice has previously been given by two senior planning officers on two separate occasions.

### **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

#### **A: Summary of Consultations**

##### **Hadleigh Town Council**

Refusal was recommended for the following reasons: Concerns over increased traffic and access to the site; Flood water increase - due to the number of streams in this area; and No pavements exist on The Green

##### **SCC - Highways**

No objection subject to compliance with suggested conditions

##### **SCC - Archaeological Service**

No grounds to consider refusal of permission in order to achieve presentation in situ of any important heritage assets - However, in accordance with the NPPF Para. 141, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed

##### **Ecology - Place Services**

No objection subject to conditions to secure ecological mitigation measures and reasonable biodiversity enhancements

##### **Environmental Health - Land Contamination**

No Objections - Have reviewed the Geoenvironmental report and confirm agreement with findings - Further works on the site are unwarranted

##### **Environmental Health - Noise/Odour/Light/Smoke**

No objections to principle of proposal - However, recommend conditions: requiring approval of a construction management plan prior to commencement; restricting work times during demolition, site clearance and construction phases; restricting burning on site; and requiring details of external illumination

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### **Anglian Water**

There is available capacity within the existing foul drainage and sewerage system networks to accommodate the proposal - The surface water strategy/flood risk assessment submitted with the application is acceptable - Recommend condition ensuring works are carried out in accordance with the surface water strategy prior to construction of hardstanding areas

### **SCC - Fire & Rescue**

Recommend that fire hydrants be installed within this development on a suitable route for laying hose

### **Strategic Housing (Affordable/Major Dwell/G+T)**

No objection in principle should 35% of affordable housing be provided as part of this application, which equates to 5 dwellings

### **SCC - Strategic Development - Resource Management**

Intend to bid for CIL monies for financial contributions towards: Pre-School, Primary, Secondary and Sixth Form Education; and Libraries

### **B: Representations**

Letters of concern or objection have been received from 13 third party sources, the content of which is summarised below:

- 
- The site provides wildlife habitat and should not be developed
  - A significant wildlife area lies immediately to the east of the site known as "The Wilderness" which should not be impacted
  - The site is a grass meadow/green field site - understand the need to add housing but why not on derelict commercial/brown field sites instead, of which there are many in Hadleigh
  - Question why a green field site is being used when there are so many brown field sites in Suffolk
  - No environmental assessment requested - Snakes have been spotted in the area and well as newts in neighbouring ponds - Deer, foxes, raptors, owls and bats also reported on and adjacent to the site
  - Disagree with the ecology report and its findings
  - Concern that proposed planting could in future be diminished or set aside and more housing built
  - Object to proposed 15 houses and potentially 30-45 cars onto an already overused and dangerous road
  - Proposal would result in another 60-70 traffic movements onto The Green each day
  - Proposal is contrary to Chapter 10, Objective 2 of the Local Plan which seeks solutions to alleviate traffic problems in the town
  - Consider proposal is contrary to objectives 3 and 4 of the local plan, which seeks to preserve and enhance town centres, in that the proposal will push on-street parking towards high street and the town centre
  - Consider proposal would result in a further inconvenience to residents who will be unable to park near their home
  - Location of the site will give rise to noise and light pollution
  - Concern with regards the overlooking potential of neighbouring properties
  - Residents would be subjected to contractors traffic, noise and disturbance for up to a year or two throughout the period of development
  - The site has considerable water runoff - question how this will be managed
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## **PART THREE – ASSESSMENT OF APPLICATION**

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From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

### **1. The Site and Surroundings**

- 1.1. The application site is located at the north-east edge of the town of Hadleigh, to the north-east of 'The Green' public highway.
- 1.2. The site lies within the Built Up Area Boundary (BUAB) of the town and within 100 metres of areas of identified archaeological significance or potential.
- 1.3. The site extends to approximately 1.26 hectares and comprises an existing single-storey dwelling (a bungalow) towards its centre with ancillary buildings to the north-west boundary. The front portion of the site is maintained as domestic garden curtilage with the remainder to the rear being uncut rough grassland. Mature hedgerows form the boundary of the site to its frontage and north boundary and part of the southern boundary adjacent to the Millers Close housing estate. The site benefits from an existing vehicular access to the public highway, located central to the site frontage. Existing housing developments lie to the north, south and west fronting: The Green to the north, south and west; Lady Lane to the north, and Millers Close to the South. The western edge of a small woodland lies to the east site boundary.
- 1.4. Small water course flows along the entire south boundary of the site and a smaller stream flows adjacent to the north boundary. Both watercourses discharge into existing drains adjacent to the fronting highway.
- 1.5. Site levels gently slope from north to south at a gradient of 1 in 28 with a total fall across the site of approximately 2.8 metres. Adjacent site levels to the north-east and south-east are generally set higher than those of the proposal site.

