

# Public Document Pack



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| <b>COMMITTEE:</b> | <b>PLANNING COMMITTEE</b>   |
| <b>DATE:</b>      | <b>MONDAY, 25 MARCH 2019<br/>9.30 AM</b>  |
| <b>VENUE:</b>     | <b>GUILD ROOM, HADLEIGH TOWN<br/>HALL, THE GUILDHALL,<br/>MARKET PLACE HADLEIGH,<br/>SUFFOLK, IP7 5DN</b> |

| <b>Members</b>  |   |   |
|---|---|---|
| <u>Conservative</u><br>Peter Beer (Chair)<br>Michael Creffield<br>Alan Ferguson<br>Michael Holt (Vice-Chair)<br>Jennie Jenkins<br>Adrian Osborne<br>Lee Parker<br>Ray Smith | <u>Independent</u><br>Clive Arthey<br>Stephen Plumb<br>David Rose<br><br><u>Liberal Democrat</u><br>David Busby | <u>Independent Conservative</u><br><br><u>Labour</u><br>Luke Cresswell<br><br><u>Babergh Unionist</u><br>Sue Burgoyne |

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## AGENDA

### PART 1

#### MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

**1 SUBSTITUTES AND APOLOGIES**

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 DECLARATION OF INTERESTS**

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

**3 PL/18/25 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 20 FEBRUARY 2019**

To Follow.

4 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

5 **SITE INSPECTIONS**

In addition to any site inspections which the Committee may consider to be necessary, the Acting Chief Planning Officer will report on any other applications which require site inspections.

The provisional date for any site inspections is Wednesday 10 April 2019.

6 **PL/18/26 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 1 - 4

An Addendum to Paper PL/18/26 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.

a **DC/18/04966 THE FORMER BABERGH DISTRICT COUNCIL OFFICES, CORKS LANE AND BRIDGE STREET, HADLEIGH, IP7 6SJ** 5 - 50

b **DC/18/04991 21 BRIDGE STREET AND ADJOINING BUILDINGS HADLEIGH** 51 - 60

c **DC/18/04992 23 BRIDGE STREET HADLEIGH** 61 - 70

d **DC/18/04971 THE COTTAGE AND ADJOINING BUILDINGS, CORKS LANE. HADLEIGH** 71 - 80

e **DC/18/04996 RIVER VIEW AND ADJOINING BUILDINGS, CORKS LANE HADLEIGH** 81 - 92

f **DC/18/03646 NEW STREET FARM, NEW STREET, GLEMSFORD, SUDBURY, SUFFOLK, CO10 7PY** 93 - 108

g **DC/18/05610 11 AND 12 IPSWICH ROAD, BRANTHAM, CO11 1PB** 109 - 122

## Notes:

1. The next meeting is scheduled for Wednesday 3 April 2019 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 Public Speaking Arrangements at Planning Committees, a link is provided below:

### [Public Speaking Arrangements](#)

Those persons wishing to speak on an application to be decided by Planning Committee must register their interest to speak no later than **two clear working days before the Committee meeting**, as detailed in the Public Speaking Arrangements (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.

### **Date and Time of next meeting**

Please note that the next meeting is scheduled for Wednesday, 3 April 2019 at 9.30 am.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Robert Carmichael on 01449 724930 or Email: [committees@babberghmidsuffolk.gov.uk](mailto:committees@babberghmidsuffolk.gov.uk)

## **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.



## PL/18/26

### BABERGH DISTRICT COUNCIL

#### PLANNING COMMITTEE

25 MARCH 2019

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

| Item | Page No. | Application No. | Location  | Officer |
|------|----------|-----------------|---|---------|
| 6A   | 5-50     | DC/18/04966     | The Former Babergh District Council Offices, Corks Lane and Bridge Street, Hadleigh , IP7 6SJ | GP      |
| 6B   | 51-60    | DC/18/04991     | 21 Bridge Street and Adjoining Buildings  | GP      |
| 6C   | 61-70    | DC/18/04992     | 23 Bridge Street Hadleigh   | GP      |
| 6D   | 71-80    | DC/18/04971     | The Cottage and adjoining buildings, Corks Lane, Hadleigh                                     | GP      |
| 6E   | 81-92    | DC/18/04996     | River View and adjoining buildings, Corks Lane, Hadleigh                                      | GP      |
| 6F   | 93-108   | DC/18/03646     | New Street Farm, New Street, Glemsford, Sudbury, Suffolk, CO10 7PY                            | SS      |
| 6G   | 109-122  | DC/18/05610     | 11 and 12 Ipswich Road, Brantham, CO11 1PB  | JW      |

Philip Isbell  
Acting Chief Planning Officer

## 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 Acting Chief Planning Officer, 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 ACTING CHIEF PLANNING OFFICER

The delegated powers under Minute No 48(a) of the Council (dated 19 October 2004) 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.

#### **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/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

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>                 |

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# Agenda Item 6a

## Committee Report

**Item No: 1**

**Reference:** DC/18/04966

**Case Officer:** Gemma Pannell

**Ward:** Hadleigh North

**Ward Member:** Cllr Tina Campbell and Cllr Siân Dawson

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## **RECOMMENDATION – GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS**

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### **Description of Development**

Full planning application - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Maltings, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land

### **Location**

The former Babergh District Council Offices, Corks Lane and Bridge Street, Hadleigh IP7 6SJ

**Parish:** Hadleigh

**Expiry Date:** 31.05.2019

**Application Type:** Full Planning Permission

**Development Type:** Major

**Applicant:** Babergh District Council

**Agent:** Lawson Planning Partnership Ltd

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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:

The applicant is Babergh District Council and the proposal is for more than 15 dwellings.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF National Planning Policy Framework 2019

#### Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern
- CS3 Strategy for Growth and Development
- CS13 Renewable/Low Carbon Energy
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and type of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

#### Saved Policies in the Babergh Local Plan (2006):

- CN01 Design Standards
- CN06 Listed Buildings – Alterations/ Extension/ Change of Use
- CN08 Development in or Near Conservation Areas
- CR04 Special Landscape Areas
- EM24 Retention of Existing Employment Sites
- TP16 Travel Plans

#### Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2015)

#### **Planning History**

The site (SS0537) is identified in the Strategic Housing and Economic Land Availability Assessment (SHELAA) (August 2017) as having potential for residential development.

There is an extensive planning history comprising the issue of planning permissions, listed building consents and conservation area consents, principally associated with the previous local government use. None of these approvals are of relevance to the subject application and therefore their detail does not need repeating in this report.

What is however relevant are the applications lodged concurrently which seek listed building consents for the works associated with the five listed buildings at the development site. The applications are currently pending consideration and include the following:

- DC/18/05018 - Malthouse and adjoining buildings, Bridge Street - demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in historic section. Conversion of and erection of extension to form 16 apartments.
- DC/18/04996 - River View and adjoining buildings, Corks Lane - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of eight apartments.
- DC/18/04992 - 23 Bridge Street - Internal alterations to form 2 apartments.

- DC/18/04991 - 21 Bridge Street and adjoining buildings - Partial demolition works; Internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level.
- DC/18/04971 - The Cottage and adjoining buildings, Corks Lane - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works.

### **Amended Plans**

The current application has been the subject of amended plans, received February 2019. The amendments to the scheme have been made largely in response to issues raised by Historic England in their consultee response. The revised scheme does not propose a change to the quantum of residential units proposed in the original application. The February 2019 changes are discussed in the assessment section of this report, as relevant.

### **Arup Building – Listing Application**

The Arup building has been the subject of a recent application to Historic England for listing. Historic England has confirmed the building does not meet the necessary national criteria for inclusion on the List of Buildings of Special Architectural or Historic Interest.

### **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received. The below provides a summary of responses received in respect to the original November 2018 proposal and the amended February 2019 proposal.

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

##### ***(i) ORIGINAL SCHEME (Nov 2018) – COMMENTS FROM CONSULTEES WHICH HAVE NOT BEEN SUPERSEDED OR NEED TO BE READ IN CONJUNCTION WITH AMENDED COMMENTS***

#### **Place Services – Heritage**

The application pertains to the redevelopment of the former Babergh District Council Offices. I support much of this scheme in principle, which has the potential to find a sustainable use for a number of heritage assets.

A number of designated and non-designated heritage assets are located within the Site which is also located in a conservation area. The Arup Associates 1978-82 element of the site is currently being assessed by Historic England to test if its architectural/historical interest merits listing. I recommend the local planning authority await the outcome of this assessment prior to determination.

With regard to the buildings by Arup Associates, if these are designated the scheme would constitute ‘Substantial Harm’ and paragraphs 194 and 195 of the NPPF will be relevant. If the building is not listed then it will likely be considered a ‘non-designated heritage asset’ under the NPPF and the total loss of the building should be considered against paragraph 197 of the NPPF.

Designated Heritage Assets relevant to this application include:

23 Bridge Street, Grade II listed: List Entry ID: 1036813

Malthouse adjoining Number 23, Grade II listed: List Entry ID: 1193944

21 Bridge Street, Grade II\* listed: List Entry ID: 1193934

The Cottage, Grade II listed, List Entry ID: 1351678

## The Hadleigh Conservation Area

With regard to Bridge House, I understand the building has immunity from listing, it is however considered a non-designated heritage asset under the NPPF. The loss of this building would be regrettable. Whilst the interior is in poor condition, the external elevations make a positive contribution to the aesthetic quality of the streetscape and conservation area. It is unfortunate that this building has not been incorporated into the scheme. I suggest paragraph 197 of the NPPF is relevant and that the application would cause considerable harm to its significance given this will result in the total loss of the building. Should this building be demolished I recommend a scheme of archaeological building recording, commensurate with a 'Level 3' record as outlined in Historic England publication 'Understanding Historic Buildings', is undertaken. This can be secured by condition.

With regard to the maltings buildings I have no fundamental comments and the proposed plans reflect the outcomes of pre-application discussions. It is however unclear what the proposal is at second floor at the east extent of this building, this could be clarified. Further details are also required (I recommend pre-determination) pertaining to the form of new partitions and how these are to be fixed to the existing timber frame. It has been assumed that the existing windows will be retained.

I am generally supportive of the proposed plans within the listed buildings but there are some specific areas which I consider inappropriate and cause 'less than substantial harm' and as such paragraph 196 is relevant. I consider these harmful elements can be mitigated and encourage the applicant to consider changing these aspects of the scheme.

Areas which require consideration include:

- Unit 1.0.1 proposes a bathroom in the entrance hall of the Grade II listed Number 23 Bridge Street rendering the original front door void of use. This detracts from the significance of the heritage asset and I consider unnecessary given other more sympathetic configurations could be realised for this unit.

- Unit 2.0.1 includes an ensuite to a ground floor room of Grade II\* listed 21 Bridge Street, this detracts from the configuration of a principal room and I recommend this is omitted from the scheme. Furthermore the configuration of the room at the southwest corner is very awkward and poor in quality, this requires further consideration.

The construction of a new building in front of the cottage detracts from its setting and historic views towards the river.

The car park adjacent to Corks Lane has been significantly reduced and whilst harmful to the character and appearance of the conservation area, I now consider this harm minimal.

Overall I consider there are some amendments to the scheme which can be made, as outlined above, which would reduce the harm. With regard to this iteration of the proposal, I recommend paragraph 197 is applied to harm caused to Bridge House and (as a minimum) to the work of ARUP Associates and paragraph 196 of the NPPF to the 'less than substantial harm' to Numbers 21 and 23 Bridge Street.

I recommend conditions (attached to an approved application) pertaining to:

All new windows, doors in existing buildings.

Schedule of repairs to historic fabric such as windows and brick masonry.

The canopy to the rear of Number 23 is retained in the scheme.

All materials/fixtures to new build elements.

Further details pertaining to landscaping and public realm.

I recommend a scheme of archaeological building recording, commensurate with a 'Level 3' record as outlined in Historic England publication 'Understanding Historic Buildings', is undertaken across the whole site.

## Historic England

This application concerns the redevelopment of two sites both within the Hadleigh conservation area but of different characteristics. These distinct areas of historic development are separated by the River Brett and the open ground beside it which indicates the historic extent of its historic floodplain. Both sites contribute to the historic significance of the conservation area and their development has potential to affect it.

The character of the development site south of the River Brett is essentially that of an extension of the linear development along Bridge Street from the High Street. These buildings are one plot deep with gardens behind although there is some minor building on the rear plots. The historic buildings on the south western side of Bridge Street include the grade II\* listed number 15, a timber framed house and number 17, a simple but pleasant red brick house of the mid-19th century. This group terminates with Bridge House, the last building before the River. Unlike the preceding buildings this stands perpendicular to the road but is set also close to it and in its materials and proportions echoes number 17.

An investigation into the building carried out by English Heritage in 2010 identified Bridge House as formerly part of the town gas works, probably the Managers House built in 1861 and concluded that the building is of historic interest. Bridge House has been disused for a considerable period but does not seem to have been maintained during that time. It is consequently in poor condition but it is clearly an historic building of some interest which despite its industrial association is in the tradition of many houses in the conservation area and stands in a prominent position. If restored its contribution to the conservation area could be enhanced, not least because of the formal façade it presents to the river. The demolition of Bridge House would remove an element which makes a positive contribution to the conservation area but its repair and re-use and the addition of another building along the lane to its east would conserve and enhance the historic significance of the conservation area.

The proposed replacement dwellings would extend the line of building along the lane beside Bridge House. In height they would not be out of scale with historic building adjacent although some of the roof pitches are shallow, giving a squat, bulky appearance to the southern elevations. There is also an excess of glazing at odds with most other buildings in the conservation area and windows which do not have the vertical orientation found in most on the brick buildings. However, the use of brick (which should be coloured red and laid in Flemish bond) and slate are appropriate and on Bridge Street consideration has been given to the new building's role in the streetscape. It is also positive that large gardens have been provided to maintain the open character of the area between the town and the river, although this should be protected from overly solid boundary treatments.

On the north side of the river historic development along Bridge Street continues but at the application site it is characterised by a mixture of historic residential and industrial building addressing the street and facing the river on Cork's Lane. This gives this area a more complex form which has been added to by the modern council buildings infilling the space between the historic buildings and extending westwards from them.

This site contains five listed buildings presently used by the Council but which it is proposed convert to residential use. Separate listed building consent applications have been submitted for these works and we have offered written advice to the Council on these individually. We would therefore refer you to these letters for advice on the significance of these buildings and details of our position, but can reiterate that while we are content with the proposed works to numbers 21 and 23 Bridge Street and The Cottage we have concerns about the impact on the historic significance of the former maltings of internal subdivision associated

with the conversion to residential use and about the scale and form of the proposed extensions to River View.

This application, (and those for the Malt House, The Cottage and River View), also proposes the demolition of parts of the Council offices constructed by Arup Associates in 1978-82. The Heritage Statement submitted in support of this application describes this complex of modern building in some detail. It is clear that it is of some considerable architectural interest and the work of an important practice and is currently the subject of assessment by colleagues in Historic England's listing team. We cannot comment on the full impact of this demolition until this assessment has been concluded. We would therefore recommend that this application is not determined until that time.

Setting this aside, we have considered the proposals for redevelopment of the Corks Lane site in terms of its impact on the conservation area. The retained modern Council buildings would be converted to residential use and the general balance of building within the conservation area maintained. The chief changes visible in views of the group of buildings as a whole would result from the extensions to River View, a grade II listed house facing Corks Lane. These extensions would wrap around the historic building and challenge it in scale in a more intensive way than the existing Council buildings do. We consider there is potential for replacement building abutting River View and that a modern style similar to that proposed could be used, but we are concerned by the height and bulk of the range immediately behind the historic house and the way the roof of the element to the east wraps around it.

The other major aspect of the Corks Lane site redevelopment is the creation of new building to the west of the site (block 6) and the expansion of car parking. The area to the west of the Council offices is open land and as part of the historic River Brett valley contributes to the setting of the conservation by being undeveloped. We therefore have some reservations about the spread of new building, but the proposed Block 6 is a relatively modest terrace and the car parking extends from an existing area of hard surfacing within a planted space. However, we would suggest the form of Block 6 is given further thought, however. The east and west elevations of the building are bulky and inelegant, but addition of a fully pitched roof and better articulation of the gable ends could improve this.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned.

We have considered this application in terms of this policy and are concerned by its potential to result in harm to the significance of the Hadleigh conservation area and some of the listed buildings which come within the development area in terms of the NPPF, paragraphs 194 and 196. Despite the positive aspects of the proposed development on Bridge Street we consider the loss of Bridge House would result in harm to the Hadleigh conservation area and that internal changes to the grade II former malt house and the extension to River View would also harm their significance. As such the application would not achieve the NPPF's overarching aim of promoting sustainable development. The Council should weigh any public benefit arising from the development but reducing the harmful impact would better achieve this aim. We would therefore recommend amendments are considered for proposals concerning Block 6 at Corks Lane, the former maltings, River View as well as retention of Bridge House within a development scheme or at least to amendments to the new buildings

on that site. However, because of the on-going assessment of the architectural importance of the 1970s Council Offices at Corks Lane by Historic England we would recommend determination of the application is deferred. This will allow an opportunity for further consideration and amendment of proposals.

#### *Recommendation*

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

#### **Hadleigh Society**

- Housing option is not in spirit of saved Policy EM24.
- Little of the Arup centre retained.
- Overdevelopment of the site.
- Adverse impacts on River View and The Cottage.
- Glazed balustrades and display of domestic furniture conflicts with River View architecture.
- New build extension to the Maltings is incongruous.
- Block of four terraced units is inconsistent with character of listed buildings.

#### **Suffolk Preservation Society**

- Demolition of Bridge House would result in substantial harm.
- Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.
- 44 car spaces within the greensward is wholly unacceptable.
- Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.
- The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.
- Lack of affordable housing.

#### **Twentieth Century Society**

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

#### **SCC Strategic Development**

Contributions required as follows:

Education - Based on existing forecasts, SCC will have surplus places available at the local catchment primary and secondary (ages 11- 16) schools. However, a minimum future CIL funding bid of £19,907 will be made for sixth form provision.

Pre-school - In respect of the developer contributions sought to mitigate the harm arising from this proposed scheme the following trigger points are required:

- a) Build cost contribution (BCIS linked) of £111,881 (2018/19 costs) to be payable in full prior to first dwelling occupation. To be secured by way of a planning obligation.
- b) The developer contribution will be secured for a period of up to 10 years and returned if not spent.

Libraries - A CIL contribution of £216 per dwelling is sought i.e. £12,312.

### **Environment Agency – Contamination**

This letter is in response to the Detailed Quantitative Risk Assessment and proposed Remediation Strategy that was highlighted to us on 10 January 2019. All conditions raised within our letter referenced AE/2018/123537/02 and dated 27 December 2018 remain valid and should be read in conjunction with this letter.

The application's supporting information demonstrates that it will be possible to manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the local planning authority. In light of the above, the proposed development will be acceptable if the planning conditions outlined in our letter referenced AE/2018/123537/02 and dated 27 December 2018 are included should permission be granted. The additional work should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework. Without these conditions we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. We have included comments on the individual documents below:

#### *Phase 2 Site Investigation*

The groundwater monitoring has not included ammonia. A minimum of two rounds of groundwater sampling will need to be carried out including ammonia along with the determinants already analysed. Please refer to the DoE Industry Profile for any other contaminants which may need to be considered.

The results have indicated significant contamination of soils and groundwater on the former gas works site. Whilst the principal source of contamination in the northern part of the site is the underground storage tank, contaminants associated with gas works appear to have been detected in groundwater at WS 203. However we could not find soil analysis data in this area. It is possible this area may have been used for the disposal of gas works waste and we recommend further investigation is carried out north of the river.

We note the results for benzene in Table 5.2 appear to have been also used for MTBE, please confirm the correct results.

Please confirm the method used to sample groundwater. Sampling appears to have been undertaken using a bailer to both purge and sample groundwater. Our recommended method is a low flow sampling technique based on the stabilisation of groundwater hydrochemical parameters which are continuously monitored during pumping. Please refer to the link below: <https://www.claire.co.uk/component/phocadownload/category/17-technicalbulletins?download=47:technicalbulletin03>

#### *Detailed Quantitative Risk Assessment*



We agree the principal receptor pathway linkages for consideration on site are lateral migration within the River Terrace Gravels (Secondary A aquifer) to the River Brett and the downwards migration to the principal Chalk aquifer. Clearly the close proximity of the river limits the opportunity for degradation along the lateral flow path.

The overall model input parameters appear reasonable. We note the value used for hydraulic conductivity in the remedial targets spreadsheet of 5m/d for both the gravels and the chalk, although the Input Characteristics in Table 5.6 gives an input value for the gravels to be 100m/d. We recommend that a site specific value is obtained for the gravels on site.

The model should consider the possibility of fracture flow in the chalk.

Section 2.2.2 of the report states that the falling head tests failed when using a bailer. Have you considered using a pump method which may be more effective. The results in table 7.1 indicate that benzene should also be considered for further work.

### *Remediation Strategy*

We agree the first stage of the remediation should be to remove any gas works infrastructure which may still be on site, as well as the underground tank in the northern application area.

We agree remediation on former gas works site is required. The methods proposed appear reasonable although we will require further detail on each method to be confident of its effectiveness on site.

In order to monitor the effectiveness of pump and treat, additional boreholes are likely to be required. Groundworks also have the potential to mobilise contamination therefore, monitoring should also be undertaken both during and for a period after completing groundworks to ensure there is no impact on the river.

The treatment options proposed are waste recovery operations and so environmental permits will be required.

Thank you for informing us you intend to use the DoWCoP for materials re-use on this site. Providing that the DoWCoP is followed in full we have no objections to materials re-use, in accordance with our RPS. Materials not used in accordance with the DoWCoP process in full may be deemed waste and will require a relevant permit for deposit. A formal Declaration must be submitted by a QP before any use of materials on site or transfer is permitted.

### Surface Water Management

Given the potential for contamination to be present, infiltration drainage is unlikely to be appropriate at the site. Please see our SuDS advice given in our letter referenced AE/2018/123537/02 and dated 27 December 2018 for more information.

### **Anglian Water**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that advice text be included within your Notice should permission be granted.

The foul drainage from this development is in the catchment of Hadleigh Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity discharge regime only, without further consultation with Anglian Water. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of

connection. Should the developer require a pumped regime, further consultation will be required with Anglian Water.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets and discharge is direct to the River Brett as per FRA 4.2. As such, we are unable to provide comments in the suitability of the surface water management.

#### **SCC - PROW Officer**

No objection.

#### **SCC Archaeology**

Despite the size and location of this site I will not be recommending an archaeological condition.

#### **SCC Fire Officer**

No objection.

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

No objection subject to securing:

- a) a financial contribution towards visitor management measures for the Stour and Orwell SPA/Ramsar site;
- b) biodiversity mitigation and enhancement measures.

#### **Place Services – Landscape**

The site sits within a Conservation Area and Special Landscape Area (SLA). Therefore, the proposal should deliver a high quality public realm which is fully integrated in the development layout.

Initial comments were provided during the pre-app stage regarding car parking layout design, protection of existing trees, enhancement of the public realm through tree planting and soft landscaping and the use of sensitive materials and boundary treatment to meet requirements under Local Plan Policy CR04 and Policy CS15. The submitted landscape masterplan as part of this application appears to have incorporated the issues raised at pre-app stage.