### **2. The Proposal**

- 2.1. The application proposes the erection of 15 no. new dwellings (following demolition of the existing dwelling on the site) and the construction of a new vehicular access (upgrade of existing access). 5 no. dwellings are proposed as affordable. The scheme also includes a new proposed paved footway to the north-east side of The Green on either side of the proposed access.
- 2.2. Matters relating to the final layout, design and scale of the proposed development, and landscaping thereof are at present reserved, to be considered further at a reserved matters stage should the principle be agreed and outline planning permission be granted. The application does, however, include indicative drawings reflecting the final layout and design envisaged by the applicant.
- 2.3. The indicative housing mix proposed by the applicant is as follows:

Affordable Housing:

- 2 no. two bedroom two-storey dwellings
- 2 no. two bedroom single-storey dwellings (Bungalows)
- 1 no. three bedroom two-storey dwelling

TOTAL: 5 no.

Open Market Housing:

- 2 no. small three or four bedroom dwellings
- 2 no. three bedroom two-storey dwellings
- 6 no. four bedroom two-storey dwellings

TOTAL: 10 no.

- 2.4. Matters relating to the proposed means of access to the site are to be fully considered as part of this application and a detailed transport statement and proposed access drawing have been provided.

### **3. National Planning Policy Framework**

- 3.1. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

### **4. Core Strategy**

- 4.1. The development Plan comprises the Babergh Core Strategy 2014 and saved policies in the Babergh Local Plan (Alteration No.2) adopted 2006. The following policies are applicable to the proposal:

#### **BABERGH CORE STRATEGY 2014**

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

### **5. Neighbourhood Plan/Supplementary Planning Documents/Area Action Plan**

- 5.1. None.

### **6. Saved Policies in the Local Plans**

- 6.1. **BABERGH LOCAL PLAN (ALTERATION NO.2) 2016**
- CN01 Design Standards
  - HS28 Infill Housing Development
  - TP15 Parking Standards - New Development

## **7. The Principle of Development**

- 7.1. The application site lies within the Built Up Area Boundary (BUAB) of the town Hadleigh. The site is considered to be sustainably located within the existing settlement pattern of a town/urban area. The principle of new housing development on the site is considered to be in accordance with the provisions of the NPPF and with policies CS2 and CS3 of the development plan. The principle of the proposed development is, therefore, considered acceptable subject to consideration of all other material planning issues. Those considered most relevant to the development proposal are set out below:

## **8. Design and Layout [Impact On Street Scene And Landscape]**

- 8.1. Indicative information provided with the application implies that the proposed dwellings will be of traditional coherent design, utilising local sourced materials where possible. Further consideration of the final detailed layout, scale and design of development will be undertaken as part of a reserved matters application.
- 8.2. Information provided with the application indicates the applicant's intention to provide the following in terms of landscape enhancements:
- 10 metre planting buffer along the Northern Boundary;
  - Provision of open space following the existing watercourse to the south side of the site;
  - Further enhancement planting along the southern boundary of the site
- 8.3. Further detail with regards proposed landscaping is expected as part of a reserved matters submission.

## **9. Site Access, Parking and Highway Safety Considerations**

- 9.1. The application proposes the construction of a principle new access giving vehicle and pedestrian access to the site from The Green. The proposed access is considered to be in accordance with Local Highway Authority standards, to be of an appropriate width, and to afford appropriate highway visibility relative to the quantum of development proposed.
- 9.2. In addition a new paved footway is proposed along the frontage of the site, adjacent to the north-east edge of The Green, in an effort to improve pedestrian safety. The proposed footway would overlap the existing paved footway to the south-west side of The Green enabling pedestrians to walk from the proposal site to the bus stop at Lady Lane, and to Hadleigh Town Centre via Angel Street, predominantly clear of the vehicular highway.
- 9.3. The application is accompanied by a detailed transport statement which concludes the following:
- A review of local facilities and public transport has been undertaken and it has been concluded that the site has adequate access to local services and facilities. In addition there is public transport available to larger towns such as Ipswich so that residents can access further services and facilities as required.
  - The proposed residential development would result in minimal impact on the local highway network.
  - The site access strategy has been informally discussed with the highway authority and agreed. Furthermore the site will provide significant benefit to the local area by building a footway, where currently there is no provision. This will allow pedestrians, including school children, a suitable refuge.