Moving forward, the following points highlight our key recommendations in response of the submitted proposal:

- Sensitive boundary treatments are required to separate private gardens of properties off of Bridge Street. The use of close board fencing should be avoided where possible;
- Same approach to boundary treatment should be applied to back garden boundaries of new properties to the west fronting Corks Lane;
- The proposed layout design within the car park and properties to the west is creating some left-over spaces and unattractive back garden boundaries. The layout will need to be revised to overcome these issues;
- The north-western part of the site will benefit from additional planting to filter views of the car park.

The proposed landscape strategy with the above recommendations will suitably mitigate the impact of the development and associated parking areas and will enhance the public realm while raising the amenity levels of the site.

Should the application be approved, we will expect the design matters above to be embedded into the amended layout design.

#### **BMSDC Arboricultural Officer**

I have no objection in principle to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report. Although a number of trees are proposed for removal none are high quality (category A) and their loss will not have a significant impact upon the character of the local area. If you are minded to recommend approval we will require a detailed Arboricultural Method Statement (including monitoring schedule) in order to help ensure harm is not caused to the trees scheduled for retention, this can be dealt with under condition.

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

Firstly, it is felt that the applicant has commissioned arrange of assessments into land contamination without liaison with the regulators for contaminated land – namely the Environment Agency and the District Council – which would have been beneficial for a development of this complexity.

Having reviewed the detailed reports by REC Limited submitted in support of the application I note that the majority of the site is suitable for the proposed residential end use with communal gardens from the perspective of land contamination. There remain areas of concern in the area occupied by the former Council car park on the opposite side of the River Brett which was formerly the Hadleigh Town Gas Works. This area of the application site is proposed to be redeveloped to a small number of residential dwellings with large gardens – clearly this former use will require detailed assessment and remediation beyond that which has already been submitted and as such we are not in a position where we can recommend that this application is approved without conditions.

Overall I have no objection to the proposed development provided that a condition is included to fully determine the risks of contamination at the site. In an attempt to reduce the number of conditions imposed on the development we would fully support the inclusion of the conditions recommended by the Environment Agency in their most recent correspondence on 30th January 2019. As outlined above, all works should be done in liaison with the Environment Agency and the District Council.

If the applicant is not willing to accept this condition then we would be forced to recommend that the application is refused until such time as the applicant has demonstrated that the development can progress without need for condition – this would need to be approved by both the Local Planning Authority and the Environment Agency.

#### **BMSDC Environmental Health – Air Quality**

No objection.

#### **BMSDC Environmental Health – Noise/Odour/Light**

No objection.

#### **BMSDC Economic Development**

The Open for Business Team (OFB) base position is established in the pre-application advice that the applicant has included in the submitted application documentation. The

assumptions and information presented to address the OFB position are noted, and the OFB Team has no further observations to make.

The pre-application advice received from the OFB team concludes:

*As presented the VA does not provide adequate justification to accept the loss of a large employment site/premises in one of the key growth locations in the District. The most appropriate way to evidence that there is lack of interest in the property for any continued employment use is to conduct a robust marketing campaign, that includes a full variety of options for employment use and tenure. The findings of such a study can then be balanced against other material consideration such as viability considerations surrounding an alternative user/use.*

*The OFB Team would welcome further discussion with the applicant in order to progress a suitable strategy and assist in the analysis of the results.*

### **BMSDC Sustainability**

We have reviewed this application and have concluded that there is insufficient information to agree approval.

There is no attempt to address policy CS13 (10% reduction in CO2) or CS15 (implementing sustainable development) or make provision for electric vehicle charging. We acknowledge there are some historic and listed properties which may have constraints upon them but there are also many new build properties which would not be constrained in the same way.

Due to the lack of detail in the areas described we recommend refusal. Should permission be granted we require that suitable conditions are included to address our concerns, please liaise with us for the wording of the conditions.

### **Sport England**

This proposal seeks planning consent for the redevelopment of the former Babergh District Council offices to provide 57 dwellings and ancillary development. The site itself does not contain any playing fields, but lies adjacent to a cricket facility used by Hadleigh Cricket Club. Conversion of sites to residential use adjacent to cricket grounds can result in issues with the risk of cricket balls being hit into gardens/houses etc. This conflict does not occur with the office use as the two uses do not conflict, as the cricket facility would only be used in the evenings or weekends.

The applicants commissioned a technical assessment of the dangers from cricket balls from Hadleigh Cricket Club. This assessment, carried out by recognised consultants in this field, and dated October 2018, recommended that a mitigation scheme to reduce the potential for ball strike would be needed. This could take the form of ball stop netting or fencing, of permanent or temporary nature, and further discussions with ECB and the club would be needed to agree a suitable scheme.

The application was submitted with a draft Cricket Boundary Fencing Plan, which put forward a scheme of part permanent fencing and part demountable fencing that would only be in place during the cricket season. This scheme was drafted following a meeting with the club in September 2018, and discussions with Sport England and the ECB. It was accepted that the scheme would be finalised following these discussions.

The applicants have confirmed that they envisage a requirement to enter into a planning obligation (S106 Agreement) with the town council and cricket club (as cricket ground land owner and lease holder respectively) to secure the following:

- ❖ Erection of suitable permanent and demountable fencing reflecting the principles contained in the draft boundary fencing plan
- ❖ The provision of a related management and maintenance plan – it is envisaged that the District Council as applicant would appoint a fencing contractor to:
  - Erect the permanent and demountable fencing prior to the occupation of any residential units facing the cricket pitch - and thereafter erect that part of the fencing which is 'demountable' prior to the cricket season commencing and take it down once the season has finished, and make arrangements for its storage (and thereafter undertake the same procedure each subsequent season);
  - Maintenance of the fencing to be the responsibility of the District Council;
  - No additional costs to be incurred by the cricket club;
  - \*In the event that an entirely permanent fencing solution is considered to be an expedient alternative – this would be provided for in the planning obligation agreement;

The applicants therefore propose to prepare a suitable Section 106 in respect of boundary mitigation and management measures, (updating the draft cricket fencing plan, as necessary) with a view to obtaining the cricket club's agreement to this at an early stage in January 2019, following which we will liaise further with you on the proposals to obtain Sport England and ECB's support to the approach so the planning application can proceed to determination.

I have consulted the ECB on the current mitigation proposals and they comment as follows:

*Ball Strike Mitigation*

The ball stop fencing proposed is a combination of fixed fencing and demountable netting designed to address the recommendations regarding ball strike risk identified in the Labosport report. This would be installed by the applicant along the length of the boundary between the cricket ground and the building and carpark subject to the planning application and at the recommended height of the eaves of the building (4.3m). This should adequately mitigate the ball strike risk identified.

*Management and Maintenance Plan*

LPP has proposed that the concerns raised in relation to the cost of the installation of the ball stop fencing, management of the proposed demountable netting, ongoing maintenance, repairs and associated costs will all be the responsibility of the applicant. Babergh Borough Council will continue to own the property that is subject to this planning application. A Management and Maintenance Plan that addresses the issues identified above will be put to the cricket club for consideration to ensure this proposed Management and Maintenance Plan addresses the club concerns about risks that could prejudice use of the cricket ground for the playing of cricket if the residential development planning application is approved. This proposal appears to address the management and maintenance issues raised in relation to the installation of the ball strike fencing, subject to the agreement of the cricket club.

From Sport England's perspective, provided a ball strike mitigation scheme is agreed and a suitable management and maintenance plan is agreed with the club and ECB, and all these measures are secured via a suitably worded planning condition/s106 agreement, Sport England would be satisfied that the proposals would not prejudice the use of the adjoining cricket facility, and would therefore meet exception E3 of our playing fields policy, in that:

'The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch

- result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

This being the case, Sport England does not wish to raise an objection to this application, but would wish to agree the wording of any planning condition and s106 agreement required to ensure the implementation and future management of the ball strike fencing mitigation scheme. Sport England would recommend that the condition is worded as follows:

1. The development hereby approved shall not be occupied until full details of the design and specification of the ball stop mitigation, including details of management and maintenance responsibilities, have been; (a) submitted to and; (b) approved in writing by the Local Planning Authority, [after consultation with Sport England, the adjoining cricket club and the ECB]. The approved mitigation shall be installed in full before the development is first occupied and thereafter be managed and maintained in accordance with the approved details.

Reason: To provide protection for the occupants of adjacent uses and their property from potential ball strike from the new playing field or sports facility and to accord with policy\*\*

### **NHS**

This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore a proportion of the required funding for the provision of increased capacity and range of services within the existing healthcare premises servicing the residents of this development, by way of reconfiguration, refurbishment or extension, would be sought from the CIL contributions collected by the District Council

In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL Regulations, which provide for development contributions to be secured to mitigate a development's impact, a financial contribution is sought.

Assuming the above is considered in conjunction with the current application process, Ipswich and East Suffolk CCG would not wish to raise an objection to the proposed development.

### **Viability Consultant**

Although we do not agree with all of the applicant's assumptions, we do agree that there is no viability surplus for affordable housing.

### **(ii) February 2019 proposal: AS AMENDED**

#### **Hadleigh Town Council**

The changes for re-consultation were noted but concerns still remained regarding flooding and car parking issues. It was felt that because there have been no assurances about the situation with the cricket club being resolved, Hadleigh Town Council cannot approve this application.

#### **Elmsett Parish Council**

Elmsett Parish Council is concerned that with current public car parks in Hadleigh sometimes full, there is a need for the district council to provide additional spaces. This is due to the extra vehicles that will be driving into Hadleigh as a result of recent significant

housing application approvals both in Hadleigh and the surrounding area and the loss of several spaces in the High Street to create the entrance to the new McCarthy and Stone development. The process of decriminalising parking is also under way and expected to be rigorously enforced by council Officers when approved forcing the many vehicles that park illegally in the High Street daily into car parks. The proposed development of Corks Lane includes an existing car park formerly for council employees which could be turned into a public car park at low cost. Given that we believe the council has no identified sites for new car parks, the council object to this part of the proposal until other sites are identified and in use.

### **SCC Highways**

We have reviewed the Transport Statement and the data supplied with this application, the summary of our findings are as follows:

The maximum 85<sup>th</sup>ile speed recorded on Bridge Street Lane adjacent to the site is 31mph and the required visibility for the accesses onto the highway can be met.

The estimated previous use as District Council Offices total calculated the vehicle trips in the AM peak hour as 79 vehicles (average 1.3 vehicle every minute). The calculation for 57 dwellings is 28 vehicles (approximately 1 vehicle every 2 minutes) therefore a reduction in trips.

There are no injury accidents recorded on Bridge Street or in the vicinity of the site over the past 5 years.

The development does not result in an intensification of the access compared to previous office use and taking all the above into account, it is our opinion that this development would not have a severe impact (NPPF para 109) therefore we do not object to the proposal.

### *S106 Contributions*

The Public Rights of Way team has requested footpath 40 be upgraded to a bridleway and resurfaced using a hoggin surface, estimated cost £35,567.50.

### **Place Services – Heritage**

The original concerns related to ‘less than substantial harm’ to Numbers 21 and 23 which have now been mitigated. The remainder of my original consultation remains unchanged.

### **Historic England**

Thank you for consulting us on the amendments to the suite of applications concerning redevelopment of the Corks Lane site and Bridge House, Hadleigh. I do not have any comment to make on the majority of these, though do note the amendments made to block 6 and Bridge House in application number 18/4966 and are content with these. In our advice to the Council concerning the proposed alterations to the listed buildings at the Corks Lane site we asked for amendments to the design of the extension to River House. The amendments to application 18/4996 show a simplification of the rear extension to the listed building combined with setbacks in the line of development which break up the mass of building seen from the west. These are positive changes and while we retain some reservations about the massing of building around Riverview are also content with these amendments.

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

### **Hadleigh Society**

The amendments to the design are considered inconsequential and do not alter the Society’s strong objections to the scheme on the grounds of design, poor and inadequate

parking provision, and serious damage to the setting, appearance and special character of adjoining listed buildings and the Conservation Area.

**SCC Strategic Development** - As per original response.

**BMSDC Strategic Housing** - Strategic Housing have withdrawn the Holding Objection previously submitted. Since my previous consultation response dated the 19<sup>th</sup> December 2018, the applicant's agent has submitted a viability appraisal to the Council to support its case for not including any affordable housing provision. The appraisal was reviewed and scrutinised by the consultants Aspinell Verdi, used by the Local Planning Authority who concluded that the proposal was not financially viable with the inclusion of any affordable housing.

**Environment Agency** – We are removing our flood risk holding objection providing you have taken into account the flood risk considerations which are your responsibility and the below condition is included should the permission be granted. Guidance has been given in the technical appendix at the end of this letter.

To comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA). If you are satisfied that the application passes these Tests and will be safe for its lifetime, we request the condition given at the end of this section below is appended to any permission granted.

**Environment Agency – Contamination** -As per original response.

**Anglian Water** – comments awaited.

**SCC - Flood and Water** - Recommend approval of this application subject to conditions

**SCC - PROW Officer** - No objection.

**SCC Archaeology** - No objection.

**SCC Fire Officer** - As per original response.

**Place Services - Ecology** - We are still satisfied that there is sufficient ecological information available for determination. Therefore, we advise that the recommendations contained within Place Services initial comments (10th December 2018) should still be followed.

**Place Services – Landscape** - Recommend approval of this application subject to conditions

**BMSDC Environmental Health - Land Contamination** - As per original response.

**BMSDC Environmental Health – Air Quality** - As per original response.

**BMSDC Environmental Health – Noise/Odour/Light** - No objection.

**BMSDC Economic Development** - No objection.

**BMSDC Sustainability** – comments awaited

**Sport England** - comments awaited

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**NHS** - As per original response.

## **B: Representations**

11 objections have been received in response to publicity. The grounds of objection are summarised as follows:

- Overdevelopment
- Impact on listed buildings
- Out of keeping with Conservation Area
- Disproportionate number of one/two bedroom apartments
- Affordable housing not policy compliant
- Increased flood risk given designated flood area
- Loss of public parking
- Low quality architectural design.
- Increased risk of damage to property by cricket balls
- Lack of social use
- Lack of landscape planting between cricket field and development
- No agreement reached with Hadleigh Cricket Club on the proposed boundary mitigation strategy.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1. The site is located on the western side of Bridge Street, to the north of the Hadleigh town centre. The site extends to 1.36ha and is occupied by the former complex of the Babergh District Council offices, associated car parking and open space. The site was in use as a maltings prior to the establishment of the local government operations.
- 1.2. The site comprises three parcels of land located at Corks Lane and Bridge Street. The two Corks Lane parcels are north of the River Brett. The Bridge Street land parcel is south of the River Brett. The Bridge Street site is within the built up area boundary for Hadleigh whilst the remainder of the site is outside the built up area boundary.
- 1.3. Details of the three land parcels are as follows:
  - Corks Lane – the northern parcel is occupied by the former Council office buildings (3,076sqm floor area) and associated car park. It is principally a 1978-82 office development designed by Arup Associates.
  - Corks Lane – the central parcel comprises a publicly accessible amenity space, parking area and five listed buildings as detailed at section 1.5 below.
  - Bridge Street – the southern parcel is occupied by a former Council staff car park and a redundant building known as Bridge House.
- 1.4 A pedestrian pathway connects the former car parking area at Bridge Street with the main part of the site at Corks Lane via a pedestrian bridge over the River Brett and the central amenity space. The River Brett corridor is well landscaped, featuring mature trees and manicured grassed areas.

- 1.5 Immediately to the north is the Hadleigh Cricket Ground. Residential development is located north of the Hadleigh Cricket Ground, as well as directly opposite the site and to the south beyond Bridge House. West of the northern part of the site is a recreation ground and play area, accessed via Corks Lane. West of the car park adjacent Bridge House are allotments. Land opposite Bridge House, on the eastern side of Bridge Street, is heavily vegetated and forms part of the River Brett landscape corridor.
- 1.6 The site is in the Hadleigh Conservation Area. The land north of the River Brett is in the Special Landscape Area. The site is also located in the designated Area of Archaeological Interest.
- 1.7 The site includes five listed buildings: The Malthouse (Grade II), 23 Bridge Street (Grade II), 21 Bridge Street (Grade II\*), The Cottage (Grade II) and River View (Grade II). The Arup building is not listed.
- 1.8 There are nearby listed buildings north of the River Brett, all on the eastern side of Bridge Street. They include the Grade II\* listed White Hart Inn Public House, Grade II\* listed Sun Court, and Grade II listed buildings at 28-34, 38, 40 and 44 Bridge Street and Myholme. South of Bridge House are three Grade II\* listed buildings – 11, 13 and 15 Bridge Street. The vehicle bridge over the River Brett is also Grade II listed.
- 1.9 Parts of the site are in Flood Zone 2 and 3, owing to flood risk associated with the River Brett. The most northern portion is in Flood Zone 1.

## **2. The Proposal**

2.1 Full planning permission is sought for the redevelopment of the site for 57 dwellings. The majority of buildings are retained and subject to conversion works. Demolition of Bridge House and part of the Arup building is proposed. As noted above, the application has been the subject of amended plans, received February 2019. The following is a summary of the development proposal as set out in the amended plans.

2.2 The 57 dwellings are provided for as follows:

### **Corks Lane Site:**

- Retention and conversion of the five listed buildings;
- Part retention and conversion of the Arup building – remainder of the 1980s offices to be demolished;
- Conversion and new build works to form – 47 apartments, 1 duplex (River View) and 5 dwellings (The Cottage and a terrace of 4 two storey dwellings over three floors).

### **Bridge Street Site:**

- Demolition of Bridge House and construction of 4 two storey dwellings (two detached dwellings and one semi-detached pair).

2.3 Additional proposal details include:

- Dwelling mix: 20 x 1 bedroom dwellings; 19 x 2 bedroom dwellings; 11 x 3 bedroom dwellings; 5 x 4 bedroom dwellings; 2 x 5 bedroom dwellings.
- Two storey rear and side additions to River View.
- Demolition of single storey link between River View and 21 Bridge Street.

- Retention of front boundary wall adjoining Corks Lane and linking River View and 21 Bridge Street.
- Three storey addition to the Malthouse.
- Single storey detached bike/bin store to the front of The Cottage.
- Vehicle access to the proposed northern development is via the existing Corks Lane.
- A car park area containing 44 car spaces is proposed south of Corks Lane, within the greensward associated with the River Brett. With a total number of 84 car spaces and eight garages provided across the entire site.
- Provision of HGV parking/ waiting bay adjacent to Bridge Street (for refuse/delivery purposes)
- Widening of the access to the western allotments.
- Provision of an uncontrolled pedestrian crossing over Corks Lane and associated pathway south of Corks Lane
- Removal of 24 mature/semi-mature trees (12 within the greensward north of the River Brett)
- Retention of trees and hedgerows, new tree planting, soft and hard landscaping and public open space provision.

2.4 The application is supported by a suite of supporting technical reports, as follows:

- Planning Statement
- Design and Access Statement (amended February 2019)
- Transport Statement
- Flood Risk Assessment (amended February 2019)
- Preliminary Ecological Assessment and Bat Check, Nocturnal Bat Surveys, Breeding Bird Surveys and Ecological Impact Assessment
- Utilities Assessment
- Tree Survey and Arboricultural Impact Assessment
- Soil Infiltration Investigation, Phase I and II Geo Environmental Site Investigation, Detailed Quantitative Risk Assessment for Controlled Waters and a Remediation Strategy
- Heritage Assessment (amended February 2019)
- Boundary Risk Assessment
- Employment Viability Appraisal
- Toolkit Viability Assessment

### **3. Sustainability of the Proposal**

3.1 The presumption in favour of sustainable development and the need for a balanced approach to decision making is the key tenet of the 2014 Core Strategy. Policies CS1 and CS15 clearly articulate this presumption, consistent with and in support of the underlying thrust of the NPPF. The policies carry full statutory weight and provide the principal assessment framework as it applies to the subject application.

3.2 The three dimensions of sustainable development, in the context of the proposed scheme, are assessed in detail below.

### **4. Economic Dimension**

#### **Alternative Employment Uses**

4.1 Paragraph 121 of the NPPF states that planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified

development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres. The site is not allocated in the development plan for a specific purpose and Hadleigh is designated under policy CS2 as a Town, one of only two 'towns' in the District where housing growth is expressly promoted. For these reasons paragraph 121 is engaged.

- 4.2 Saved Policy EM24 states that proposals for the redevelopment of former employment sites for non-employment uses will only be permitted where it is demonstrated that their retention for appropriate employment use has been fully explored. The policy sets out two ways in which this can be demonstrated, by either undertaking a marketing campaign or demonstrating that the premises are inherently unsuitable or not viable for all forms of employment related use.
- 4.3 The application is supported by a Viability Appraisal and extensive soft market testing exercise carried out in October 2018. The marketing exercise demonstrates there are currently no active or recent requirements for office space or care homes in Hadleigh. Additionally, the viability consultant contacted Travelodge and Premier Inn, currently the two most active national hotel chains, who expressed no interest in Hadleigh. The appraisal concludes that the site is not appropriate for industrial, warehousing, retail or leisure uses in planning policy terms.
- 4.4 The Viability Assessment considers the potential for re-use of the building by the public sector. The report makes the point that for the same reason that Babergh Council is unable to operate an effective or financially viable public service provision from the site, it is unlikely that there is a need from within the public sector for office space in this location.
- 4.5 Officers are of the view that the supporting viability assessment and marketing exercise does not fully comply with the alternative employment test set out at saved Policy EM24. However, there is no evidence to suggest the use of the former employment land for homes would undermine key economic sectors or the vitality and viability of the Hadleigh town centre, in accordance with paragraph 121 of the NPPF. Officers are also of the view that a local government office use is not simply an "employment" use in as envisaged in the policy. It is accepted that a large range of local authority buildings are best used for just that purpose, but that another end-user of the same size is very unlikely to be found. This is even more the case given the relatively small size of Hadleigh and the presence of larger urban settlements in both Suffolk and Essex within easy reach. To this extent a balanced judgement needs to be taken to the application of EM24. A non-employment related use is an acceptable planning outcome for the site.

## **5. Social Dimension**

### **Affordable Housing**

- 5.1 Core Strategy Policy CS19 requires all residential development to provide 35% affordable housing. The policy does however state that the onus is on developers to provide documentary evidence to support cases where development viability is a proven issue, and where such cases are accepted the local planning authority will determine an appropriate proportion of affordable homes, tenure mix and/or appropriate levels of commuted sums on a site-by-site basis. This is consistent with the supporting text to Policy CS19 which states that provision of affordable homes in

new developments will be determined on a site-by-site basis by considerations such as location, site circumstances and *viability*.

- 5.2 The applicant seeks to justify the lack of affordable housing by way of development viability, with a detailed viability statement submitted in support of the application. The viability statement has been reviewed by Council's external viability consultant. The consultant does not agree with some of the applicant's viability inputs, namely build costs and land value. The consultant does however confirm that the development is not viable if it includes any affordable housing element. Officers are not in receipt of any evidence contrary to the conclusions of the applicant's assessment or the consultant's review findings. On this basis, policy CS19 has been complied with as the applicant has demonstrated its viability case in a credible manner.

### **Housing Mix**

- 5.3 Concern has been raised by the objectors with the quantum of two bedroom units being proposed. As noted by Council's Strategic Housing Officer there is a shortage of smaller open market dwellings in Hadleigh. There is evidence of demand for accommodation for younger households and to older people who may wish to downsize and remain in a central location. The development will be attractive to these households.
- 5.4 There is a mix of 1, 2 3 and 4 bedroomed dwellings across the site in the form of apartments and houses, a preferable housing response. There are no bungalows simply because the site is not appropriate for such development.
- 5.5 Council's Strategic Housing Officer does not raise an outright objection to the proposed open market housing mix. The application addresses established housing needs in the district, responding positively to Core Strategy Policy CS18. The significant provision of smaller household dwellings represents a social benefit weighing positively in the planning balance.

### **Community Contributions**

- 5.6 The supporting viability assessment factors in CIL contributions and therefore the secondary education and library sums will be realised through the CIL process. SCC seeks a pre-school contribution, requesting a planning obligation to secure this sum. The demonstrated lack of scheme viability does not provide scope for additional contributions beyond CIL and therefore this request cannot be sustained.

## **6. Environmental Dimension**

### **Heritage Character**

- 6.1 The development will have a pronounced effect on the collection of listed buildings at the site as well as on the character and appearance of the Hadleigh Conservation Area, also a designated heritage asset. The five concurrent listed building consent assessment reports deal with the effects of the physical works on the setting and fabric of the five listed buildings respectively. It is therefore not necessary to repeat those detailed assessments in this report. What follows is an assessment of the changes at the development site in the context of the setting of the group of listed buildings, the non-designated heritage assets (the Arup building and Bridge House) and the broader character impacts in the context of the Hadleigh Conservation Area.

6.2 The Hadleigh Conservation Area Appraisal [2008] notes that:

“The town was not comprehensively ‘Georgianised’, nor even ‘Victorianised’, with new brick frontages and much original timber-framed construction remains unaltered, so that Hadleigh’s buildings include an interesting mix of many ages and styles. The quality of Hadleigh’s buildings is reflected in the majority of the central High Street area being listed grade II or II\*, although some of these are included principally for group value.”

“The majority of buildings in the central area are constructed of traditional materials and two main building forms predominate. Firstly the Suffolk vernacular of steep roofs and gables, mostly timber-framed, some with jetties, some with newer brick fronts and secondly, infilling between these, there are the brick buildings of the 18th and 19th Centuries, with gentler roof slopes, but sometimes larger scale in the more public buildings. Timber framing is mostly correctly concealed behind colour-washed render, often with pargetting features. Newer buildings are mostly local brick, variously Suffolk soft reds or whites, often rendered and painted to blend in with the colour-washed local vernacular. The use of modern pastel coloured paints, instead of the more vibrant traditional limewash colours, has diluted much of the interest formally derived in the High Street from the use of colour. Roof finishes correlate well with wall constructions, following a similar distribution. The majority of roofs are plain tiles, mostly on the timber-framed buildings, the rest generally slated, usually on the brick buildings. The Church alone differs from the rest, constructed of flint with stone dressings and a lead clad spire and roof.”

“...there is open countryside with hedgerows and fields coming as close to the river as do the buildings of the High Street opposite. This countryside can be viewed rising beyond the spire of the Church from the higher ground of Angel Street, George Street or Station Road, and to a lesser extent along Bridge Street, where it is largely hidden behind Bridge House, which forms a stop to the vista there. This juxtaposition is unusual and enshrined in Babergh District Council’s Local Plan, which has the Brett Valley designated as a Special Landscape Area. The proximity of this open countryside provides Hadleigh with a valuable recreational resource, which judging by the large number of non-definitive paths up and over the hillside, is well used.”

6.3 The proposal brings about a number of enhancements to the setting of listed buildings and represent positive responses in the context of the character and appearance of the Conservation Area. The responses range from substantial heritage benefits to more modest heritage benefits.

6.4 Paragraph 193 of the NPPF states that great weight should be given to the conservation of designated heritage assets. The most significant heritage benefit resulting from the scheme is securing the long-term future of five, currently redundant, designated heritage assets. The proposal retains the vast majority of valued heritage fabric of four Grade II listed buildings and one Grade II\* listed building. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation is to be taken into account when determining planning applications, as directed by paragraph 192 of the NPPF. This paragraph also identifies the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality. The public benefit to the local community realised through sustaining the significance of five redundant listed buildings, and the positive contribution this makes to the character of the Hadleigh Conservation Area, is substantial and attached great weight in accordance with NPPF paragraph 193. This paragraph also states that the greater the significance of an asset, the greater the

weight to be attached to its conservation. Greater weight is attached to the conservation and re-use of 21 Bridge Street given its higher order Grade II\* listed status.

- 6.5 The following is a summary of the additional positive heritage character responses, ranked in order in terms of the level of benefit that will accrue if the scheme is approved and implemented:
- a) Removing modern accretions to the rear of The Cottage, thereby enhancing and better revealing its significance, consistent with paragraph 200 of the NPPF.
  - b) Removing modern accretions thereby strengthening the historic connection between The Cottage and River View. The removal will allow each listed structure to read more clearly as a separate building.
  - c) Removing the modern accretion between River View and 21 Bridge Street thereby enhancing and better revealing their significance, consistent with paragraph 200 of the NPPF.
  - d) Revealing the original rear elevations of 21 Bridge Street, re-exposing walls, repairing and returning them to a red brick finish to match existing. These works will better reveal the significance of the asset, consistent with paragraph 200 of the NPPF.
  - e) Reinstating the original single domestic dwelling use of River View and 23 Bridge Street, enhancing both listed buildings' legibility and better revealing their significance, consistent with paragraph 200 of the NPPF.
  - f) Replacing the vehicle access between The Cottage and River View with a landscaped pedestrian thoroughfare, significantly improving the setting of adjacent listed buildings. This change ensures the discontinuation of service vehicle parking between River View and The Cottage.
  - g) Landscaping the internal courtyard and public realm improvements to provide a more attractive setting for the listed buildings.
  - h) Retention of mature trees, such as the 19m high Sycamore tree west of The Cottage, maintains the attractive setting of the historic group of buildings and Conservation Area generally.
  - i) Reducing the scale of the additions to the rear of the Malthouse will enhance the setting of the listed building.
  - j) Replacing the unattractive sealed western carpark with a more legible and appropriately landscaped block paved car park.
  - k) Provision of enclosed service areas such as dedicated bin stores offers a visually tidier appearance, noting the former office use featured externally located bins and grit boxes that detracted from the Conservation Area.
  - l) Re-opening the main historic door to 21 Bridge Street that is currently fixed shut.
- 6.6 There are aspects of the scheme that do not, unlike the above, offer heritage character benefits. These less positive attributes must be weighed in the planning balance. In order to undertake the necessary balancing exercise they must be identified and assessed in the context of relevant planning policy. The attributes vary in the level of material harm they cause to the significance of the site and broader Conservation Area. The attributes are identified as being:
- Internal subdivision of the Malthouse;
  - The loss of two non-designated heritage assets – Bridge House and part of the Arup building;
  - Contemporary additions to the Cork Lane site;
  - Corks Lane bin store;
  - Greensward car parking; and
  - New-build terrace blocks.

*Malthouse – Internal Subdivision*

- 6.7 The internal subdivision of the Malthouse will result in the loss of the open spacious character of the building, a special architectural feature that contributes to the historic industrial character of the building. No details have been provided regarding the fixings of the internal partition walls and this has been requested as a conditional requirement by Council's Heritage Consultant. The Heritage Impact Assessment states that the internal works are largely reversible. Although it is very unlikely that such works would be reversed given the nature of the long term tenure of the units created, it is nonetheless a consideration.
- 6.8 Perhaps most importantly in respect to the internal changes is the likelihood of securing a future tenant that would be suited to the existing open spaces within the building. Such tenants are likely to be related to industrial, warehousing, retail or leisure uses. However as noted in the supporting Viability Appraisal, the site is not considered to be an appropriate location for these types of uses in planning policy terms.
- 6.9 The impact of the internal subdivision on the significance of the heritage asset is considered less than substantial given the retention of virtually all of the heritage fabric and therefore, in accordance with paragraph 196 of the NPPF, must be weighed against the public benefits of the scheme.
- 6.10 Saved Policy CN06 states that the subdivision of a listed building should retain all elements, components, and features which form part of the building's special interest. The loss of the original spacious qualities internal to the Malthouse would impact the significance of the heritage asset and does not accord with Policy CN06. This policy conflict does not weigh in favour of the scheme.

#### *Demolition – Bridge House*

- 6.11 The proposal results in the loss of two non-designated heritage assets, the Arup building and Bridge House. Paragraph 197 of the NPPF requires the direct effects on non-designated heritage assets resulting from a proposal be taken into account when determining applications. It goes on to state that a balanced judgement is required when making the assessment, having regard to the scale of any harm or loss and the significance of the heritage asset.
- 6.12 The loss of Bridge House will adversely affect the Conservation Area because it offers a positive contribution to the area's character and appearance.
- 6.13 The supporting Heritage Impact Assessment notes that the building is 'marred by its poor condition'. Officers are not convinced that the condition of the building is such that it significantly limits its contribution to the character of the area. The building has been subject to few external alterations and therefore its general building form and roofscape remain evident, as do its original openings that are currently boarded up. The original chimneys remain in situ. The building is a remnant of the former gas works and this offers a degree of historic interest, albeit the appreciative value is low. Paragraph 191 states that where there is evidence of deliberate neglect, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 6.14 The Heritage Impact Assessment states that, owing to its poor condition, it is likely that there would be substantial loss of historic fabric in order to bring the building back into use for residential accommodation. Little in the way of evidence has been submitted to support this statement. A structural engineer's report supports the



application, focusing on the deterioration of the timber elements. As noted by the Suffolk Preservation Society, the engineer's report identifies the masonry walls as sound. Moreover, there are no detailed costings supporting the application regarding restoration works. Officers are not convinced that a compelling case has been made to demonstrate the building is beyond viable repair. This consideration weighs negatively in the planning balance.

- 6.15 As noted above the building contributes positively to the Conservation Area however it is concluded that this contribution is modest. However, Historic England highlights that the re-use of the building would enhance the Conservation Area and its loss will harm the significance of the Conservation Area. Whilst the building is of 'townscape merit' as described by the Suffolk Preservation Society, there is nothing about the building's design detail to suggest that it is of particular local significance. It is not a landmark building. It is visible in the streetscape but it is not a building of significant scale. There is nothing particularly special about its siting, the way it addresses the street, or its physical relationship with its neighbours. Those design elements are all generally conventional. It is acknowledged that its blind elevation visible in views north along Bridge Street is perhaps less conventional, however this townscape element is not attached special significance. It is also noted that the building does not contribute to the significance of the setting of any nearby listed buildings.
- 6.16 Returning to paragraph 197 of the NPPF, the significance of the non-designated heritage asset is deemed moderate. The scale of the loss is significant given the whole of the building is to be removed. These considerations form part of the balanced judgement in respect to the development as a whole. The viability of the site is marginal and the loss of units as a result of designing a scheme which retain Bridge House would impact upon this viability.

Moreover, putting the site into positive use in a timely way with the inherent economic activity of redevelopment and achieving an appropriate wider setting of the listed building would deliver its own clear public benefit.

#### *Demolition – Arup Building*

- 6.17 The Arup building is deemed a non-designated heritage asset. Historic England confirms it does not meet necessary national criteria to warrant inclusion on the national listing register. The building is of scale, is prominent, and as noted by the Twentieth Century Society was executed by internationally acclaimed architects Arup Associates. It received a commendation in the Civic Trust Awards in 1984 and an Eastern Region RIBA Award in 1987.
- 6.18 The Arup building was constructed well after the introduction of the Hadleigh Conservation Area in 1969. Naturally therefore the Conservation Area Appraisal makes no reference to it. As observed in the Heritage Impact Assessment, the building is different to the high-quality historic buildings that gives the Hadleigh Conservation Area its character.
- 6.19 Part of the Arup scheme is being retained and converted to dwellings and therefore an element of the original 1980s scheme will survive and will continue to be appreciated. These are the parts of the building that lend themselves to residential conversion owing to their more conventional form and layout. Other areas are less suited to residential conversion, such as the octagonal Council Chamber, which is arguably not well suited to conversion to any alternative use owing to its very unconventional floorplate. The parts of the Arup building to be demolished should be

recorded to advance an understanding for future generations of the significance of the asset, consistent with paragraph 199 of the NPPF. This is not a factor in deciding whether the partial loss of the building is acceptable, as noted by paragraph 199, however it is important to acknowledge this requirement as part of the proposal's approach to good heritage practice. This matter could be conditioned.

- 6.20 The Heritage Impact Assessment concludes that the removal of part of the 1980s Arup scheme will not detract from the Conservation Area. For the reasons above Officers agree.
- 6.21 In the context of paragraph 197 of the NPPF, in its own right the significance of the non-designated heritage asset is moderate. The scale of the loss is less than substantial given a good number of the buildings forming part of the 1980s complex are being retained. These considerations form part of the balanced judgement in respect to the broader redevelopment.

#### *Contemporary Additions*

- 6.22 The contemporary additions to the Corks Lane site are viewed by some as failing to preserve and enhance the character of the Conservation Area. It is obvious that they are not of traditional design and appearance, a deliberate design response put forward by the applicant to demarcate the old from the new. Given their siting central to the site, the additions have limited visibility from public vantage points because of the intervening buildings. They will not be visible from vantage points north of the site. They will be barely visible from Bridge Street. They will be visible from Corks Lane and the River Brett, however these are not considered critical or common vantage points.
- 6.23 The additions do not dominate the site, dominate any streetscape nor dominate any skyline given the taller buildings surrounding them. Critically, the additions do not dominate any buildings on the site. The siting and massing of the additions are such that they will sit comfortably alongside the existing built form.
- 6.24 It is acknowledged that the flat roof forms will not match nearby traditional pitched roof forms, and for this reason they may appear more pronounced than if they were of more traditional appearance. There is material character harm associated with the contemporary additions however it is moderated by the recessive siting of the additions. For these reasons the harmful effects of the contemporary additions on the character of the Conservation Area are considered not more than minor.

#### *Corks Lane Bin Store*

- 6.25 The proposed siting of the bin store fronting Corks Lane is unfortunate. Although only modest in scale being single storey, it nonetheless detracts from the open setting of The Cottage. The structure will obscure views of The Cottage from the street, an unwelcome heritage character outcome.
- 6.26 It would appear the store has been designed so that the street elevation presents as a wall, not inconsistent with the existing front boundary wall between River View and 21 Bridge Street. This design approach is not without merit and a front boundary wall presentation is merely less desirable in the context of the listed setting. A softening of the street elevation could be achieved by appropriate landscape planting, perhaps in the form of non-intrusive creepers. This could be conditioned. If such mitigation was employed Officers are of the view that the harm caused to the listed setting of The Cottage and the broader Conservation Area would be less than substantial.

### *Greensward Car Parking*

- 6.27 Officers agree with the Suffolk Preservation Society which is of the view that the greensward north of the River Brett contributes positively to the listed setting of The Cottage, River View and 21 Bridge Street. The intrusion into the greensward by a vehicle parking area will undermine the verdant qualities at this location and will detract from the setting of the aforementioned listed buildings as well as the character and appearance of the Conservation Area. The suburbanising effect of the additional parking is unfortunate, as is the part obscuring of northern views to the listed buildings by the vehicles that will park in the designated area.
- 6.28 The additional car parking will also impact the setting of the Grade II listed bridge on Bridge Street. The harm will however be much more limited than it is in terms of the northern listed buildings, given the supplementary landscape planting proposed between the parking area and the listed bridge. The scheme's proposed retention of mature trees at the south-eastern corner of the greensward also mitigates the listed setting harm.
- 6.29 Further discussion of the merits of this aspect of the scheme in the context of landscape character is provided later in this report.

### *New Build Terrace Blocks*

- 6.30 A number of submissions are critical of the two blocks of terraced housing. Ground floor garaging to the front elevations, frontage car parking and the appearance and design detail of the developments are recurring concerns. Submissions refer to the estate-like appearance of the terraces and that this is out of keeping with the valued character of the Conservation Area.
- 6.31 The design detail of both terrace buildings has been revised as part of the February 2019 amended proposal. The south elevation of the Bridge House replacement terrace has been altered to make the roof pitches less shallow and improve the proportions of the elevation. The roofscape of the western terrace block north of the river has been revised by providing a full and steeper pitched roof. The car parking arrangements serving both terrace blocks has not been altered.
- 6.32 Finishing details of the proposed integral garaging is not detailed. Provided these are finished in a sympathetic and traditional material such as timber, as would appear to be indicated by the patterning in the external elevations, then this element of the scheme will have a limited impact on the significance of the Conservation Area. Material finishing can be conditioned.
- 6.33 The roofscape and elevational changes are an improvement and go some way to responding to the issues raised in submissions. It is noted that Historic England does not raise an objection to the revised terrace block design detail. Neither of the blocks impact the setting of any listed buildings. The physical separation of the blocks from valued heritage building stock assists in limiting the adverse effect on the Conservation Area.
- 6.34 Frontage car parking is never ideal as it most often detracts from streetscape quality. However, the effect of frontage parking on the Conservation Area at the subject locations is relatively limited. This is because the blocks are not in highly sensitive heritage locations. The parking at the Bridge House site is set well back from Bridge Street. It will not detract from any designated heritage assets other than the

Conservation Area itself and by virtue of its Bridge Street setback the detracting quality in conservation terms is limited. The site context of the western terrace block is not dissimilar in this regard. The western end of the Corks Lane site is not a principal contributor to the character of the Conservation Area. It is currently dominated by an expanse of sealed parking spaces and dominated on its eastern side by the modern Council building. Corks Lane at this location is not a conventional residential street. Therefore whilst harmful to the character and appearance of the Conservation Area, this is considered minimal, and therefore less than substantial.

## **Landscape Character**

- 6.35 The site is a highly sensitive one in landscape character terms owing to its location in a Special Character Area, a Conservation Area and its proximity to the River Brett. A landscape masterplan supports the application and is generally consistent with the pre-application direction provided to the applicant by Council's Landscape Consultant. It is observed that indicative landscape planting features on the external elevation drawings are inconsistent with the landscape masterplan. Some of the landscaping locations shown on the elevation drawings, such as to the front of the retained Corks Lane frontage wall, could not physically sustain any planting given the existing impermeable surfacing and built form. For this reason, for landscape assessment purposes Officers rely only on the submitted landscape masterplan and not the elevation drawings.
- 6.36 Arguably the most contentious aspect of the scheme in landscape character terms is the incursion into the greensward north of the River Brett with car parking. Any incursion into an undeveloped green space that contributes to landscape character is unfortunate. The fact the incursion is a result of the need to accommodate 44 vehicles is more unfortunate. Surface treatments in such a sensitive location are critical to mitigate adverse landscape effects. The proposed cellular contained gravel finish offers the least visually intrusive surface treatment. This treatment adopts a 'no dig solution' which will ensure the preservation of the adjacent mature trees.
- 6.37 Low level hedgerows and beds of ornamental planting are proposed to the southern perimeter of the greensward parking area. The planting will provide a soft edge transition between the car park area and the grassed bank of the River Brett. Nine trees are proposed within the new parking area (six are street trees located adjacent Corks Lane), together with a further five trees south of the parking area in the greensward. These trees, together with the southern hedgerow and low level ornamental plant beds will assist in maintaining a verdant character, one that complements the vegetated River Brett green corridor. It is noted that Council's Landscape Consultant raises no objection in respect to the new parking area north of the River Brett.
- 6.38 A second expanse of parking is proposed at the western end of the site, north of the proposed four dwelling terrace. This is acceptable given the extent of parking area that already exists at this location. Unlike the existing sealed car park, the proposed parking area is to be finished in permeable block pavers. Block pavers offer surface texture and degree of visual relief. Block pavers are a significant improvement upon existing conditions in visual and landscape terms.
- 6.39 Officers agree with the Landscape Consultant's concern regarding the limited amount of landscaping proposed to the parking area's northern boundary. The addition at this location of only two trees and not much else is disappointing. The removal of three existing trees in this location, all extending over 16m in height and all of

moderate amenity value, is unfortunate. The northern boundary adjoins the cricket ground and therefore the parking area is readily visible from the ground and in more long distance views from the north beyond the cricket ground. It is important that the development responds positively in landscape terms to the cricket ground and that views of the car park from the north are appropriately filtered. Additional screen planting at the northern boundary, essentially replacement planting for what is to be removed, can resolve this issue.

- 6.40 As noted by the Landscape Consultant the western car park layout results in an unattractive back garden boundary interface with the four dwelling terrace. There is scope to better resolve this arrangement and this too can be achieved via the submission of a revised landscape scheme.
- 6.41 The redevelopment provides an opportunity to significantly enhance the public realm areas between the building blocks on the Corks Lane and Bridge Street site. These internal areas, in particular the internal courtyard, should be attractively landscaped to enhance the landscape and residential amenity of the development, as well as enhance the setting of the historic buildings. The landscape masterplan indicates that they will function well and add to the overall quality of the area, consistent with paragraph 127 of the NPPF. There are no apparent impediments to securing a high quality public realm that will enhance the overall site aesthetic.
- 6.42 The proposal realises the redevelopment of the large expanse of sealed car parking area south of the River Brett. Although the replacement rear garden character is arguably somewhat unremarkable in landscape terms, it is nonetheless a substantial improvement upon the parking area that greets those travelling along Bridge Street and the pedestrian route south of the River Brett. The sea of tarmac is a visual blight and its removal is a positive landscape outcome in its own right. It must be acknowledged that the redevelopment potential of this parcel of land is extremely restricted owing to flood risk. Given this extreme constraint a landscaped rear garden character outcome is an acceptable one, retaining the sense of openness of this part of the river valley, and is much preferred to the existing arrangement.
- 6.43 Although the landscape masterplan sets out the details in respect to tree and plant types, it is not sufficiently detailed in respect to which plant species/types are to be located where. The landscape masterplan needs a further more detailed hard and soft landscape plan. This is a matter for a planning condition.
- 6.44 The landscape masterplan is scant on detail regarding boundary treatments, in particular the extent of fencing. The masterplan suggests the adoption of close boarded timber fences. Officers again agree with the Landscape Consultant in that such fencing should be minimised if not avoided where possible, as it does not offer a positive contribution to an area valued for its conservation and landscape values. If considered necessary, it should be limited to locations where a high level of concealment from the public domain is achieved. Fencing detail could form part of a detailed landscape plan.
- 6.45 Paragraph 127 of the NPPF requires developments to create places that are, amongst other matters, safe. Lighting is an important scheme element given the extent of parking areas and noting, in personal safety terms, that the parking area south of Corks Lane is not afforded a high level of passive surveillance. Low level bollard lighting is encouraged, as it is visually unobtrusive and offers subtle, low level illumination. Lighting is equally important for the internal public realm areas, to ensure safety for residents and visitors alike. There is scope for a lighting design

which enhances safety and celebrates the historic buildings. Such opportunities should not be missed. A lighting scheme could be secured by condition.

- 6.46 Provided the conditional matters identified above are secured, Officers are of the view that the development can offer a relatively positive landscape outcome, notwithstanding the harm that will result from increasing the parking area within the greensward north of the River Brett. This is an unfortunate element of the scheme that results in landscape harm. The identified harm is however offset by the additional planting throughout the site, the enhancement of the public realm more generally, the opportunity to secure a more cohesive planting regime north and south of the river, and raising of amenity levels across the site.
- 6.47 Having regard to the above assessment, Officers consider the development will maintain and enhance the landscape qualities of the area, consistent with local Policy CR04. The landscaping is appropriate and effective and will help achieve, subject to some refinements, a visually attractive development and a well-designed place, consistent with paragraph 127 of the NPPF.