- 9.4. The indicative layout provided with the application indicates that driveways, hard standing parking spaces and garages will be provided as part of the development proposal. The indicative layout indicates that 44 on-site parking spaces, clear of The Green and proposed estate road, will be provided for the proposed development (2.93 spaces per dwelling). Further detailed information in this regard is expected as part of an application for approval of reserved matters, however the indicative layout provided indicates that the proposal is capable of providing an appropriate number of on-site parking spaces, clear of the public highway, in accordance with advisory parking standards provided by the Local Highway Authority.

## **10. Impact on Residential Amenity**

- 10.1. The indicative layout shows the majority of the proposed dwellings to be provided with deep rear gardens which would not adversely dominate existing neighbouring properties.
- 10.2. Further assessment with regards the proposal's impact on the amenities of neighbouring properties will be required at reserved matters stage when final details of the layout, scale and appearance of the proposed buildings are provided.

## **11. Ecology**

- 11.1. The site contains large areas of uncut grassland and lies adjacent to woodland and open countryside. Watercourses also flow through the site. Development of the site therefore has the potential to impact protected and priority ecological species and their habitats.
- 11.2. The applicant has submitted an extended phase 1 habitat survey, a detailed reptile survey and mitigation plan, and a Bat survey report with the application.
- 11.3. The Council's Ecological consultants have assessed the reports provided and have concluded that appropriate ecological mitigation and enhancement measures are proposed which should ensure the proposed development does not result in significant harm to protected and priority ecological species and their habitats.
- 11.4. Should the proposed ecological mitigation and enhancement measures proposed be secured by way of condition, then the proposal is considered acceptable in terms of ecological and biodiversity considerations.

## **12. Land Contamination**

- 12.1. A desk based land contamination assessment has been submitted with the application which concludes that there are no notable features present in the context of land contamination other than inert made ground, a heating oil tank and the roof of the former stable block (formed from corrugated panelling which may have a cementised asbestos content).
- 12.2. Council land contamination specialists have assessed the information provided by the applicant and confirm they are in agreement with the report's findings that further works for the site with regards land contamination remediation are unwarranted.
- 12.3. Further occupants of the development are therefore not considered to be at significant risk from sources of land contamination.



### **13. Flood Risk**

- 13.1. A Flood Risk Assessment and Drainage Strategy has been provided with the application which concludes that the development proposal is not at any significant risk from flooding and that surface water can be drained in a sustainable manner without resultant impacts on the surrounding water catchments.
- 13.2. Anglian Water Services have been consulted on the application and have advised that there is capacity within the existing foul sewerage network for the proposed additional flows. Anglian Water also advise that the surface water strategy submitted with the planning application is acceptable should the proposed drainage works be carried out prior to construction of and hard standing areas on the site.
- 13.3. The proposal is not, therefore, considered to result in increased flood risk.

### **14. Archaeology**

- 14.1. The site lies in an area of archaeological potential recorded on the County Historic Environment Record and is situated in close proximity to the historic core of Hadleigh and to the south of the Medieval Manor site of Hadleighs. Iron Age occupation remains, associated with a number of features of Roman date, as well as peat deposits which have accumulated since the Mesolithic period, were also recorded during archaeological investigations to the north-east. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 14.2. The County Archaeological Unit have been consulted on the application and have advised that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with NPPF paragraph 141, it is advised that any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
- 14.3. Should a programme of archaeological work, agreed by the County Archaeological Unit, be undertaken on site prior to commencement of development then the proposal is not considered to result in harm to any buried heritage assets which may exist.

### **15. Planning Obligations / CIL (delete if not applicable)**

- 15.1. The application is liable to CIL and therefore Suffolk County Council have outlined the monies that they would be making a bid for to mitigate the impact of the development on existing infrastructure.
- 15.2. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.
- 15.3. The application, if approved, will require the completion of a S106 agreement to secure the on-site delivery of 5 no. affordable dwellings.

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## **PART FOUR – CONCLUSION**

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### **16. Statement Required by Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.**

- 16.1. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
- 16.2. In this case, thanks to constructive pre-application engagement carried out by the applicant, the application is supported by planning officers and no further negotiation or revision to the initial scheme presented has been required during the formal application process.

### **17. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)**

- 17.1. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following has been considered in respect of the proposed development.
- Human Rights Act 1998
  - The Equality Act 2010
  - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
  - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
  - The Conservation of Habitats and Species Regulations 2010
  - Localism Act
  - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **18. Planning Balance**

- 18.1. In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 18.2. The Framework seeks to boost significantly the supply of housing and the development would contribute to housing supply in an area where there is a current acknowledged shortage. The proposed development would therefore provide economic benefits. The development would also give rise to other economic benefits relating to employment during the construction phase, although these would be limited and temporary and as such are afforded limited weight.
- 18.3. The proposed development would offer significant social benefits in respect of on-site affordable housing provision and the provision of an additional paved public footpath alongside the existing vehicular highway. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.

- 18.4. In terms of the environmental pillar of sustainable development, the site is an area of residential garden land and buildings adjacent to open countryside with ecological potential. Residential Gardens are not included within the definition of previously developed land contained within the Framework. The impact on character and appearance of the area, biodiversity and flood risk is considered to be neutral. By reason of its location at a Town the proposal is not considered to place absolute reliance on the private car as a means of transport which would minimise potential environmental harm in this respect. Whilst the proposal would not result in environmental benefit, proposed mitigation by way of landscape planting, sustainable land drainage and increased linkage to the Town's existing pedestrian network is considered to offset any harm. The proposal is therefore considered to have a neutral impact in terms of the environmental dimension of sustainable development.
- 18.5. The application proposal is, therefore, considered to on balance represent sustainable development.

### **RECOMMENDATION**

That the Corporate Manager - Growth and Sustainable Planning be authorised to secure a Section 106 or Undertaking on terms to their satisfaction to secure:

- On-site provision of affordable housing,

Subject to securing the Section 106 above, grant outline planning permission subject to the following conditions:

- Standard reserved matters time limit
- Details of reserved matters
- Landscaping
- Tree Protection
- Materials
- As required by the LHA.
- Archaeology
- Surface Water Drainage Scheme
- Construction Management Plan
- Noise Attenuation
- No Burning on Site
- Details of Lighting
- Ecological Mitigation




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**Application No: B/17/00912**




**Parish: Hadleigh**



**Location: Home Farm, The Green**

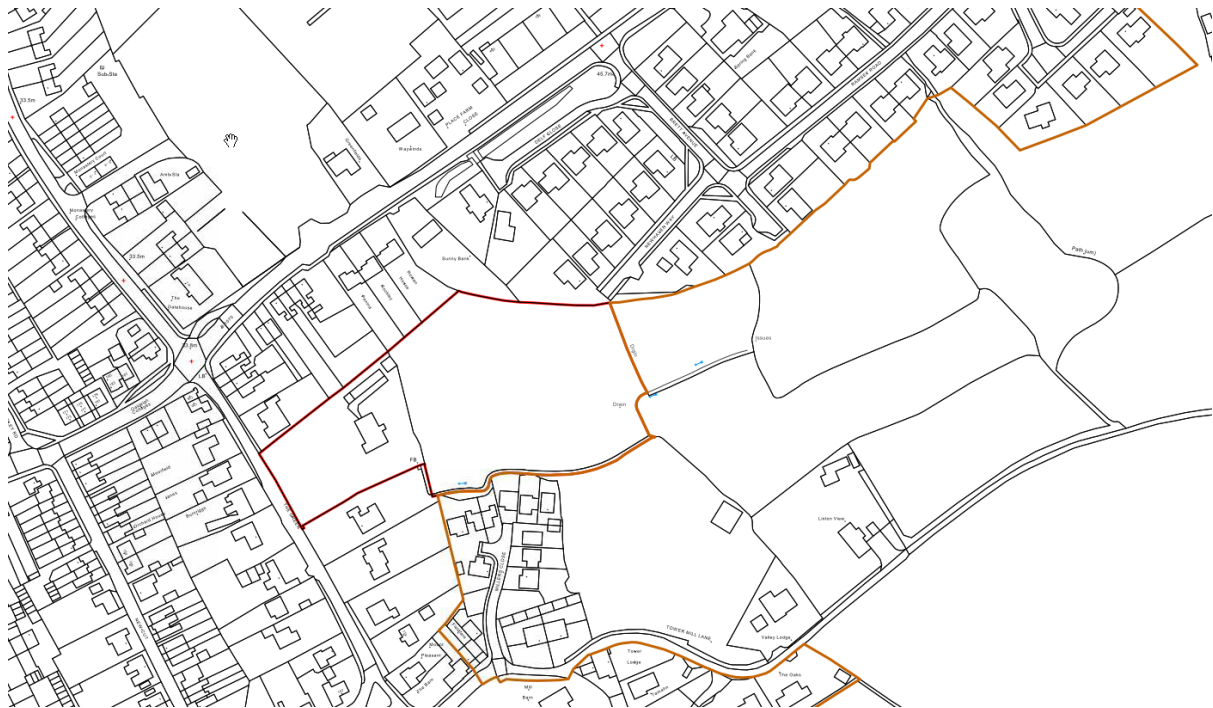
**Legend**

-  Area of Outstanding Natural Beauty
-  Special Landscape Area
-  Conservation Area

**Listed Buildings**

-  Grade 1
-  Grade 2
-  Grade 2 \*

-  The Site
-  Built up Area Boundary



**BABERGH DISTRICT COUNCIL**  
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