### **Arboricultural Impacts**

- 6.48 The supporting Tree Survey and Arboricultural Report has been reviewed by Council's Arboricultural Officer who raises no objection to the scheme. Of the trees proposed for removal, nine are Category B and 11 are Category C graded trees. Importantly, there are no Category A trees proposed to be removed, noting that the survey found no Category A trees within the site boundaries or adjacent public land. Also of note is the fact that none of the trees on the site are subject to a Tree Preservation Order.
- 6.49 The proposal includes tree surgery works to four Category B trees, to be carried out in accordance with *BS 3998:2010 Recommendations for tree works*. The proposed works will result in incursions within the root protection areas of eight Category B trees and two Category C trees that are being retained. Most of the incursions relate to development associated with new car parking and footpaths. The landscape masterplan indicates that these areas will be constructed of cellular contained gravel ('no dig solution').
- 6.50 The Arboricultural Report includes a draft Heads of Terms Arboricultural Method Statement (AMS). The report recommends that this draft AMS is worked up further following the issue of planning approval. The Arboricultural Officer is satisfied that an appropriate level of protection for the trees being retained can be achieved via the detailed AMS. A planning condition could adequately address this matter, consistent with industry practice.

### **Hadleigh Cricket Ground Interface**

- 6.51 The application is supported by a Boundary Risk Assessment Report (BRAR) prepared by Labosport Ltd, recognised cricket industry professionals as noted by the England and Wales Cricket Board (ECB). The BRAR adopts a model used to estimate the distance a ball would travel and its trajectory given a specific velocity and angle, which follows work undertaken in this field by the ECB. As a result of the modelling findings, the BRAR recommends a mitigation scheme to reduce the potential for ball strike on the proposed development. Officers agree with the BRAR and are of the view that mitigation is essential to ensure the proposed development does not prejudice the future use of the cricket facility for cricketing purposes. It is

not a case of whether a mitigation scheme is required, but more so how the mitigation scheme is designed and implemented.

- 6.52 The BRAR does not recommend specific mitigation measures instead suggesting a range of design types be considered, including ball stop netting, rigid panel fencing, closed board fencing and permanent or temporary fencing structures.
- 6.53 Sport England does not raise an objection to the proposal provided that a suitable ball strike mitigation scheme and management/maintenance plan is agreed with the cricket club and the ECB and that this can be secured by a planning condition. Officers note that the ECB in its consultee response considers that the 4.3m fencing should be sufficient to limit the incidence of ball strike on the subject development. It is important that agreement is reached with all parties, including the Hadleigh Cricket Club and the ECB. The condition proposed by Sport England offers sufficient flexibility to ensure that the mitigation details can be further negotiated if required. Officers consider that there is scope to agree to a mitigation strategy that will protect the interests of all parties and that this could be adequately addressed by a planning condition.
- 6.54 The proposed ball stop netting would extend across habitable windows in Building A and B. However a number of the rooms affected have dual aspect, limiting any potential sense of enclosure for occupants. Traditional ball stop netting is lightweight in appearance and adopts a high level of visual permeability that ensures outlook from affected habitable windows is not unduly restricted. For these reasons it is considered a fencing arrangement can be designed that will not adversely affect the residential amenity of future occupiers of the development.

#### **Vehicle Access and Parking Provision**

- 6.55 Paragraph 109 of the NPPF states that development may be prevented or refused on highway grounds where the impact on highway safety is unacceptable. The proposed scheme largely utilises the existing access arrangements. Modification works are proposed and include widening the existing Bridge Street access junction to provide a 5.5m carriageway, creating a service layby facility on Bridge Street and improved pedestrian facilities (drop kerb/tactile paving) at Bridge Street junction and at the Corks Lane/Bridge Street junction.
- 6.56 The Highways Authority does not raise an objection to the proposed access modifications subject to a suite of conditions being implemented. The conditions are all standard and commonplace for developments of the type proposed. There are no 'show stoppers'.
- 6.57 The Highways Authority is also satisfied that the local road network can readily accommodate the anticipated increase in traffic resulting from the proposed development. In this regard it is noteworthy that the supporting Transport Statement confirms the development will result in a significant reduction in traffic generation when compared to the existing lawful use (up to 400 less trip generations daily). There will be less vehicle movements and therefore less vehicle / pedestrian interactions on the wider highway network in general. Seldom is this the case with developments of the scale proposed. A reduced traffic impact and highway safety benefits are positive planning outcomes weighing favourably in the planning balance.
- 6.58 The SCC PROW Team has requested an upgrade of public footpath 40 to a bridleway and resurfaced using a hoggin surface, estimated at a cost of £35,567.50. The demonstrated lack of scheme viability does not provide scope for additional

contributions beyond CIL requirements and therefore this request cannot be sustained.

- 6.59 Saved Policy TP15 of the Local Plan seeks to ensure parking provision for new development complies with the Suffolk Parking Standards. A total of 80 car spaces are proposed for the Corks Lane development and 12 spaces are proposed for the Bridge Street development. This accords with the Suffolk Parking Standards. No visitor spaces are proposed which does not accord with the Suffolk Parking Standards and is therefore not policy compliant. The applicant justifies the absence of visitor parking on the grounds that the site is in a highly accessible location with public transport links, footpath and cycleway links within the immediate vicinity, and there is a nearby public car park, owned by Hadleigh Town Council providing unrestricted public parking facilities in Corks Lane for approximately 40 vehicles. This was formerly used as overspill parking by Babergh District Council. Officers are mindful of the need to minimise car travel on sustainability grounds, as promoted by Policy CS15 and the NPPF, and in this context consider the shortfall in visitor spaces to be acceptable and the policy conflict justified.
- 6.60 A total of 98 cycle spaces is proposed to serve the residents, with an additional 16 cycle spaces set aside for visitors. This level of provision accords with the Suffolk Parking Standards.

### **Residential Amenity**

- 6.61 Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 6.62 The new build blocks are well separated from neighbouring dwellings such that residential amenity for the nearest neighbours will be adequately maintained, consistent with Paragraph 127 of the NPPF. There is no evidence of adverse visual bulk outcomes, overshadowing, loss of daylight or sunlight or unreasonable overlooking. Noteworthy is the absence of any submissions in respect to these amenity-related matters.
- 6.63 Internal amenity for future occupiers of the development itself is of a sufficient standard. Room sizes are sufficiently generous and layouts are largely conventional. A number of dwellings do not have private open spaces areas however this is commonplace for historic building conversions. The internal courtyards offer communal areas for passive recreation and are complemented by the River Brett green space corridor. The adjacent cricket field offers a pleasing open aspect for a good number of the dwellings within the converted buildings, offering additional amenity value.

### **Biodiversity**

- 6.64 Saved Policy CS15 of the Core Strategy seeks to protect and enhance biodiversity. Regulation 9(5) of the *Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010)* requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 6.65 The application is supported by an Ecological Assessment and bat survey (Adonis Ecology Ltd, September 2017) and Ecological Impact Assessment (Adonis Ecology



Ltd, November 2018) which identifies a range of ecological mitigation and enhancement measures. Council's Ecology Consultant (ECC Place Services) has reviewed the supporting information and is satisfied that, subject to securing and implementing the measures identified in the reports, the proposal will adequately conserve protected and priority species, particularly bat species. An EPS licence for bats is required from Natural England before demolition of Bridge House commences. Evidence of obtaining the required licence can be addressed by planning condition.

- 6.66 The site is located within the 13km Zone of Influence (ZOI) for the Stour and Orwell Estuaries SPA/Ramsar. Council's Ecology Consultant has completed a Habitats Regulations Assessment, including an Appropriate Assessment, which concludes that a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar site will ensure adverse effects on the integrity of the habitats site will be sufficiently mitigated. The level of contribution has been agreed by the applicant and is required as part of the Appropriate Assessment.

### **Flood Risk and Drainage**

- 6.67 The site is affected by Flood Zones 2 and 3 which emanate from the River Brett. The site is also affected by areas of surface water flooding and a reservoir inundation area. The site is also within an area (designated as Source Protection Zone 3) where water percolating through the ground at the site may enter a groundwater body from which water is abstracted for treatment and consumption.
- 6.68 The application is supported by a Flood Risk Assessment (FRA). The FRA sets out flood risk management measures. A key mitigation measure is siting of the new build dwellings outside of Flood Zones 2 and 3. This represents a site responsive design. An additional mitigation measure will be the construction of all new build dwellings with finished floor levels at or above the relevant flood level for the 1 in 1,000 annual probability flood event (19.45m AOD to the north and 19.6m AOD to the south). The FRA recommends that flood proofing measures to provide additional flood resilience of the proposed new build units should be considered for inclusion at the detailed design stage. Flood proofing measures may include flood doors, flood barriers and flood responsive air bricks.
- 6.69 In respect to surface water runoff, the FRA confirms the proposal will be managed with a combination of infiltration, where groundwater levels allow and discharge to the River Brett (as existing). The FRA concludes that the quality of runoff from the site will be improved by the introduction of drainage techniques which filter and treat runoff at source.
- 6.70 SCC Flood and Water has confirmed that they have resolved their initial holding objection and recommend approval of the application subject to conditions.
- 6.71 The site lies within the flood extent for a 1% (1 in 100) annual probability event, including a 35% allowance for climate change. The site does not benefit from the presence of defences. The finished ground floor levels for the northern parcel of land have been proposed at 19.45m AOD. This is above the 1% (1 in 100) annual probability flood level including a 35% allowance for climate change of 19.20m AOD and therefore dry of flooding by 0.25m depth in this event.
- 6.72 The finished ground floor levels for the central and southern parcels of land have been proposed at 19.60m AOD. This is above the 1% (1 in 100) annual probability flood level including a 35% allowance for climate change of 19.45m AOD and

therefore dry of flooding by 0.15m depth in this event. Flood resilience/resistance measures have been proposed in section 2.6 with more detail to follow in the detailed design stage.

- 6.73 Finished first floor levels have been proposed at an unknown height. The finished ground floor levels for the northern parcel of land have been proposed at 19.45m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability flood level of 19.45m AOD. As the finished first floor levels are likely to be at least 2 metres higher than the finished ground floor level, it is likely that there will be refuge above the 0.1% (1 in 1000) annual probability flood level, including an allowance for climate change. You may wish to ask the applicant to provide an assessment of the 0.1% (1 in 1000) annual probability flood level, including an allowance for climate change for the development site in their FRA so that you can make a more informed decision on flood risk.
- 6.74 Finished first floor levels have been proposed at an unknown height. The finished ground floor levels for the central and southern parcels of land have been proposed at 19.60m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability flood level of 19.60m AOD.
- 6.75 As the finished first floor levels are likely to be at least 2 metres higher than the finished ground floor level, it is likely that there will be refuge above the 0.1% (1 in 1000) annual probability flood level, including an allowance for climate change. The site level for the northern parcel is 19.00m AOD and therefore flood depths on site are 0.45m in the 1% (1 in 100) annual probability flood event including a 35% allowance for climate change. Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change.
- 6.76 The site level for the southern parcel is 19.00m AOD and therefore flood depths on site are 0.60m in the 1% (1 in 100) annual probability flood event including a 35% allowance for climate change. Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change.
- 6.77 The site level for the central parcel is 19.30m AOD and therefore flood depths on site are 0.3m in the 1% (1 in 100) annual probability flood event including a 35% allowance for climate change. Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 1% (1 in 100) annual probability flood event including climate change.
- 6.78 All proposed dwellings have been sequentially sited outside of the 1% (1 in 100) annual probability flood event including a 35% allowance for climate change, so the site does pose a flood hazard there is safe access for the dwellings. Therefore this proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 1% (1 in 100) annual probability including climate change flood event. A Flood Evacuation Plan has not yet been proposed.
- 6.79 Compensatory storage has been provided. Drawing number V591 – 305 Revision A indicates a flow route between the river and the compensatory storage area. This flow route may not be necessary or beneficial depending on how this area is graded. It may be possible for this compensatory flood storage area to flood out in more frequent events and so not be available when needed in the 1% (1 in 100) annual probability flood event including a 35% allowance for climate change. As conditioned

appropriate flow routing and topographic level information must be submitted to demonstrate that lost storage will be replaced at the same level at which it is lost and that flood water will return to the river as water levels fall.

- 6.80 The Environment Agency have advised that to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA). The Local Planning Authority must be satisfied that the application passes these Tests and will be safe for its lifetime.

#### Sequential Test

- 6.81 The NPPF requires a sequential, risk-based approach to be applied to all levels of the planning process and the first step in assessing the acceptability of the proposal in flood risk terms is the application of a sequential test (ST) of the application site to ensure that it is the safest option for the location of the development given the characteristics of the proposal. In order for the ST to be passed it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the siting proposed. If the ST is passed and it is concluded that the development can't be located on a site at lower risk of flooding it is necessary to apply the Exception Test (ET) to assess the sustainability benefits and safety of the development (from flood risk) and its impact on flood risk elsewhere.
- 6.82 The NPPG advises that a pragmatic approach on the availability of alternative sites to be considered in applying the ST should be taken and that the search area is defined by local circumstances relating to the catchment of the development. It is usually appropriate to apply the search to all sites in settlements of equal or greater sustainability status across the whole Development Plan area that could accommodate the type of development. However, the details of this case are somewhat unique in that the development proposal is for the change of use and redevelopment of the former offices building and wider site, including redundant designated heritage assets, and that outcome would not be achieved on any other site. It is therefore considered impractical to suggest alternative locations for this specific development proposal and therefore no other sites are considered in this assessment.
- 6.83 It is also necessary to sequentially test the application site itself to ensure the development is located within the safest part(s) of the site. The submitted FRA shows the application site to be affected by flood zones 2 and 3a. The existing council buildings to be redeveloped by change of use to residential are located in flood zone 2, the proposed new build dwellings are also located in flood zone 2 with gardens and other amenity areas located in flood zone 3a. It is concluded therefore that the proposed dwellings are to be located in the safest parts of the site.
- 6.84 Having regard to the unique regeneration / redevelopment circumstances of the proposed development the catchment for this outcome it is concluded that suitable sites at lower risk of flooding are not available. Given the size and layout of the site as well as the scale of development proposed, there are no reasonably available locations within the application site itself that the proposed dwellings may be more safely accommodated. The Sequential Test is passed.

## Exception Test

- 6.85 In accordance with the NPPF, as the application site is in flood zones 2 and 3a and proposes a 'more vulnerable' development it is necessary to apply the exception test (ET). The ET will assess the following two elements:
- Whether the development would provide wider sustainability benefits to the community that outweigh the flood risk.
  - Whether the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the ET should be satisfied for development to be permitted.

- 6.86 The proposed development is for the redevelopment of the redundant office premises and associated grounds as previously developed land. The scheme will provide additional housing in a designated Town, the focus of new housing delivery in the district. There are specific environmental benefits that will be realised from the remediation of contamination within the site and the development will have a number of other positive sustainability impacts.

Furthermore, the redevelopment presents a number of opportunities to secure additional sustainability benefits for the community. Overall the development is considered to have a high sustainability score and the benefits detailed above are considered to outweigh the flood risk affecting the development.

- 6.87 The other elements of the exception test require evidence to be submitted to demonstrate that the development is safe and that it does not increase flood risk impacts elsewhere. Whilst the applicant has provided sufficient information relating to flood risk impacts elsewhere, there is insufficient information to conclude that the development itself has appropriate evacuation routes and therefore it has not been possible to conclude that the development meets the exception test.
- 6.88 The applicant's agent has confirmed that further information will be submitted in order for the exception test to be completed and a verbal update on this matter will be provided to members at the Planning Committee meeting. The recommendation reflects that this matter may need to be delegated to the Acting Chief Planning Officer to conclude.

## **Contamination**

- 6.89 The application is supported by a suite of detailed site investigation reports. The Phase 1 Geo Environmental site assessment indicates that the site includes made ground associated with historical land use, including a former gasworks on the southern part of the site and an underground tank in the Corks Lane car park. The reports conclude that the site is suitable for residential use (with partial infiltration) subject to appropriate remediation of groundwater and impacted soils being undertaken.
- 6.90 The Environment Agency agrees that a remediation strategy is required and it recommends a number of conditions to manage this matter. Environmental permits will also be required and will be the subject of a separate approvals process direct with the EA. Council's Contamination Officer does not object to the scheme and agrees with the conditions recommended by the EA.

## Sustainable Construction Measures

6.91 Policy CS13 requires new development to minimise dependence on fossil fuels and make the fullest contribution to the mitigation of climate change through adopting a sustainable approach to energy use. The ability of the scheme to incorporate a full range of sustainability measures is severely restricted owing to the scheme's viability. Policy conflict associated with non-compliance with Policy CS13 is to be weighed in the planning balance. The concerns of the Environmental Health officer are noted and the applicant is in liaison with the EHO to provide further information relating to the sustainability of the scheme. It is considered that this can be secured by condition.

## Delivery considerations and relationship to land supply aspects

6.92 The emphasis placed upon housing delivery has been constantly evolving at a national level, and in the circumstances it is noted that all policies within the development plan are greater than five years' old.

6.93 In that respect, and further to the revised NPPF published earlier this year, the following documents are considered to be relevant to the determination of this application where they place the consideration of housing delivery within a focused context:

- DCLG (2017), *Fixing our broken housing market*.
- DCLG (2017), *Planning for the right homes in the right places: consultation proposals*.
- MHCLG (2018), *Government response to the housing White Paper consultation: Fixing our broken housing market*.
- MHCLG (2018), *Government response to the Planning for the right homes in the right places consultation*.
- MHCLG (2018), *Technical consultation on updates to national planning policy and guidance*.

6.94 The NPPF makes clear that it is the Government's intention to significantly boost the supply of housing and in support of that objective it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay (Paragraph 59). The deliverability of a development is an important factor in an assessment as to its sustainability (in terms of its benefits) and in terms of its contribution to the supply of housing in the District; considered to be more compelling in the event that there is a demonstrable shortfall in housing supply.

6.95 It is important, therefore, to identify the contribution that the proposed development might make to the five-year housing land supply of the District when ascribing weight to the potential benefits of housing delivery that would accrue if granting planning permission in this instance. Or, in broader terms, the deliverability of the proposed development noting the Government's desire to significantly boost the supply of housing.

6.96 The NPPF, within its glossary (Annex 2) defines 'deliverable' as follows:

*“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.”*

and:

*“Sites with outline planning permission... should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

- 6.97. The PPG gives further guidance on those considerations under the chapter heading, ‘Housing and economic land availability assessment’ and including three, important concepts: suitability, availability, and achievability. Whilst primarily aimed at aiding the plan-making process, the principles are no less useful when considering the deliverability of this development.

Firstly, it states that the following factors should be considered to assess a site’s suitability for development now or in the future:

- *physical limitations or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;*
- *potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;*
- *appropriateness and likely market attractiveness for the type of development proposed;*
- *contribution to regeneration priority areas;*
- *environmental/amenity impacts experienced by would-be occupiers and neighbouring areas.*

Secondly, it highlights the factors which should be considered when assessing availability:

*“A site is considered available for development, when, on the best information available... there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners.”*

and:

*“...Consideration should also be given to the delivery record of the developers or landowners putting forward sites.”*

Thirdly, factors that should be considered when assessing achievability:

*“A site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.”*

- 6.98 In addition to the above, the PPG provides examples (not exhaustive) of the kinds of evidence that might be sufficient to satisfy the need for clear evidence in determining a planning proposal (as in as deliverable, including:

- any progress being made towards the submission of an application;
- any progress with site assessment work;
- any relevant information about site viability, ownership constraints or infrastructure provision; and

- a statement of common ground between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates.

6.99 In respect of this application the Applicant is the Council and is in control of deliverability in a way that is quite unique. It is prepared to accept a standard commencement condition of **18 months** as opposed to the usual three years.

Assessment – Deliverability:

6.100 In light of the preceding considerations within this report, the site is considered to be suitable where there are no technical objections to the development as proposed and where officers do not consider that there are any policies which would of themselves direct that development should be restricted by virtue of physical limitations or social, economic, or environmental impacts; the development would provide for net gains across the three objectives of sustainable development, as envisaged by Paragraph 8 of the NPPF and where it is considered that there should be a momentum towards securing development built upon such principles. Furthermore, the development would provide for a significant delivery of homes against the context of a shortfall and the Governmental objective to significantly boost housing supply

6.101 The development/site is considered available because there are no known legal or ownership problems relating to the site and there is a confidence that this is the case in accordance with the advice contained within the PPG. It is evident that the Council as applicant developer has a clear control over delivery.

6.102 The development is considered achievable because the known viability context has been established and there is a clear prospect of delivery being achieved within an expeditious timeframe. The applicant has agreed to work to a shortened commencement period to support this consideration.

6.103 The site and development proposed is therefore considered to be suitable, available, and achievable, with officers not considering that there are any constraints that would unduly inhibit delivery. The proposed development is considered to be deliverable in the round and the prompt timeframe is a positive consideration to be weighed in the balance.

Conclusion – Delivery and housing land supply:

6.104 is the Government's intention to significantly boost the supply of new homes. That cannot displace the primacy of the development plan; however, it is a material consideration for Members to take into account, alongside the policies contained within the NPPF. Further, the thrust of governmental policy and supporting guidance is aimed at ensuring that sites are brought forward as quickly as possible and that it is incumbent to demonstrate that this can be achieved.

6.105 In light of the foregoing, and as a matter of planning judgement, officers apply a substantial weighting to the considerations of housing delivery, where: the development would of itself make a significant contribution by way of housing delivery and there is support for an assertion that the development is deliverable; and, further, where there is a confidence and reasoned expectation that the development would

make a valuable contribution to the five-year land supply period in the short-term and at an expeditious rate. The considerations and weighting identified will be carried through to the planning balance at the conclusion of this report.

## **PART FOUR – CONCLUSION**

### **7. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**

- 7.1 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.
- 7.2 Council Officers have worked with the applicant through the life of the application.

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

- 8.1 There are no known legal implications derived from the determination of this application.

### **9. Planning Balance**

- 9.1 Central to the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 9.2 The Council can demonstrate a five year housing supply, however the development plan (Core Strategy) is now more than 5 years old and therefore consideration must be given to whether the most important policies for determining the application are out of date. In the event that these policies are out of date then the tilted balance at paragraph 11 of the NPPF is engaged.
- 9.3 The statutory weight to be attached to Policy CS2 is reduced owing to the age of the settlement boundaries and the blanket approach favoured by the policy not being consistent with the balanced approach to decision making advocated by the NPPF.
- 9.4 The key tests are Policy CS1 and Policy CS15 which carry full statutory weight. The proposal satisfies a number of important criteria, important because they reflect the core principles and over-arching objectives for sustainable development in the NPPF. The site is geographically well located to an existing urban area with its associated access to a good range of services, facilities and employment opportunities. Commuting is possible by means other than being dependant on the private car.
- 9.5 There is strong evidence to conclude that the scheme offers benefits to the economic, social and environmental conditions in the district, not least because the development offers a number of smaller units and is a more efficient use of the land and therefore accords with Policy CS1.



- 9.6 The principle of developing the site for residential purposes is accepted. There is no evidence to suggest the use of the former employment land for housing would undermine key economic sectors or the vitality and viability of the Hadleigh town centre and therefore a non-employment related use is an acceptable planning outcome. As noted above, the site is a sustainable location for housing. There are no adverse residential amenity outcomes arising from the scheme and highway safety is maintained. Biodiversity impacts can be adequately managed by conditions, so too flood risk and contamination, as per the recommendations of the respective consultees. The interface with the cricket field can be addressed by appropriate mitigating structures secured by condition and ongoing management and maintenance secured by legal agreement.
- 9.7 In determining this application Officers are mindful of the specific duty imposed on the local planning authority with respect to the need to have special regard to the desirability of preserving the listed building or its setting, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Full consideration has been given to the comments received from the Heritage Consultant and Historic England.
- 9.8 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.9 The proposal does not result in substantial harm to, or loss of, any designated heritage assets. Paragraph 194 of the NPPF is not engaged.
- 9.10 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. In consideration of the contribution towards the Council's housing targets and economic and infrastructure benefits, it is considered that these material considerations would outweigh the less than significant harm to the heritage assets. In this balance great weight is attached to securing the optimum viable use of five redundant listed buildings, consistent with their conservation. Weight is also attached to the works that will enhance and better reveal the significance of the listed buildings, noting that paragraph 200 of the NPPF states that proposals which preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. Moreover, putting the site into positive use in a timely way with the inherent economic activity of redevelopment and achieving an appropriate wider setting of the listed buildings would deliver its own clear public benefit.
- 9.11 Officers have therefore applied the balance required by paragraph 196 of the NPPF, having special regard to the desirability of preserving the setting of the listed buildings as required by section 66 of the Listed Buildings Act and given the harm considerable importance and weight. The outcome of this balancing exercise is that the identified public benefits outweigh the less than substantial harm, having given considerable importance and weight to the harm identified.

- 9.12 The fact that the site lies within a designated conservation area means that the Council as local planning authority has a duty to ensure that proposed development preserves or enhances the character of that conservation area. [Section 69: Planning (Listed Building & Conservation Areas) Act 1990]
- 9.13 It is considered that overall the package of proposals will preserve the character of Hadleigh Conservation Areas and in certain cases it will actually enhance the character. [as described in detail earlier in this report]. This opinion relates to both the impact of the proposed developments on the historic built core of Hadleigh and subject to the submission of amended landscape details [proposed condition] the open countryside beside the River Brett
- 9.14 In their representations it is clear that Historic England is satisfied that the proposals will not adversely impact the setting of listed buildings that lie beyond the application sites. This is an important opinion to establish as it ensures the impact of the proposals have been assessed not just on other heritage assets within the site but also beyond them and found to be satisfactory. [not harmful]
- 9.15 In the balance, the proposal delivers sustainable development, in accordance with policies CS1, CS15 and the core principles of the NPPF. Additionally, the design, layout and landscaping of the development accords to the design principles of the NPPF, and to policies CS1, CS3, CS4, CS15, CS18, CN01 and CR04 of the development plan.
- 9.16 The recommendation is to grant planning permission.

## **RECOMMENDATION**

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager - Planning for Growth to secure:

- (a) RAMS ecological contribution;
- (b) Demountable sports fencing to mitigate the impact of cricket ball strike on the residential units.

(2) That the Acting Chief Planning be authorised to grant Planning Permission, subject to satisfactory resolution of outstanding flooding matters relating to the exception test, subject to conditions including:

Standard time limit  
 Material finishes  
 Sport England – Ball Strike Mitigation Strategy  
 Highways – visibility splays  
 Highways – access details  
 Highways – surface water discharge details  
 Highways – loading and unloading areas  
 Highways – provision of parking  
 Highways – Refuse/Recycling bins  
 Highways – Demolition Management Plan  
 Highways – Construction Management Plan  
 Highways - Residents Travel Pack  
 Sustainable Urban Drainage System details

Surface water drainage scheme  
Sustainable efficiency measures  
Fire hydrants  
Hard and soft landscaping plan  
Landscape management plan  
In accordance with Arboricultural Report  
Arboricultural Method Statement  
Archaeological building recording – Arup building and Bridge House  
No noise from construction or demolition works  
Construction Method Statement  
No burning of construction waste and materials  
Ecology – Habitats Site Mitigation  
Ecology – Ecological Appraisal Recommendations  
Ecology - EPS Licence for Bats  
Ecology – Biodiversity Enhancement Strategy  
Lighting scheme details to be submitted  
EA - Contamination  
EA – Flooding

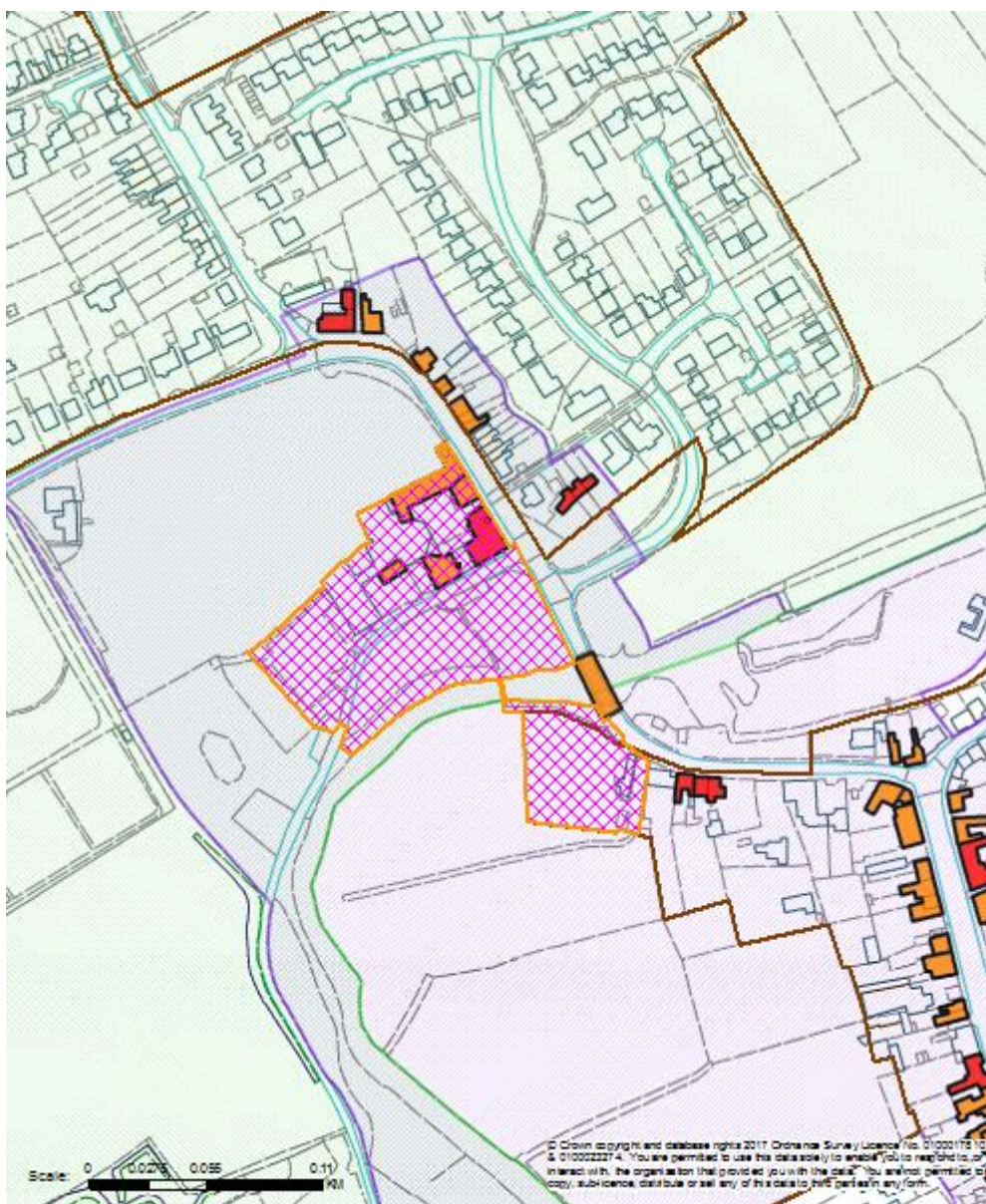
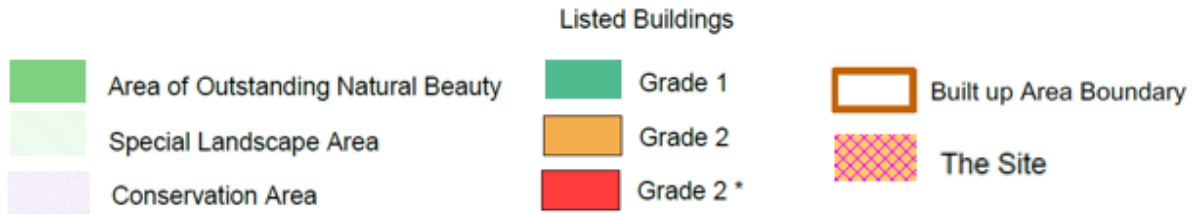
(3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Acting Chief Planning Officer be authorised to refuse planning permission on appropriate grounds.

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Application No: DC/18/04966

Parish: Hadleigh

Location: Former Babergh District Council Offices, Corks Lane and Bridge St



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# Agenda Item 6b

## Committee Report

**Item No: 2**

**Reference:** DC/18/04991

**Case Officer:** Gemma Pannell

**Ward:** Hadleigh North

**Ward Member:** Cllr Tina Campbell and Cllr Siân Dawson

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## **RECOMMENDATION – GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

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### **Description of Development**

Application for Listed Building Consent - Partial demolition works; Internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level

### **Location**

21 Bridge Street and adjoining buildings, Hadleigh

**Parish:** Hadleigh

**Expiry Date:**

**Application Type:** Listed Building Consent

**Development Type:**

**Applicant:** Babergh District Council

**Agent:** Lawson Planning Partnership Ltd

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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:

The applicant is Babergh District Council.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF National Planning Policy Framework 2018

Babergh Core Strategy 2014:

- CS15 Implementing Sustainable Development in Babergh

Saved Policies in the Babergh Local Plan (2006):

- CN06 Listed Buildings – Alterations/ Extension/ Change of Use

## **Planning History**

There is an extensive planning history relating to the broader site that is subject to proposed redevelopment, none of which is of relevance to this listed building consent application.

To note are the applications lodged concurrently for the redevelopment of the broader development site that the subject buildings form a part of, including the applications for listed building consent relating to four other listed buildings. These applications, currently pending consideration, are as follows:

- DC/18/05018 - Malthouse and adjoining buildings, Bridge Street - demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in historic section. Conversion of and erection of extension to form 16 apartments (LBC application).
- DC/18/04966 - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Maltings, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land (full planning application).
- DC/18/04971 - The Cottage and adjoining buildings, Corks Lane - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works (LBC application).
- DC/18/04992 - 23 Bridge Street - Internal alterations to form 2 apartments (LBC application).
- DC/18/04996 - River View and adjoining buildings, Corks Lane - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of eight apartments.

Amended plans have been received in respect to application DC/18/04966. None of the amendments relate to 21 Bridge Street other than a revised internal floor layout at ground level, as shown on amended drawing 201N. The internal changes seek to address concerns raised by Council's Heritage Consultant and are considered further below. The balance of the amended plans received in respect to DC/18/04966 are not relevant to the determination of this listed building consent application. Consideration of the extent to which the amended proposals for DC/18/04966 and/or demolition of the modern offices may or may not affect the 'setting' of 21 Bridge Street will be considered within the relevant planning [rather than LB] reports.

## **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received as follows.

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## **A: Summary of Consultations**

### **(i) November 2018 proposal:**

#### **Hadleigh Town Council**

No recommendation will be made until further discussion is had with Babergh District Council. *[officer's comment: please note this position has been superseded by the later response reported further below].*

#### **Place Services – Heritage**

Relevant comments taken from referral response received in respect to application DC/18/04966:

I am generally supportive of the proposed plans within the listed buildings but there are some specific areas which I consider inappropriate and cause 'less than substantial harm' and as such paragraph 196 is relevant. I consider these harmful elements can be mitigated and encourage the applicant to consider changing these aspects of the scheme.

Areas which require consideration include:

Unit 2.0.1 includes an ensuite to a ground floor room of Grade II\* listed 21 Bridge Street, this detracts from the configuration of a principal room and I recommend this is omitted from the scheme. Furthermore the configuration of the room at the southwest corner is very awkward and poor in quality, this requires further consideration.

I recommend conditions (attached to an approved application) pertaining to:

All new windows, doors in existing buildings.

Schedule of repairs to historic fabric such as windows and brick masonry.

The canopy to the rear of Number 23 is retained in the scheme.

All materials/fixtures to new build elements.

Further details pertaining to landscaping and public realm.

I recommend a scheme of archaeological building recording, commensurate with a 'Level 3' record as outlined in Historic England publication 'Understanding Historic Buildings', is undertaken across the whole site.

Comments received in respect to amended ground floor plan:

The concerns above related to 'less than substantial harm' to Numbers 21 and 23 which have now been mitigated. The remainder of my original consultation remains unchanged.

#### **Historic England**

The grade II\* number 21 Bridge Street originally dates from the late 17th century and is a two storey house on a corner plot chiefly comprising two main rooms on each floor. An elegant brick façade was added facing the street dating from the 18th century. The historic development plans submitted with the application are most helpful in establishing more precisely the dates of the various parts of the building.

The current application proposes its refurbishment for use as two apartments, a new use which we were consult on prior to the submission of this application. Despite the considerable amount of change the late 17th and 18th century house has seen its layout is still readily recognisable. Moving around the building in a way that allows the interrelationship of the principle rooms to be appreciated is important in understanding its historic significance. We would support the return of the building to its original domestic use although we have reservations about its subdivision into multiple units. The scheme proposed involves relatively little subdivision of the main rooms even though it would separate the first from ground floor of the original house and would return a staircase to use

in the correct historical location. We therefore consider the program of repair and updating of the accommodation acceptable in principle.

The National Planning Policy Framework (NPPF) states that the significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting (paragraph 194). The conservation of heritage assets is an overarching objective of achieving sustainable development in the planning system (paragraph 8) upon which the NPPF places great weight (paragraphs 193). Clear and convincing justification should be made for any harm to the significance of heritage assets (paragraph 194).

We have considered the current proposals in light of this government policy and support the proposals to repair and refurbish the building. We do not consider these works would result in harm to the historic significance of the building in terms of the NPPF. *[officer's note to readers of this report: for the purpose of the NPPF tests in respect of impact this is interpreted to be 'No Harm']* We would not object to the granting of consent, but recommend the Council's conservation officer is given the opportunity to agree a detailed schedule to ensure the works are in line with good conservation practice.

Recommendation Historic England has no objection to the application on heritage grounds. We would recommend the Council's Conservation Officer secures a schedule of works and agrees the details in line with good conservation practice. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

#### **Hadleigh Society**

21 Bridge Street, on the corner of Corks Lane and Bridge Street, is possibly the best preserved Listed Building on the whole Corks Lane Council Complex retaining much of its original 17 century character and handsome 18 century brick facade onto Bridge Street. Whilst generally supportive of the reversion of the building to a domestic use there is concern regarding its subdivision into three flats, it is considered it would be more sympathetically converted to either one or two dwellings.

#### **Twentieth Century Society**

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

#### **Suffolk Preservation Society**

Demolition of Bridge House would result in substantial harm.

Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.

44 car spaces within the greensward is wholly unacceptable.

Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.

The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.

Lack of affordable housing.

#### **(ii) February 2019 proposal:**

#### **Hadleigh Town Council**

The changes for re-consultation were noted but concerns still remained regarding flooding and car parking issues. It was felt that because there have been no assurances about the

situation with the cricket club being resolved, Hadleigh Town Council cannot approve this application.

### **Place Services – Heritage**

The concerns above related to ‘less than substantial harm’ to Numbers 21 and 23 which have now been mitigated.

### **Historic England**

Thank you for consulting us on the amendments to the suite of applications concerning redevelopment of the Corks Lane site and Bridge House, Hadleigh. I do not have any comment to make on the majority of these, though do note the amendments made to block 6 and Bridge House in application number 18/4966 and are content with these. In our advice to the Council concerning the proposed alterations to the listed buildings at the Corks Lane site we asked for amendments to the design of the extension to River House. The amendments to application 18/4996 show a simplification of the rear extension to the listed building combined with setbacks in the line of development which break up the mass of building seen from the west. These are positive changes and while we retain some reservations about the massing of building around Riverview are also content with these amendments.

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

### **Hadleigh Society**

The amendments to the design are considered inconsequential and do not alter the Society’s strong objections to the scheme on the grounds of design, poor and inadequate parking provision, and serious damage to the setting, appearance and special character of adjoining listed buildings and the Conservation Area.

### **B: Representations**

None received.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1. The site is located on the north-western corner of Corks Lane and Bridge Street, to the north of the Hadleigh town centre. The subject Grade II\* listed building forms part of a much broader site proposed for redevelopment, comprising the former Babergh District Council offices complex.
- 1.2. The two storey building has direct frontage to Corks Lane and Bridge Street. The building’s principal frontage is to Bridge Street. To the west (rear) is the Arup Building and further west is River View, a Grade II listed building. To the north is 23 Bridge Street, a double storey Grade II listed building.
- 1.3. The site is within Hadleigh Conservation Area and in close proximity to a number of Grade II\* and Grade II listed buildings beyond the wider former Council offices site

## **2. The Proposal**

- 2.1 Listed Building Consent is sought for conversion works to the building to form three dwellings. The conversion works are predominantly internal, with the majority of works relating to the removal and insertion of partition walls.
- 2.2 With regard to openings, all existing windows will be retained and refurbished, with a new system of replacement secondary glazing installed to the Bridge Street windows. New windows to the west elevation where the arches are to be infilled are proposed, in the form of timber sashes. The historic front door, currently fixed shut, will be reopened to form the entrance door to the ground floor dwelling. A historic door to the south elevation, which was more recently partially blocked to become a window, will be re-opened giving access to the relocated stair, and will become the entrance door to the second dwelling.
- 2.3 A detailed schedule of works supports the application.

## **3. Historic Character of the Listed Building**

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
- 3.2 Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
  - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.4 The extent of demolition is very minor, limited to the rear of the building. The adaptation and re-use of the building is being undertaken without significant alteration to the principal façade and flank elevations. The external works are very minor, largely focused at the rear, and ensure the preservation of the building's original 17 century character.
- 3.5 The original rear elevations will be revealed with the removal of the 1980s single storey extension. The re-exposed walls will be repaired and returned to a red brick finish and new sash windows will be inserted into the openings. The demolition and 'making good' works will enhance and better reveal the significance of the highly valued Grade II\* listed asset. Such an outcome is expressly supported by paragraph 200 of the NPPF which states that proposals which better reveal (heritage) significance should be treated favourably.
- 3.6 The retention of the highly valued, intact 18 century brick façade that addresses Bridge Street is appropriate. The re-opening of the main historic door to Bridge Street is a positive heritage outcome. The insertion of a timber door in the elevation

fronting Corks Lane is a modest intrusion and merely reinstates the original opening that has since been partially infilled by a more recent window. No changes are proposed to the roofscape, a further positive aspect of the conversion works. The proposed system of replacement secondary glazing is an acceptable heritage response.

- 3.7 The conversion works are largely internal with new partition walls inserted, as is most common with the conversion of historic buildings. The conversion works have generally been well considered, responding positively to the original domestic layout of the building. The Heritage Consultant originally raised concern regarding elements of the internal design of dwelling 2.0.1. An amended plan addresses the concerns raised, with the ensuite at ground level omitted and the southwest room reconfigured to provide a less awkward layout.
- 3.8 The Heritage Consultant recommends a suite of planning conditions to ensure control is retained over the detailed design elements of the scheme. The conditions are reasonable, necessary and appropriate given the building's Grade II\* listed status. Moreover, the conditions are consistent with well-established heritage practice and meet the tests set out at section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.9 Officers note the comments of the Hadleigh Society in respect to the proposed three unit subdivision and their preference for a more sympathetic one or two dwelling subdivision. It may be the case that a one or two dwelling conversion might be more sympathetic than the subject proposal. However that is not the relevant test. The relevant trust is determining whether the proposed works respond appropriately to the governing policy context. The Heritage Consultant and Historic England do not object to the three unit subdivision. The above assessment demonstrates that the relevant test is met.

## **PART FOUR – CONCLUSION**

### **4. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**

- 4.1 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.
- 4.2 Council officers have worked with the applicant through the life of the application.

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

- 5.1 There are no known legal implications derived from the determination of this application.

### **6. Planning Balance**

- 6.1 The listed building is being conserved and great weight is attached to this conservation consistent with paragraph 193 of the NPPF. The building is Grade II\* listed and is afforded a higher level of significance. In accordance with paragraph 193, greater weight is attached to the building's conservation given the higher importance of the asset. The works will not result in substantial harm to the building or its setting and so paragraph 194 of the NPPF is not engaged. Historic England in

assessing the impact of the proposed works has described them as resulting in no harm and therefore paragraph 196 of the NPPF [*where there is less than substantial harm to a heritage asset*] is similarly not engaged.

- 6.2 The proposed conversion works have been designed in a sensitive manner, respectful of the building's valued historic integrity and setting. The amended proposal addresses initial issues raised by Council's Heritage Consultant. The Heritage Consultant and Historic England do not raise objection to the amended scheme on heritage grounds.
- 6.3 The scheme of works do not conflict with local policy CN06 or paragraph 192 of the NPPF. The proposal facilitates the conservation of heritage assets, consistent with the overarching objective of achieving sustainable development as set out at paragraph 8 of the NPPF. There are a number of positive elements to the scheme that offer heritage benefits, largely relating to the reinstatement of the original rear elevations and removal of the rear extension allowing the building to read more clearly as a separate building.
- 6.4 The re-use of the building secures its long term future and in so doing preserves the building, together with its special architectural features and historic interest. The proposal is therefore consistent with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.5 Members are advised that the wider planning benefits expected to arise from the development [and the other elements across the wider site] and the impact on the character of the conservation area will be appropriately considered in associated planning application reports.

## **RECOMMENDATION**

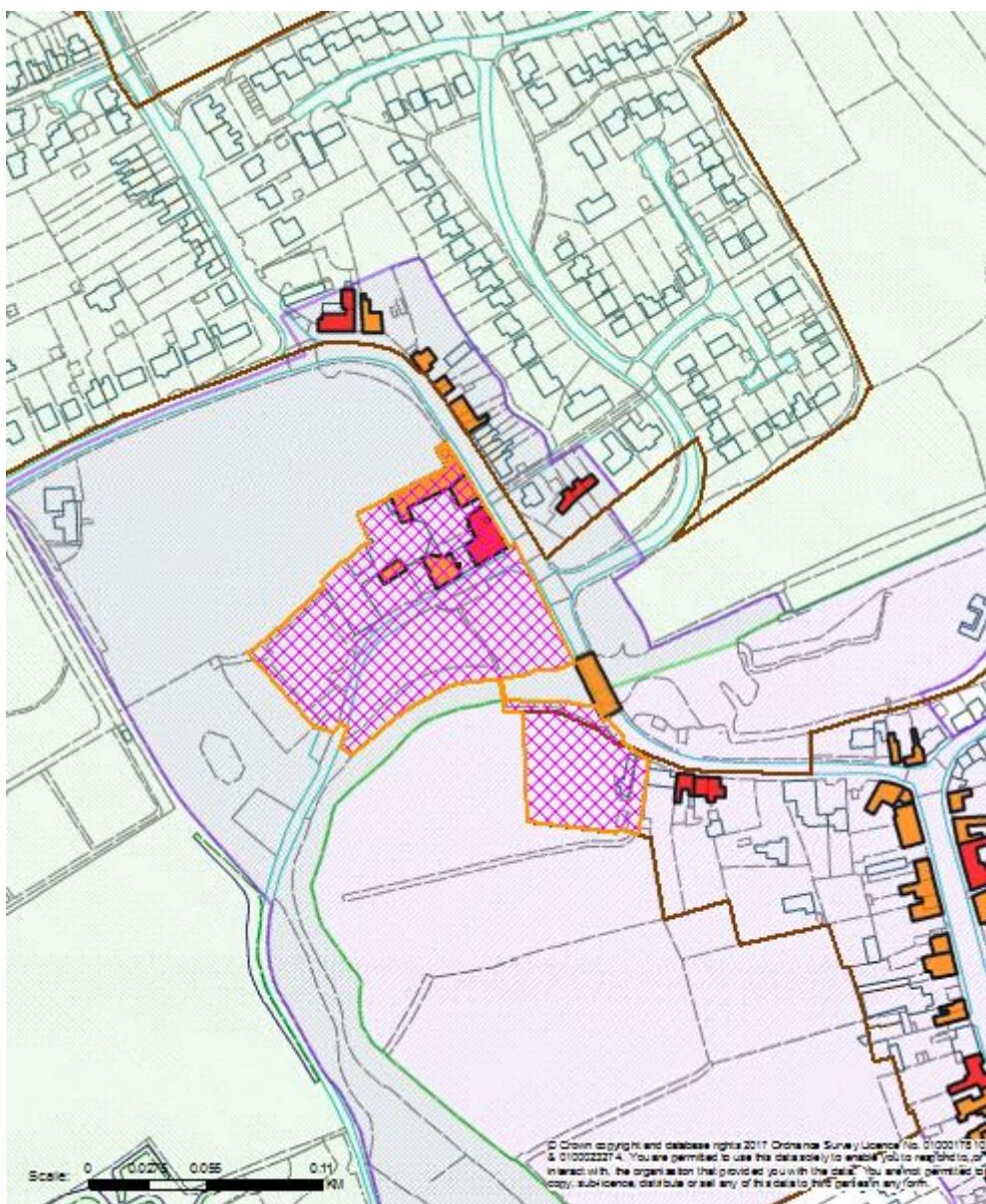
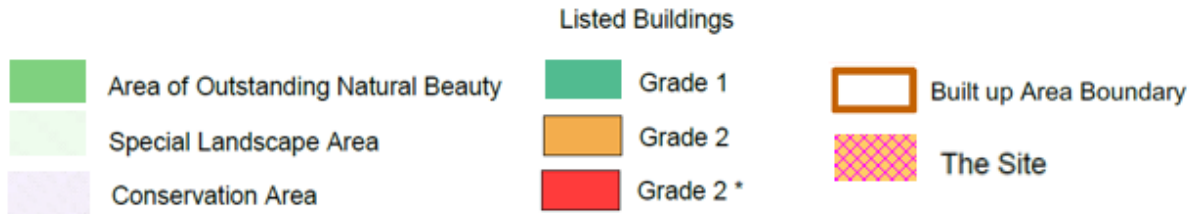
(1) That the Acting Chief Planning Officer be authorised to grant Listed Building Consent subject to conditions including:

- Standard time limit
- Window and door details
- Details of repairs
- All materials/fixtures to new build elements
- Landscaping and public realm details
- Level 3 Archaeological building recording
- Joinery colour
- Rainwater goods

Application No: DC/18/04966

Parish: Hadleigh

Location: Former Babergh District Council Offices, Corks Lane and Bridge St



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# Agenda Item 6c

## Committee Report

**Item No: 3**

**Reference:** DC/18/04992

**Case Officer:** Gemma Pannell

**Ward:** Hadleigh North

**Ward Member:** Cllr Tina Campbell and Cllr Siân Dawson

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## **RECOMMENDATION – GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

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### **Description of Development**

Application for Listed Building Consent - Internal alterations to form 2 apartments

### **Location**

23 Bridge Street Hadleigh

**Parish:** Hadleigh

**Expiry Date:**

**Application Type:** Listed Building Consent

**Development Type:**

**Applicant:** Babergh District Council

**Agent:** Lawson Planning Partnership Ltd

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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:

The applicant is Babergh District Council.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF National Planning Policy Framework 2018

Babergh Core Strategy 2014:

- CS15 Implementing Sustainable Development in Babergh

Saved Policies in the Babergh Local Plan (2006):

- CN06 Listed Buildings – Alterations/ Extension/ Change of Use

## **Planning History**

There is an extensive planning history relating to the broader site that is subject to proposed redevelopment, none of which is of relevance to this listed building consent application.

To note are the applications lodged concurrently for the redevelopment of the broader development site that the subject buildings form a part of, including the applications for listed building consent relating to four other listed buildings. These applications, currently pending consideration, are as follows:

- DC/18/05018 - Malthouse and adjoining buildings, Bridge Street - demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in historic section. Conversion of and erection of extension to form 16 apartments (LBC application).
- DC/18/04966 - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Maltings, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land (full planning application).
- DC/18/04971 - The Cottage and adjoining buildings, Corks Lane - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works (LBC application).
- DC/18/04996 - River View and adjoining buildings, Corks Lane - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of eight apartments (LBC application).
- DC/18/04991 – 21 Bridge Street - Partial demolition works; internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level (LBC application).

Amended plans have been received in respect to application DC/18/04966. None of the amendments relate to 23 Bridge Street other than a revised internal floor layout at ground level, as shown on amended drawing 201N. The internal changes seek to address concerns raised by Council's Heritage Consultant and are considered further below. The balance of the amended plans received in respect to DC/18/04966 are not relevant to the determination of this listed building consent application. Consideration of the extent to which the amended proposals for DC/18/04966 and/or demolition of the modern offices may or may not affect the 'setting' of 23 Bridge Street will be considered within the relevant planning [rather than LB] reports.

## **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received as follows.

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## **A: Summary of Consultations**

### **(i) Comments received in respect to the original November 2018 proposal:**

#### **Hadleigh Town Council**

No recommendation will be made until further discussion is had with Babergh District Council [*officer comment: superseded by later response*]

#### **Place Services – Heritage**

Relevant comments taken from referral response received in respect to application DC/18/04966:

I am generally supportive of the proposed plans within the listed buildings but there are some specific areas which I consider inappropriate and cause 'less than substantial harm' and as such paragraph 196 is relevant. I consider these harmful elements can be mitigated and encourage the applicant to consider changing these aspects of the scheme.

Areas which require consideration include:

Unit 1.0.1 proposes a bathroom in the entrance hall of the Grade II listed Number 23 Bridge Street rendering the original front door void of use. This detracts from the significance of the heritage asset and I consider unnecessary given other more sympathetic configurations could be realised for this unit.

I recommend conditions (attached to an approved application) pertaining to:

All new windows, doors in existing buildings.

Schedule of repairs to historic fabric such as windows and brick masonry.

The canopy to the rear of Number 23 is retained in the scheme.

All materials/fixtures to new build elements.

Further details pertaining to landscaping and public realm.

I recommend a scheme of archaeological building recording, commensurate with a 'Level 3' record as outlined in Historic England publication 'Understanding Historic Buildings', is undertaken across the whole site.

Comments received in respect to amended ground floor plan:

The concerns above related to 'less than substantial harm' to Numbers 21 and 23 which have now been mitigated. The remainder of my original consultation remains unchanged.

#### **Historic England**

The grade II listed 23 Bridge Street, Hadleigh was built in the late 18th or early 19th centuries and is a handsome two storey red brick villa characteristic of the period with a formal internal layout which has largely survived and some decorative features, such as arched doorways with simple reeded mouldings.

The current application proposes its refurbishment for use as two apartments. The internal alterations are relatively modest and the program of repair and updating of the accommodation is acceptable in principle.

The National Planning Policy Framework (NPPF) states that the significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting (paragraph 194). The conservation of heritage assets is an overarching objective of achieving sustainable development in the planning system (paragraph 8) upon which the NPPF places great weight (paragraphs 193). Clear and

convincing justification should be made for any harm to the significance of heritage assets (paragraph 194).

We have considered the current proposals in light of this government policy and support the proposals to repair and refurbish the building. We do not consider these works would result in harm to the historic significance of the building in terms of the NPPF. We would not object to the granting of consent, but recommend the Council's conservation officer is given the opportunity to agree a detailed schedule to ensure the works are in line with good conservation practice.

#### Recommendation

Historic England has no objection to the application on heritage grounds. We would recommend the Council's Conservation Officer secures a schedule of works and agrees the details in line with good conservation practice. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

#### **Hadleigh Society**

The Society supports the conversion of 23 Bridge Street to two flats and consider the schedule of works for the conversion are generally sympathetic to the special character of the building. The nineteenth century cast iron veranda at the rear should be retained.

#### **Twentieth Century Society**

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

#### **Suffolk Preservation Society**

Demolition of Bridge House would result in substantial harm.

Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.

44 car spaces within the greensward is wholly unacceptable.

Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.

The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.

Lack of affordable housing.

#### **(ii) Comments received following submission of amended plans (amended February 2019 proposal):**

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

The changes for re-consultation were noted but concerns still remained regarding flooding and car parking issues. It was felt that because there have been no assurances about the situation with the cricket club being resolved, Hadleigh Town Council cannot approve this application.

##### **Place Services – Heritage**

The concerns above related to 'less than substantial harm' to Numbers 21 and 23 which have now been mitigated.

##### **Historic England**

Thank you for consulting us on the amendments to the suite of applications concerning redevelopment of the Corks Lane site and Bridge House, Hadleigh. I do not have any comment to make on the majority of these, though do note the amendments made to block 6

and Bridge House in application number 18/4966 and are content with these. In our advice to the Council concerning the proposed alterations to the listed buildings at the Corks Lane site we asked for amendments to the design of the extension to River House. The amendments to application 18/4996 show a simplification of the rear extension to the listed building combined with setbacks in the line of development which break up the mass of building seen from the west. These are positive changes and while we retain some reservations about the massing of building around Riverview are also content with these amendments.

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

### **Hadleigh Society**

The amendments to the design are considered inconsequential and do not alter the Society's strong objections to the scheme on the grounds of design, poor and inadequate parking provision, and serious damage to the setting, appearance and special character of adjoining listed buildings and the Conservation Area.

### **B: Representations**

None received.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1. The site is located on the western side corner of Bridge Street, to the north of the Hadleigh town centre. The subject Grade II listed building forms part of a much broader site proposed for redevelopment, comprising the former Babergh District Council offices complex.
- 1.2. The two storey building has direct frontage to Bridge Street. The building is located between 23 Bridge Street, a Grade II\* listed building, and the Maltings building, a Grade II listed building. To the rear is an open courtyard that formed part of the former council complex.
- 1.3. The site is within Hadleigh Conservation Area and in close proximity to a number of Grade II\* and Grade II listed buildings beyond the wider former Council offices site

### **2. The Proposal**

- 2.1. Listed Building Consent is sought for predominantly internal conversion works to the building to form two dwellings. The majority of works relate to the removal and insertion of partition walls.
- 2.2. With regard to openings, all existing windows will be retained and refurbished, with a new system of replacement secondary glazing installed to the Bridge Street windows.
- 2.3. A detailed schedule of works supports the application.

### **3. Historic Character of the Listed Building**

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
- 3.2 Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.4 The adaptation and re-use of the building is being undertaken without significant alteration to the principal façade and flank elevations. No changes are proposed to the roofscape. The proposed system of replacement secondary glazing is an acceptable heritage response. Externally the building will essentially present no differently in terms of its current domestic villa character. The prominent red brick chimneys and pots are retained. The nineteenth century cast iron veranda to the rear of the villa is retained, as clearly shown on drawing 214E, consistent with the recommendations of the Heritage Consultant.
- 3.5 The conversion works are largely internal with new partition walls inserted, as is most common with the conversion of historic buildings. The conversion works have generally been well considered, responding positively to the original domestic layout of the building. The Heritage Consultant originally raised concern regarding the location of the ground floor bathroom of dwelling 1.0.1 which negated the use of the original front door. An amended plan addresses the concern raised, with the bathroom omitted and the original front door reinstated and now serving as the principal entrance to dwelling 1.0.1.
- 3.7 The Heritage Consultant recommends a suite of planning conditions to ensure control is retained over the detailed design elements of the scheme. The conditions are reasonable, necessary and appropriate given the building's Grade II listed status. Moreover, the conditions are consistent with well-established heritage practice and meet the tests set out at section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **PART FOUR – CONCLUSION**

### **4. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**

- 4.1 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.

4.2 Council officers have worked with the applicant through the life of the application.

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

5.1 There are no known legal implications derived from the determination of this application.

#### **6. Planning Balance**

6.1 The listed building is being conserved and great weight is attached to this conservation consistent with paragraph 193 of the NPPF. The works will not result in substantial harm to the building or its setting and so paragraph 194 of the NPPF is not engaged. Historic England in assessing the impact of the proposed works has described them as resulting in no harm [now supported by Place Services following receipt of amendments] and therefore paragraph 196 of the NPPF [*where there is less than substantial harm to a heritage asset*] is similarly not engaged.

6.2 The proposed conversion works have been designed in a sensitive manner, respectful of the building's valued historic integrity and setting. The amended proposal addresses the initial issue raised by Council's Heritage Consultant. The Heritage Consultant and Historic England do not raise objection to the amended scheme on heritage grounds.

6.3 The scheme of works do not conflict with local policy CN06 or paragraph 192 of the NPPF. The proposal facilitates the conservation of a heritage asset, consistent with the overarching objective of achieving sustainable development as set out at paragraph 8 of the NPPF.

6.4 The re-use of the building secures its long term future and in so doing preserves the building, together with its special architectural features and historic interest. The proposal is therefore consistent with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.5 The proposed works [as amended] will result in no harm to the character and significance of this listed building.

6.6 Members are advised that the wider planning benefits expected to arise from the development [and the other elements across the wider site] and the impact on the character of the conservation area will be appropriately considered in associated planning application reports.

#### **RECOMMENDATION**

(1) That the Acting Chief Planning Officer be authorised to grant Listed Building Consent subject to conditions including:

- Standard time limit
- Window and door details including joinery colour
- Details of repairs
- All materials/fixtures to new build elements

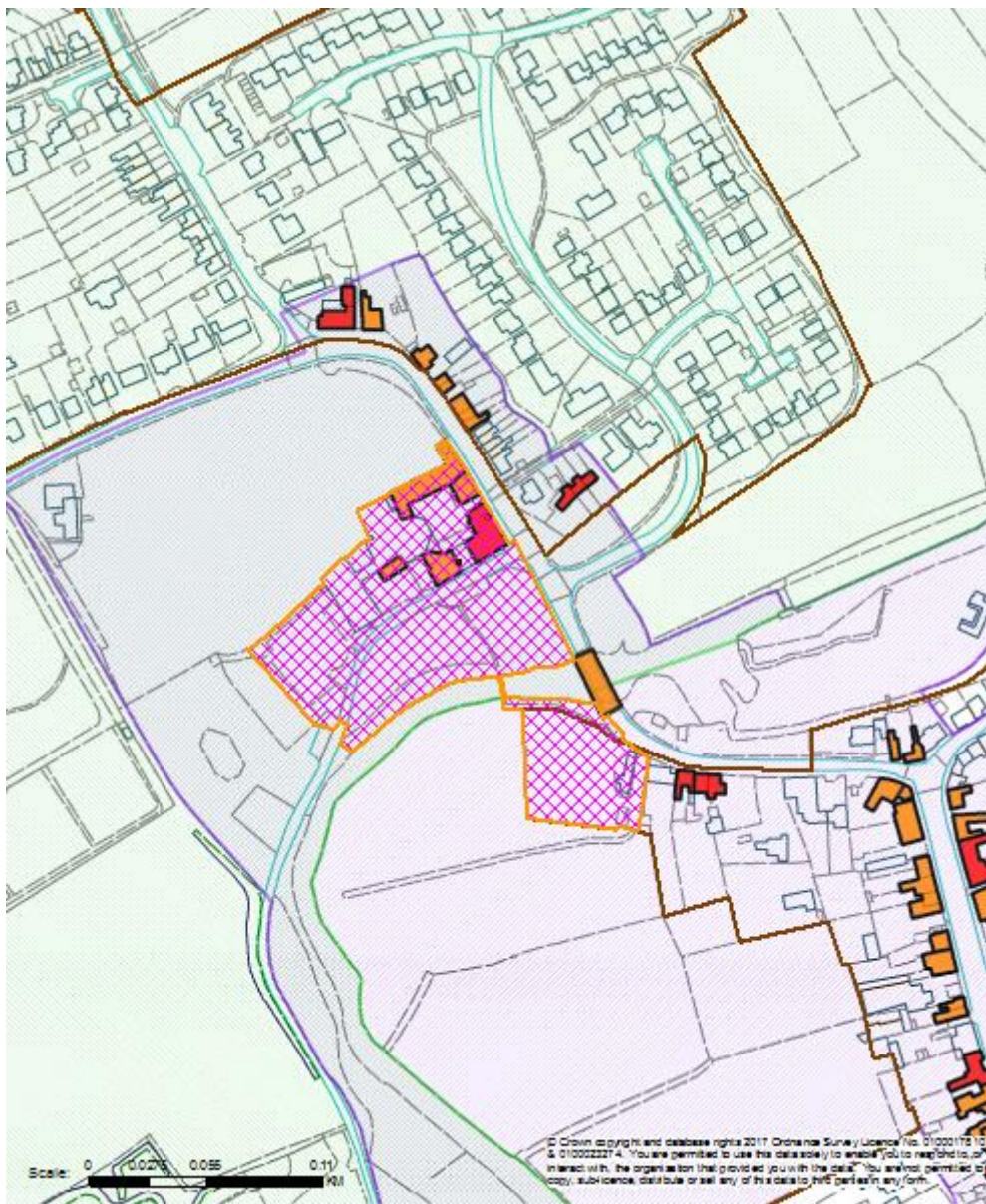
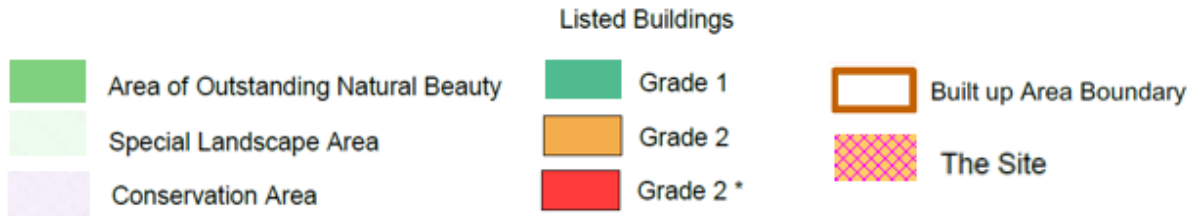
- Landscaping and public realm details
- Level 3 Archaeological building recording



Application No: DC/18/04966

Parish: Hadleigh

Location: Former Babergh District Council Offices, Corks Lane and Bridge St



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# Agenda Item 6d

## Committee Report

**Item No: 4**

**Reference:** DC/18/04971

**Case Officer:** Gemma Pannell

**Ward:** Hadleigh North

**Ward Member:** Cllr Tina Campbell and Cllr Siân Dawson

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## **RECOMMENDATION – GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

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### **Description of Development**

Application for Listed Building Consent - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works.

### **Location**

The Cottage and adjoining buildings, Corks Lane Hadleigh

**Parish:** Hadleigh

**Expiry Date:**

**Application Type:** Listed Building Consent

**Development Type:**

**Applicant:** Babergh District Council

**Agent:** Lawson Planning Partnership Ltd

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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:

The applicant is Babergh District Council.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF National Planning Policy Framework 2018

#### **Babergh Core Strategy 2014:**

- CS15 Implementing Sustainable Development in Babergh

#### **Saved Policies in the Babergh Local Plan (2006):**

- CN06 Listed Buildings – Alterations/ Extension/ Change of Use

## **Planning History**

There is an extensive planning history relating to the broader site that is subject to proposed redevelopment, none of which is of relevance to this listed building consent application.

To note are the applications lodged concurrently for the redevelopment of the broader development site that the subject buildings form a part of, including the applications for listed building consent relating to four other listed buildings. These applications, currently pending consideration, are as follows:

- DC/18/05018 - Malthouse and adjoining buildings, Bridge Street - demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in historic section. Conversion of and erection of extension to form 16 apartments (LBC application).
- DC/18/04966 - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Maltings, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land (full planning application).
- DC/18/04996 - River View and adjoining buildings, Corks Lane - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of eight apartments (LBC application).
- DC/18/04992 - 23 Bridge Street - Internal alterations to form 2 apartments (LBC application).
- DC/18/04991 - 21 Bridge Street and adjoining buildings - Partial demolition works; Internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level (LBC application).

Amended plans have been received in respect to application DC/18/04966. None of the amendments relate to The Cottage and therefore they, together with the further comments received in respect to them, are not relevant to the determination of this listed building consent application. Consideration of the extent to which the amended proposals for DC/18/04966 and/or demolition of the modern offices may or may not affect the 'setting' of the Cottage will be considered within the relevant planning [rather than LB] reports.

## **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received as follows.

## **A: Summary of Consultations**

### **Hadleigh Town Council**

No comments received on amended plans

### **Place Services – Heritage**

The construction of a new building in front of the cottage detracts from its setting and historic views towards the river. [less than substantial harm] [08/01/2019]

### **Historic England**

The grade II listed Cottage originally dates from the 18th century and is a two storey timber framed house much altered internally as part of the Council's development of the site in the 1970s but which is still a good example of the building type and period. This application proposes its refurbishment for use as a single dwelling. We would support the return of the building to its original domestic use and consider the program of repair and updating of the accommodation acceptable in principle.

The National Planning Policy Framework (NPPF) states that the significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting (paragraph 194). The conservation of heritage assets is an overarching objective of achieving sustainable development in the planning system (paragraph 8) upon which the NPPF places great weight (paragraphs 193). Clear and convincing justification should be made for any harm to the significance of heritage assets (paragraph 194).

We have considered the proposed alterations to The Cottage in light of this government policy and support the proposals to bring the building back into use as a single residence. We do not consider these works would result in harm to the historic significance of the listed building in terms of the NPPF. We would not object to the granting of consent, but recommend the Council's conservation officer is given the opportunity to agree a detailed schedule to ensure the works are in line with good conservation practice.

However, the application also proposes the demolition of parts of the Council offices constructed by Arup Associates in 1978-82. Because of their physical attachment to The Cottage the Council have included the demolition in this application for listed building consent. The Heritage Statement submitted in support of this application describes this complex of modern building in some detail. It is clear that it is of some considerable architectural interest and the work of an important practice and is currently the subject of assessment by colleagues in Historic England's listing team. We cannot comment on the full impact of this demolition until this assessment has been concluded. We would therefore recommend that this application is not determined until that time, or that the demolition is withdrawn from the application to allow listed building consent for works to The Cottage to be granted.

Historic England has no objection to the application on heritage grounds and we would recommend the Council's Conservation Officer secures a schedule of works and agrees the details in line with good conservation practice. However, given the architectural interest of the 1970s Council offices we recommend that this application is not determined until Historic England's listing team have concluded their assessment of the building, or that the demolition is withdrawn from this application to allow listed building consent for works to The Cottage to be granted.

We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

**Note** – Historic England has since confirmed the Arup building will not be listed. Historic England advice following that decision has been received and is as follows:

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

#### **Hadleigh Society**

The Society has no objection to the proposal to revert The Cottage to a single dwelling-house and support the general schedule of works shown to undertake this reversion, however as the proposal also involves the demolition of the distinguished 1970s Arup offices in which the Cottage is now incorporated the Society objects to this demolition on grounds that the offices are of significant architectural character.

#### **Twentieth Century Society**

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

#### **Suffolk Preservation Society**

Demolition of Bridge House would result in substantial harm.

Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.

44 car spaces within the greensward is wholly unacceptable.

Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.

The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.

Lack of affordable housing.

### **B: Representations**

None received.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1. The site is located on the northern side of Corks Lane, to the north of the Hadleigh town centre. The subject Grade II listed building forms part of a much broader site proposed for redevelopment, comprising the former Babergh District Council offices complex.
- 1.2. The listed building is known as The Cottage, and includes a modern extension to it, which itself forms part of the Arup building erected 1978-82. The Cottage and Arup building were last in use as the Babergh District Council offices. It is set back some distance from Corks Lane, with a lawned area forming the front setback and hedgerow at the Corks Lane frontage.
- 1.3. The Arup building and Grade II Malthouse building are located immediately northeast. Adjacent to the northwest is the cricket ground associated with the

Hadleigh Cricket Club. To the south is Corks Lane. Immediately west is a two storey office building that formed part of the district council offices. Between The Cottage and two storey office building is a 19m high Sycamore tree.

- 1.4 The site is within Hadleigh Conservation Area and in close proximity to a number of Grade II\* and Grade II listed buildings beyond the wider former Council offices site.

## **2. The Proposal**

- 2.1 Listed Building Consent is sought for the demolition of the modern two storey rear extension and conversion works to reinstate The Cottage as a detached dwelling. The conversion works are predominantly internal, with the majority of works relating to the removal and insertion of partition walls.
- 2.2 The original rear external wall of The Cottage, now an internal wall owing to the Arup building extension, will be exposed as a result of the proposed removal of the two storey extension. The reinstated external wall will be rendered to match the remainder of The Cottage.
- 2.3 With regard to openings, all existing windows will be retained and refurbished, with a new system of replacement secondary glazing installed. The non-original front door will be replaced with a timber door.
- 2.4 A detailed schedule of works supports the application.

## **3. Historic Character of the Listed Building**

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
- 3.2 Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
  - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.4 The key issue is the effect of the proposed works upon the special architectural and historic interest of the Grade II listed building, The Cottage.
- 3.5 Reinstating the building as a single residence is accepted by Council's Heritage Consultant and Historic England as no objections have been raised. The changes required to revert the building back to a domestic use are modest and largely internal. No changes are proposed to the roofscape or principal front elevation that

addresses Corks Lane. Returning the building to its original use will better reveal the significance of the asset.

- 3.6 The most significant change, and it is a substantial one, is the removal of part of the Arup complex to the rear of The Cottage. This element of the scheme requires listed building consent because the Arup building is physically attached to the listed building.
- 3.7 As noted above, Historic England has recently considered an application to list the Arup building and determined that it does not meet the necessary national criteria for inclusion on the List of Buildings of Special Architectural or Historic Interest. It is clear from the submissions received, in particular the Twentieth Century Society, that the building is of significance at a level that it is appropriately regarded as a non-designated heritage asset.
- 3.8 However, the more recent Arup building does not contribute to the special architectural or historic interest of the mid eighteenth century listed cottage. This is clear from the listing date of the cottage - 1972 - which predates the construction of the Arup building by a good number of years. The significance of The Cottage is derived from its historic and architectural interest as a modest vernacular dwelling, not by the modern 1980s office complex constructed to its rear.
- 3.9 Removal of the Arup building and the rear/side additions to The Cottage will not compromise the special architectural features or historic interest of The Cottage. Removal of the Arup building does not result in the loss of valued heritage fabric. To the contrary, the removal of the large scale building will create a more open setting for The Cottage and enhance its historical connection with River View. The spatial character of the group of listed buildings will be significantly improved. The demolition and 'making good' works will enhance and better reveal the significance of the asset. Such an outcome is expressly supported by paragraph 200 of the NPPF which states that proposals which better reveal (heritage) significance 'should be treated favourably'.
- 3.10 The improved spatial character, and the enhancement of the listed setting of The Cottage, are significant heritage benefits. It is noteworthy that Council's Heritage Consultant and Historic England do not object to the removal of the Arup building.
- 3.11 Officers note the concerns raised by the Suffolk Preservation Society regarding the location of the bin store to the front of The Cottage, considered to be within the listed curtilage of The Cottage. However this element of the broader redevelopment proposal does not require listed building consent, does not form part of this listed building consent application and is therefore not a material consideration.
- 3.11 Council's Heritage Consultant recommends a suite of planning conditions to ensure control is retained over the detailed design elements of the scheme. The conditions are reasonable, necessary and appropriate given the building's Grade II listed status. Moreover, the conditions are consistent with well-established heritage practice and meet the tests set out at section 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **PART FOUR – CONCLUSION**

### **4. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**



- 4.1 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.
- 4.2 Council officers have worked with the applicant through the life of the application.

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

- 5.1 There are no known legal implications derived from the determination of this application.

#### **6. Planning Balance**

- 6.1 The listed building is being conserved and great weight is attached to this conservation consistent with paragraph 193 of the NPPF. The works will not result in substantial harm and so paragraph 194 of the NPPF is not engaged. Historic England in assessing the impact of the proposed works has described them as resulting in no harm and therefore paragraph 196 of the NPPF [*where there is less than substantial harm to a heritage asset*] is similarly not engaged. The proposed conversion works have been designed in a sensitive manner, respectful of the building's valued historic integrity and setting, and will make a positive contribution to local character in line with paragraph 192 of the NPPF. Whilst the concern expressed by the Heritage Consultant is noted [in respect of a new building in front of the cottage] Historic England do not raise objection to the scheme the subject of this listed building consent application on heritage grounds.
- 6.2 The heritage significance of The Cottage is not in any way derived from the 1980s Arup building. The part removal of the Arup complex will therefore not compromise the historic integrity of the listed building. Part removal of the Arup building will enhance the setting of the listed building by creating a more open, spacious setting, most likely more in keeping with the building's original setting. Removing the Arup building will strengthen and improve the visual relationship and historic connection between The Cottage and the listed River View building to the east. These positive outcomes are consistent with, and promoted by, paragraph 200 of the NPPF.
- 6.3 The scheme of works do not conflict with local policy CN06. The proposal facilitates the conservation of a heritage asset, consistent with the overarching objective of achieving sustainable development as set out at paragraph 8 of the NPPF.
- 6.4 The re-use of the building secures its long term future and in so doing preserves the building, together with its special architectural features and historic interest. The proposal is therefore consistent with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.5 The proposed works will result in no harm to the character and significance of this listed building. In the wider context [and if approved] the works to demolish the Arup building will produce direct heritage benefits in relation to the Cottage.
- 6.6 Members are advised that the wider planning benefits expected to arise from the development [and the other elements across the wider site] and the impact on the character of the conservation area are appropriately considered in associated planning application reports.

## **RECOMMENDATION**

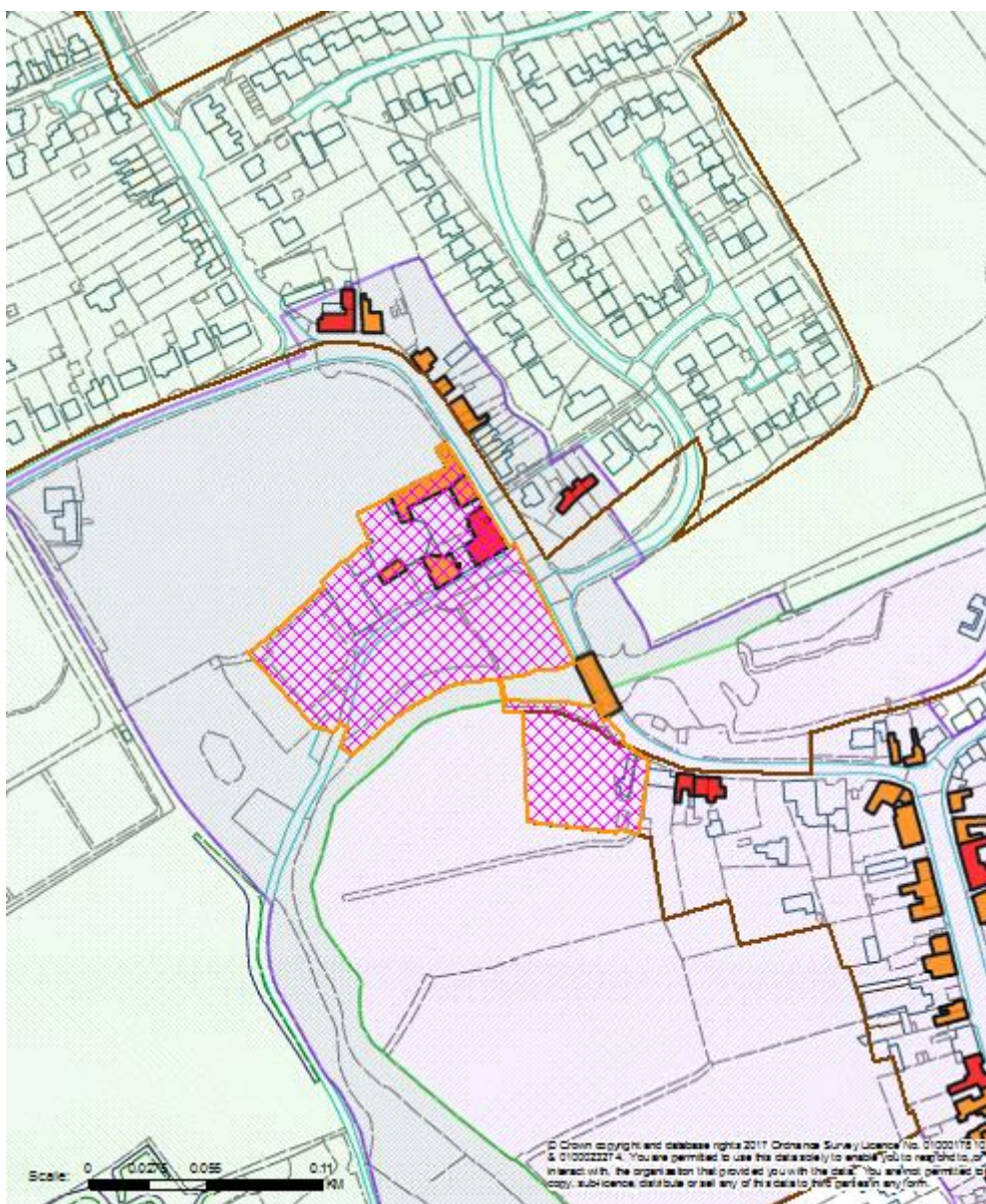
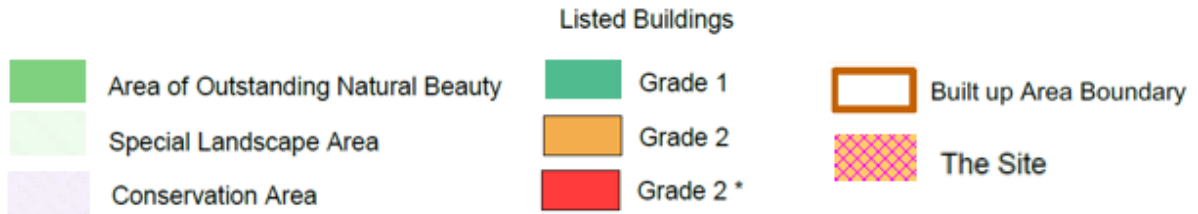
(1) That the Acting Chief Planning Officer be authorised to grant Listed Building Consent subject to conditions including:

- Standard time limit
- Window and door details including joinery colour
- Details of repairs
- All materials/fixtures to new build elements
- Landscaping and public realm details
- Level 3 Archaeological building recording

Application No: DC/18/04966

Parish: Hadleigh

Location: Former Babergh District Council Offices, Corks Lane and Bridge St



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# Agenda Item 6e

## Committee Report

**Item No: 5**

**Reference:** DC/18/04996

**Case Officer:** Gemma Pannell

**Ward:** Hadleigh North

**Ward Member:** Cllr Tina Campbell and Cllr Siân Dawson

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## **RECOMMENDATION – GRANT LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

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### **Description of Development**

Application for Listed Building Consent - Partial demolition works and internal and external alterations and extension to reinstate River View as a single dwelling and erection of 8 apartments

### **Location**

River View and adjoining buildings, Corks Lane Hadleigh

**Parish:** Hadleigh

**Expiry Date:**

**Application Type:** Listed Building Consent

**Development Type:**

**Applicant:** Babergh District Council

**Agent:** Lawson Planning Partnership Ltd

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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:

The applicant is Babergh District Council.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF National Planning Policy Framework 2018

Babergh Core Strategy 2014:

- CS15 Implementing Sustainable Development in Babergh

Saved Policies in the Babergh Local Plan (2006):

- CN06 Listed Buildings – Alterations/ Extension/ Change of Use

## **Planning History**

There is an extensive planning history relating to the broader site that is subject to proposed redevelopment, none of which is of relevance to this listed building consent application.

To note are the applications lodged concurrently for the redevelopment of the broader development site that the subject buildings form a part of, including the applications for listed building consent relating to four other listed buildings. These applications, currently pending consideration, are as follows:

- DC/18/05018 - Malthouse and adjoining buildings, Bridge Street - demolition and internal and external alterations to form 4 ground floor apartments; 4 first floor apartments in historic section. Conversion of and erection of extension to form 16 apartments (LBC application).
- DC/18/04966 - Redevelopment to provide 57 dwellings (Use Class C3) with private amenity areas, parking, fencing, landscaping, open space and refuse facilities, access roads and associated works and infrastructure, incorporating the part demolition and part retention and conversion of the existing office buildings (including the retention and conversion of The Maltings, 21 and 23 Bridge Street, River View and The Cottage and demolition of Bridge House), site of the former Babergh District Council Offices and associated land (full planning application).
- DC/18/04971 - The Cottage and adjoining buildings, Corks Lane - Partial demolition and internal and external alterations to enable the formation of 1 dwelling as per schedule of works (LBC application).
- DC/18/04992 - 23 Bridge Street - Internal alterations to form 2 apartments (LBC application).
- DC/18/04991 - 21 Bridge Street and adjoining buildings - Partial demolition works; Internal and external alterations to form 2 ground floor apartments and 1 duplex apartment at ground and first floor level (LBC application).

The current application has been the subject of amended plans, received February 2019. The amendments to the scheme have been made largely in response to issues raised by Historic England in their original consultee response. The February 2019 changes are discussed in the assessment section of this report.

Consideration of the extent to which the proposal for the demolition of the modern offices may or may not affect the 'setting' of Corks Lane will be considered within the relevant planning [rather than LB] reports.

## **Consultations and Representations**

During the course of the application consultation and representations from third parties have been received. The below provides a summary of responses received in respect to the original November 2018 proposal and the amended February 2019 proposal.

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

#### **(i) Comments received in respect to the original November 2018 proposal:**

**Hadleigh Town Council** – Refusal was recommended (Voting was unanimous)  
The reason for recommending refusal was that this application would impact on a heritage asset

**Place Services – Heritage** - Generally supportive of the proposed plans within the listed buildings

#### **Historic England**

This application proposes a series of internal and external alterations to the grade II listed River View, Hadleigh. We support the majority of the proposed alterations but consider the proposed new building would result in harm to the historic significance of the listed building in terms of the National Planning Policy Framework. However, this could be mitigated by amendments to the proposed design. The application also proposes the demolition of parts of the Council offices which are currently the subject of assessment by colleagues in Historic England's listing team. We would therefore recommend that this application is not determined until that time.

The grade II listed River View dates from the late 18th century and is a three bay, two storey brick house with a tall mansard roof and formally arranged front elevation, giving a quite handsome appearance for a relatively modest house of the period. Inside the original layout is largely intact, despite its use as Council offices and role as a main entrance into the office complex.

The proposed works to being the building into residential use are acceptable but this application also contains proposals for extensions abutting the listed building on its north and east sides. These would replace part of the modern Council offices constructed by Arup Associates in 1978-82. Because of their physical attachment to River View the Council have included the demolition of these parts of the 1970s buildings in this application for listed building consent. The Heritage Statement submitted in support of this application describes this complex of modern building in some detail. It is clear that it is of some considerable architectural interest and the work of an important practice and is currently the subject of assessment by colleagues in Historic England's listing team. We cannot comment on the full impact of this demolition until this assessment has been concluded. We would therefore recommend that this application is not determined until that time or the demolition could be deleted from the application to allow listed building consent for works to River View to be granted. However, we would like to offer some advice on the proposed replacement buildings at this stage.

Should the Arup buildings be cleared and new buildings abutting River View erected we have concerns about the proposals contained in the current application. The existing buildings immediately beside River View are low, partly hidden from Cork's Lane and covered in pitched tile roofs. On the western side they form a small yard between River View and the grade II listed The Cottage where they appear like modest service ranges, appropriate to the scale and style of these traditional buildings. By contrast the proposed new buildings would challenge both listed buildings in scale and affect River View in

particular because they would abut the listed building on two sides. One proposed building would join the rear wall of River View, be as tall as the historic building and with a somewhat bulky appearance and vertical emphasis would almost dominate it. A two storey building could be erected at the rear of River View but should either be set apart from it or clearly read as subordinate to it.

The proposed replacement building to the east of River View would be set back behind the present boundary wall to Corks Lane and have a similar pitched tiled roof. If the roof terrace balustrade were formed from metal railing rather than more eye-catching glass and roof lights limited this range could be a suitably understated neighbour to the listed building. However, the proposed roof would wrap around the gable end of River View to join the range to the rear with the most unfortunate effect of encasing the listed building in a tall roof which detracts from the simple form of the historic house. As with the rear range there is definite potential for new building here but the proposed designs of both ranges would diminish an appreciation of River View as an historic building and we would recommend they should be revised.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting. The

NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings and conservation areas irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned.

We have considered this application in terms of this policy and while we would not object to the proposals in principle are concerned that while the proposed internal works to River View are acceptable the replacement buildings could result in harm to significance of the listed building in terms of the NPPF, paragraphs 194 and 196. As noted above the NPPF requires a clear and convincing justification to be found for any such harm. Paragraph 196 requires local planning authorities to weigh less than substantial harm to listed buildings against any public benefit delivered by the proposed development. In this case the proposed new housing contained within the replacement extensions could be such a benefit and we would leave it to the Council to make that judgement. However, we consider this can be provided in new building which would have a less harmful impact. Amended designs should therefore be considered which would achieve this and so the aims of the NPPF to promote sustainable development. However, because of the on-going assessment of the elements of the Council offices constructed by Arup Associates in 1978-82 for listing we recommend that this application is not determined until that process is completed. Alternatively, the elements of demolition and rebuilding could be withdrawn from the application to allow listed building consent for works to River View to be granted.

Recommendation Historic England has concerns regarding the application on heritage grounds, in particular the proposed replacement buildings to the north and east sides of River View. We would recommend the justification for this is carefully considered along with alternative approaches that would reduce this impact. This application also proposes the demolition of parts of the Council offices constructed by Arup Associates in 1978-82 which are currently the subject of assessment by colleagues in Historic England's listing team. We would therefore recommend that this application is not determined until that time. Alternatively, the elements of demolition and rebuilding could be withdrawn from the application to allow listed building consent for works to River View to be granted.

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We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF.

### **Hadleigh Society**

The proposal involves substantial demolition of the 1970/80s Arup designed Council complex to which the Society objects. Also, whilst it is proposed to reinstate the listed building 'River View' to a single dwelling, it is proposed it will be engulfed on two elevations by a large and bulky 2/3 storey block of flats with a somewhat odd and contrived roof design. Regrettably the proposed flats would dominate and overshadow the very modest dimensions of 'River View' and the nearby listed 'Cottage' and thus if permitted would cause considerable harm to both those listed buildings and the setting of the Conservation Area, particularly from Corks Lane and adjoining greensward.

The design of the flats have a further unfortunate feature of proposing two, first floor domestic terraces adjoining the eastern wall of River View and overlooking Cork Lane and the Greensward through reflective glazed balustrades. This feature both in the use of inappropriate materials and allowing the display of domestic garden furniture and clutter seriously conflicts with the simple architectural character of River View. If a terrace with balustrade is to be provided the balustrade should be constructed as a continuation of the ground floor brick wall.

In conclusion it is considered that the proposed block of flats should be considerably redesigned to limit the embracing of River View, reduce its height and bulk, and amend the impact of any terraces that may be proposed.

### **Twentieth Century Society**

Object on grounds of loss of Arup building elements would cause substantial harm to non-designated heritage assets.

### **Suffolk Preservation Society**

Demolition of Bridge House would result in substantial harm.

Former Bridge House site townhouses have fundamental design flaws. Large scale gardens are inappropriate and represent an inefficient use of the land.

44 car spaces within the greensward is wholly unacceptable.

Apartment block east of River View – materially harmful to the setting and appearance of both designated heritage assets.

The Cottage – removal of modern accretions is welcomed. Proposed bin and bike store undermines the attempts to create more open setting. The crass location of service areas in such a sensitive location is testament to the insensitive disregard for the historic environment demonstrated by these proposals and should be fundamentally reconsidered.

Lack of affordable housing.

### **(ii) Comments received following submission of amended plans (amended February 2019 proposal):**

#### **Hadleigh Town Council**

Recommend refusal as the application would impact on a heritage asset.

**Place Services – Heritage** - Generally supportive of the proposed plans within the listed buildings

## **Historic England**

Thank you for consulting us on the amendments to the suite of applications concerning redevelopment of the Corks Lane site and Bridge House, Hadleigh. I do not have any comment to make on the majority of these, though do note the amendments made to block 6 and Bridge House in application number 18/4966 and are content with these. In our advice to the Council concerning the proposed alterations to the listed buildings at the Corks Lane site we asked for amendments to the design of the extension to River House. The amendments to application 18/4996 show a simplification of the rear extension to the listed building combined with setbacks in the line of development which break up the mass of building seen from the west. These are positive changes and while we retain some reservations about the massing of building around Riverview are also content with these amendments.

We noted in our advice on the applications which affected the existing Council buildings designed by Arup that the Council should wait on the decision to list the building before determining the applications. The decision has now been made not to list so we would have no objection to the applications being determined.

## **Hadleigh Society**

The amendments to the design are considered inconsequential and do not alter the Society's strong objections to the scheme on the grounds of design, poor and inadequate parking provision, and serious damage to the setting, appearance and special character of adjoining listed buildings and the Conservation Area.

## **B: Representations**

One submission received from a local resident making the following summarised comments: "Would like to see this development in keeping with the history of part of the building and that it is private housing, as social housing could make a lovely part of Hadleigh less desirable."

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1. The site is located on the northern side of Corks Lane, to the north of the Hadleigh town centre. The subject Grade II listed building forms part of a much broader site proposed for redevelopment, comprising the former Babergh District Council offices complex.
- 1.2. The two storey building directly fronts Corks Lane. To the west is The Cottage, a Grade II listed building. To the rear and adjoining the eastern side of the building is the Arup building. Further east is 23 Bridge Street, a double storey Grade II\* listed building.
- 1.3. The site is within Hadleigh Conservation Area and in close proximity to a number of Grade II\* and Grade II listed buildings beyond the wider former Council offices site.

### **2. The Proposal**

- 2.1 Listed Building Consent is sought for the demolition of the rear and eastern side additions and replacement with two storey rear and eastern side additions. The rear additions incorporate traditional (pitched clay pantile clad roof) and modern (flat roof) design detailing. The traditional addition is finished in brick with aluminium windows, the flat roofed addition is finished in a mix of render and vertical timber cladding. The eastern side addition is finished in brick and incorporates a pitched clay pantile clad roof, all to match River View. The first floor of the side addition is set back from Corks Lane, providing a terrace for dwellings 3.1.1 and 3.1.2. The terrace perimeter is treated in metal railings which will sit atop the existing wall at the Corks Lane boundary frontage. The existing wall fronting Corks Lane east of River View is altered by the insertion of two new openings, treated with aluminium windows. An existing opening, currently occupied by a traditional timber window, will be opened up to provide pedestrian access between the proposed eastern addition and the rear of 21 Bridge Street.
- 2.2 The additions will accommodate eight dwellings (the original scheme proposed 10 dwellings over part two and three storey additions). Conversion works are proposed to River View, to reinstate it as a single dwelling. The conversion works are predominantly internal, with the majority of works relating to the removal and insertion of partition walls.
- 2.3 With regard to openings, all existing windows will be retained and refurbished, with a new system of replacement secondary glazing installed.
- 2.4 A detailed schedule of works supports the application.

### **3. Historic Character of the Listed Building**

- 3.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
- 3.2 Policy CN06 states that alterations to listed buildings should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting.
- 3.3 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 3.4 The demolition works do not raise any heritage concerns given the limited heritage value of the fabric proposed for removal. Although the amount of fabric being removed is not insignificant, including the long single storey side addition, it does not contribute to the significance of the listed building. The removal of the eastern side addition enhances the setting of the listed building.
- 3.5 The revised extensions to River View are of a significantly lesser scale than that proposed as part of the original scheme, noting that the third storeys on both the rear

and side additions have been removed. As a result, the extensions now read as subordinate additions to River View. The proposed ridgeline of the additions are set at or below the ridgeline of River View.

- 3.6 Officers agree with the supporting Heritage Statement (as amended) in that the new building to the north has been massed so that part of it reads as a traditional extension to a historic building. The northernmost addition is overtly modern, incorporating a flat roof and vertical timber cladding. The contemporary approach is acceptable given its separation from River View by the proposed traditionally designed addition, its more central siting (in the context of the overall development site), and the more modest two storey massing. Visibility of the extension will be limited from Corks Lane and Bridge Street. Although the rear additions combine both traditional and modern profiles, they offer a simplified rear elevational treatment compared to the original proposal.
- 3.7 The Corks Lane elevation of the eastern addition is far simpler than the original proposal. The rooflights and glass balustrading have been omitted. The first floor terrace facing Corks Lane is treated with a simple railing design, a more sympathetic design detail. The eaves of the eastern building are set slightly below the eaves of River View, and although wider than River View, the eastern building achieves an appropriate degree of subordination. The first floor setback from Corks Lane assists in this regard. The distinctive eastern gable of River View remains largely exposed (the western gable remains unaltered) and the additions no longer have the engulfing effect that the original proposal created. It is acknowledged that the additions are taller than much of the existing Arup building, however they have been designed and sited in a manner that ensures the pre-eminence of River View is maintained.
- 3.8 The retention of the frontage wall linking River View and 21 Bridge Street is a welcome element of the scheme. Retention of this wall serves to soften the new build effect of the eastern addition on River View, part concealing the addition.
- 3.9 The internal works are relatively minor, raise no heritage issues and will return the building back to its original single dwelling use, a positive heritage outcome that will better reveal its significance. The proposed system of replacement secondary glazing to River View is an acceptable heritage response. The absence of any other changes to the principal façade and original roof form is a pleasing element of the scheme.

#### **PART FOUR – CONCLUSION**

##### **4. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015**

- 4.1 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.
- 4.2 Council officers have worked with the applicant through the life of the application.

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

- 5.1 There are no known legal implications derived from the determination of this application.

## **6. Planning Balance**

- 6.1 The listed building is being conserved and great weight is attached to this conservation consistent with paragraph 193 of the NPPF. The works will not result in substantial harm and so paragraph 194 of the NPPF is not engaged. The proposed conversion works have been designed in a sensitive manner, respectful of the building's valued historic integrity and setting. The bulk, height and scale of the additions have been significantly reduced, addressing the initial concerns raised by Historic England. An appropriate level of subordination is now achieved. The revised appearance of the additions are more respectful and sympathetic to River View. Historic England do not raise objection to the amended scheme on heritage grounds and the impact is therefore considered as less than substantial. [paragraph 196 of the NPPF therefore applies in terms of assessing whether the wider public benefits outweigh harm].
- 6.2 The scheme of works do not conflict with local policy CN06 or paragraph 192 of the NPPF. The proposal facilitates the conservation of heritage assets, consistent with the overarching objective of achieving sustainable development as set out at paragraph 8 of the NPPF.
- 6.3 The re-use of the building secures its long term future and in so doing preserves the building, together with its special architectural features and historic interest. The proposal is therefore consistent with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.4 Any harm to the significance of the heritage asset brought about by the works, such as the alterations to the existing front boundary wall, is less than minor and therefore not substantial, and is demonstrably outweighed by the heritage benefits identified above.
- 6.5 Members are advised that the wider planning benefits expected to arise from the development [and the other elements across the wider site] and the impact on the character of the conservation area will be appropriately considered in associated relevant planning application reports.

## **RECOMMENDATION**

(1) That the Acting Chief Planning Officer be authorised to grant Listed Building Consent subject to conditions including:

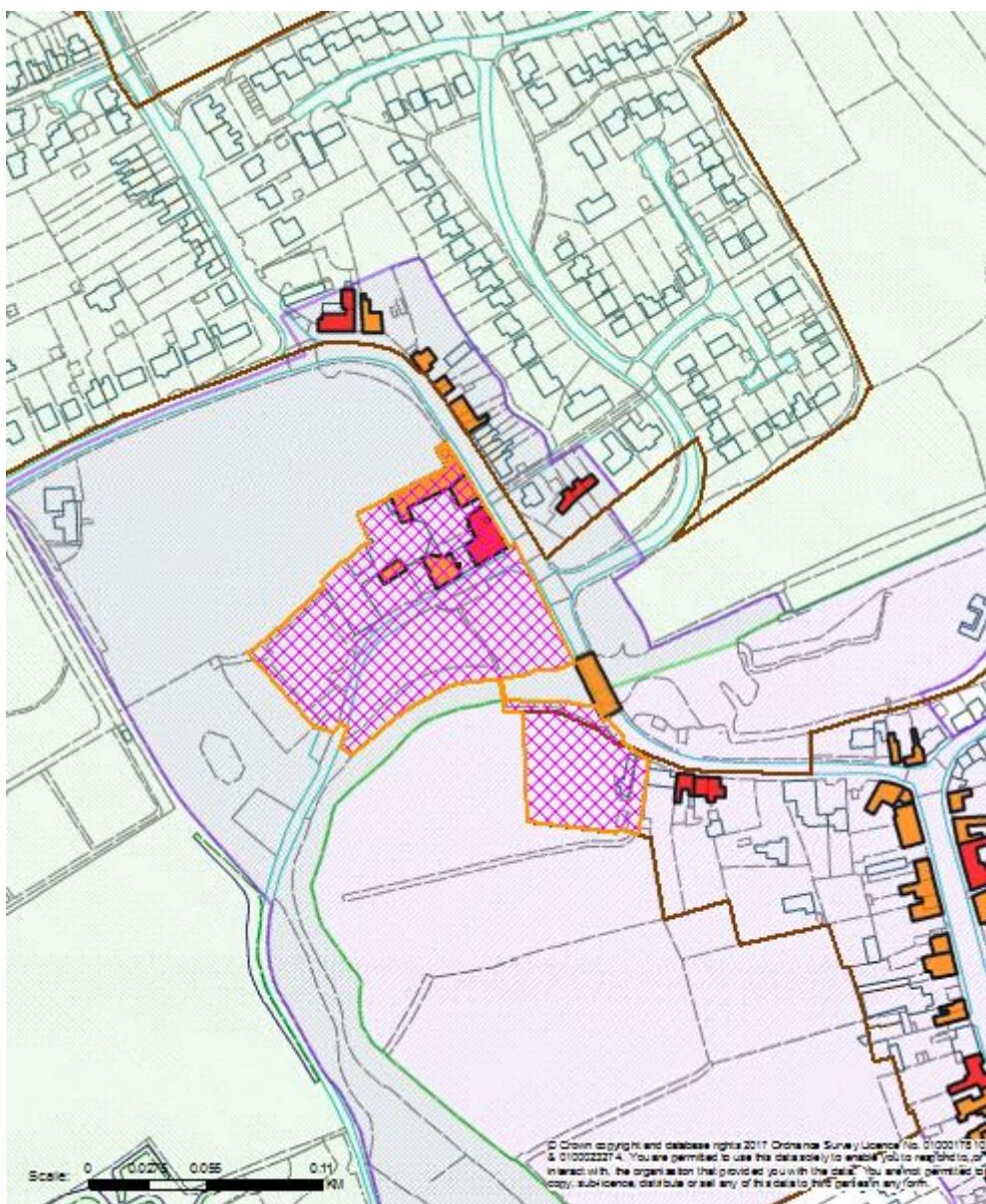
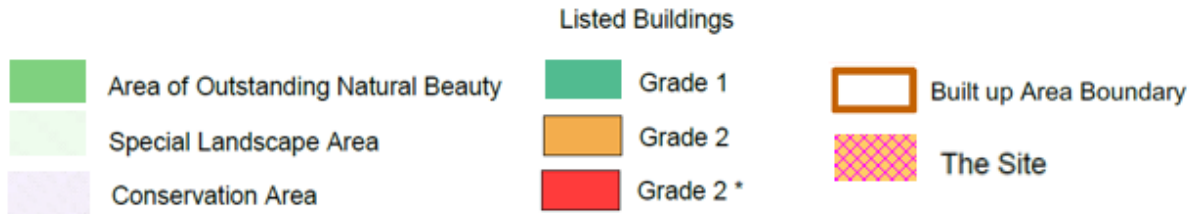
- Standard time limit
- Window, door and railings details
- Details of repairs
- All materials/fixtures to new build elements
- Landscaping and public realm details
- Level 3 Archaeological building recording
- Joinery colour
- Rainwater goods

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Application No: DC/18/04966

Parish: Hadleigh

Location: Former Babergh District Council Offices, Corks Lane and Bridge St



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# Agenda Item 6f

## Committee Report

**Item No: 6**

**Reference:** DC/18/03646

**Case Officer:** Samantha Summers

**Ward:** Glemsford And Stanstead.

**Ward Member/s:** Cllr Michael Holt. Cllr Stephen Plumb.

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## **RECOMMENDATION – REFUSE PLANNING PERMISSION**

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### **Description of Development**

Planning Application - Conversion of existing agricultural barn, rebuilding of linked yard buildings, removal of redundant buildings and erection of extensions to barn, creation of car park and new access to site to facilitate use for weddings, functions and events.

### **Location**

New Street Farm, New Street, Glemsford, Sudbury Suffolk CO10 7PY

**Parish:** Glemsford

**Expiry Date:** 13/11/2018

**Application Type:** FUL - Full Planning Application

**Development Type:** Major Small Scale - All Other

**Applicant:** Mr & Mrs G Willemsen

**Agent:** Ben Elvin Planning Consultancy Limited

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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:

The Acting Chief Planning Officer considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Environmental Protection Team and the number of objections received.

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

This application is a re-submission of previously refused application DC/18/00856 which was decided by Babergh Planning Committee on 30<sup>th</sup> May 2018 following a Committee Site Inspection on the 23<sup>rd</sup> May 2018.

### **Has a Committee Call In request been received from a Council Member?**

No

### **Details of Pre-Application Advice**

None

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

CN01 - Design Standards  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS12 - Design and Construction Standards  
CS15 - Implementing Sustainable Development  
CS17 - The Rural Economy  
CN01 - Design Standards  
CR07 - Landscaping Schemes  
CR18 - Buildings in the Countryside - Non-Residential  
EN22 - Light Pollution - Outdoor Lighting  
TP15 - Parking Standards - New Development  
NPPF - National Planning Policy Framework

### **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**

##### **Glensford Parish Council**

Recommended for refusal:

- Doesn't comply with CS15 - sustainable development in BDC
- NPPF 116 - detrimental effect on the environment, landscape and recreational opportunity
- NPPF 125 - light pollution
- NPPF 132 - effect on heritage asset
- No detailed highway report
- Not all noise issues addressed

##### **Natural England**

Do not wish to comment on the application.

##### **Economic Development & Tourism**

Business diversification is increasingly important to the agriculture industry, it is a significant sector for our district and alternatives that offer additional income that supports the whole business sustainability are welcome.

The principal of diversification is supported within NPPF (para 83)1 and within our own core strategy2 policy CS17 states that:

The economy in the rural area will be supported through a number of measures including:

- a) through the encouragement of:
  - i) proposals for farm diversification;
  - ii) the re-use of redundant rural buildings;

iii) sustainable tourism and leisure-based businesses (including those offering a diverse range of visitor accommodation, activities or experiences);

Additionally, the growth of the tourism and leisure industry is a priority for Babergh District Council, the council's current Visitor Destination Plan (amongst many recommendations) emphasises the need to provide opportunity for visitors to come all year round.

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

The submitted assessments and technical notes do not, in my opinion, fully or properly assess the noise impact from the proposed development for the following reasons:

1. The source of entertainment noise (with reference to DBC technical note) is understated and as such does not represent worst case scenario;
2. The closest external amenity areas (gardens) of nearest noise sensitive receptors in Plum Street are not properly considered in the assessments;
3. The noise impact of low frequency sound (typically bass and drum beat) from the venue on nearest noise sensitive receptors in Plum Street has not been assessed or referenced to accepted codes of practice;
4. The noise impacts of entertainment noise, people and car parking on the residential occupation of New Street Farm House have not been explained or considered in the submitted report or technical note;
5. The impact on sleep disturbance on the nearest noise sensitive receptor in Plum Street from the tidal flow of venue vehicles leaving the site has not been quantified and properly assessed;

### **Ecology - Place Services**

We have reviewed the Preliminary Ecological Appraisal (Robson Ecology Ltd, February 2018) provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species/habitats.

The Preliminary Ecological Appraisal has recommended that three emergence and/or dawn re-entry bat surveys should be carried out between May and August. These additional surveys shall determine the likelihood of bat species being present and affected by the proposed works and whether a European Protected Species Mitigation Licence for Bats will be required for this application.

Consequently, there is currently insufficient ecological information for determination of this application until these further surveys have been undertaken.

We look forward to working with the LPA and the applicant to provide the missing information to remove our holding objection.

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

No objection.

### **SCC - Highways**

New Street is an unclassified (U7351) rural road, part of a 'horseshoe' layout, therefore not a through route. The traffic survey for the application shows low traffic volumes and speeds on New Street; approx. 5 vehicles/hour and the 85%tile speeds are under 20mph. The survey also shows the peak hour is 9.00am with 7 vehicles. The proposal for a venue for functions would create traffic during off-peak hours and would be tidal in nature therefore, reduced likelihood of opposing traffic flows.

Taking all the above into account, it is our opinion that this development would not have a severe impact (NPPF 109) therefore we do not object to the proposal subject to standard conditions.

**SCC - Fire & Rescue**

Standing advice.

**SCC - Rights of Way Department**

No objection.

**Heritage Team**

No comments to make on the application.

**The Environment Agency**

Do not wish to comment on the application.

**SCC - Flood & Water Management**

Do not wish to comment on the application.

**B: Representations**

116 letters of objection have been received for this proposal. Concerns raised include:

- Noise
- Traffic intensification and highway safety
- Impact on public footpaths
- Pollution from increased traffic movements
- Uses of the building
- Light pollution
- Landscape impact
- Land contamination
- Unsuitable site for commercial use
- Impact on ecology

14 letters of support were received for this proposal. Comments include:

- Preservation of the barn
- Diversification of the farm
- Job creation
- Support for local businesses
- Enhanced landscaping
- Improvements to the public highway with two passing bays

**PLANNING HISTORY**

|                         |  |                      |
|-------------------------|--|----------------------|
| <b>REF:</b> DC/18/00856 | Conversion of existing agricultural barn, rebuilding of linked yard buildings, removal of redundant buildings and erection of extensions to barn, creation of car park and new access to site to facilitate use for weddings, functions and events | <b>DECISION:</b> REF |
|-------------------------|--|----------------------|

|                        |  |                      |
|------------------------|--|----------------------|
| <b>REF:</b> B/15/00514 | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 - Prior Approval Under Class Q(a) (formerly MB(a)) Change of use from | <b>DECISION:</b> REF |
|------------------------|--|----------------------|

Agricultural Building to Dwellinghouse (C3) and associated operational development under Class Q(b) (formerly MB(b)).

- REF:** B/12/00848      Notification under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - Construction of extension to hardstanding and alterations to existing storage building.      **DECISION:** RNO
- REF:** B/12/00435      Conversion and extension of existing barn and yard buildings to provide 2 no. dwellings with garage/carport and workshop/store areas together with associated works. As amended by drawings received 17/12/12.      **DECISION:** REF
- REF:** B/12/00120      Notification under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - To extend the concrete hardstand around the building to enable lorry access and turning, together with temporary seasonal storage of straw, sugarbeet etc, including alterations to the building comprising moving roller shutter door to the opposite (blocking up existing door opening) to allow easier access.      **DECISION:** PRQ
- REF:** B/11/00427      Change of use and extension of existing agricultural barn and linked yard buildings to provide 2 No. Dwellings with garage/carport and workshop/store. (Demolition of grain store attached to barn).      **DECISION:** WDN
- REF:** B/94/00302      NOTIFICATION UNDER PART 6 OF SCHEDULE 2 OF THE TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988 (AS AMENDED) - ERECTION OF A DUTCH BARN      **DECISION:** RNO
- REF:** B/04/01738      Notification under Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 - Erection of General Purpose Farm Building, as amended by agent's letter dated 18/10/2004 and unnumbered ordnance survey drawing, both received by the Local Planning authority on 19/10/2004.      **DECISION:** WDN
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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1 The application site is located approximately 160m west of the junction of Plum Street and New Street, one kilometre west of the village of Glemsford. Glemsford is a designated 'Core Village' in the Babergh Core Strategy 2014.
- 1.2 The site comprises an existing two storey farmhouse together with an associated barn and attached/detached yard buildings located north of the farmhouse. A large pond is to the west of the barn and yard buildings. The remainder of the immediate site comprises informal woodland and grassland with arable fields beyond. A mobile phone mast is located to the rear of the site which is proposed for removal.
- 1.3 None of the buildings at the site are listed. The site is not in a Conservation Area or designated area of special landscape significance.
- 1.4 The track to the site is private, classified as a 'restricted by-way'. A number of public rights of way are located in proximity of the subject site, including public footpaths 17 and 18.

### **2. The Proposal**

- 2.1 The application seeks full planning permission for the change of use and conversion of an agricultural barn, the rebuilding of linked yard buildings, removal of redundant buildings and erection of extensions for use as a wedding/function/event facility.
- 2.2 This application is a re-submission of the a previously refused planning application for the same scheme. Babergh Planning Committee refused application DC/18/00856 on residential amenity grounds. The supporting information of the planning application did not demonstrate that residential amenity could be protected in terms of noise nuisance.
- 2.3 The supporting Planning Statement succinctly summarises the key elements of the proposal as follows:
  - Renovation and conversion of the main barn
  - Removal of existing portal-framed agricultural storage building
  - Rebuilding of existing yard building
  - Extension of main barn to form contemporary entrance lobby
  - Formation of new car park (totalling 35 car spaces and a coach parking bay)
  - Formation of new access road
  - Structural landscaping including planting atop a one metre high bund to the carpark perimeter and northern side of proposed access
  - Off-site works (including provision of two new passing places on New Street and tourism signs)
- 2.4 In respect to proposed venue operations, two full time and 12 part-time employees are expected. Hours of operation are not detailed in the application form. However, the applicant's response to Parish Council queries states the following regarding operating hours:

*'Generally, weddings are from approximately 2pm (or 3pm) until midnight, and can be Friday, Saturday or midweek. Conferences and general use for meetings/events would be during the normal working day, approximately 9am – 4pm'*

### **3. The Principle of Development**

- 3.1 Paragraph 28 of the NPPF supports the sustainable growth and expansion of all types of business and enterprise in rural areas, amongst other things, through the conversion of existing buildings. The proposal clearly accords with paragraph 28 of the NPPF.  
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- 3.2 Policy CR18 provides a criteria-based approach to the conversion of existing buildings in the countryside, noting that conversions to industrial, business, community or recreational uses will be permitted subject to compliance with set criteria. Paragraph 6.64 provides the policy basis for Policy CR18, stating: 'The diversification of farm enterprises can provide an important alternative source of income and much needed additional employment opportunities in areas where jobs are scarce. There is an economic argument for retaining and re-using traditional rural buildings. In addition, it can help to protect the landscape quality and character of rural areas by retaining traditional buildings and minimising the need for the new buildings.'
- 3.3 An assessment against the criteria set out at Policy CR18 is provided below.

### **4. Nearby Services and Connections Assessment of Proposal**

- 4.1 The nature of the use is one that generates vehicle movements, regardless of its location in the countryside or in an urban centre. There is no hiding from the fact that it is relatively unlikely that guests to a wedding will opt for public transport, irrespective of location.

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

- 5.1 There is significant local resident concern regarding the highway safety implications of the proposal. The application is supported by automatic traffic counts that suggest the lanes in question are far from capacity. The proposed 4.8m wide access point is designed to ensure no conflict with existing farm traffic and incorporates visibility splays that are readily compliant with the Manual for Streets minimum requirements.
- 5.2 The NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is interpreted as referring to matters of highway capacity and congestion, as opposed to matters of highway safety. The courts have held that paragraph 109 should not be interpreted to mean that anything other than a severe impact on highway safety would be acceptable (*Mayowa-Emmanuel v Royal Borough of Greenwich* [2015] EWHC 4076 (Admin)).
- 5.3 The Highways Authority does not object to the application. The proposed passing bays are a direct response to the direction provided by the Highways Authority and would be constructed to the Authority's specifications. Application to the Highway Authority for the tourist signs would be required and there is nothing before officers to suggest that consent would not be forthcoming. The applicant proposes an advertising pack setting out a preferred route to the venue for drivers, a commonplace technique used by venue operators in countryside locations to limit traffic and associated noise/disturbance impacts.

- 5.4 It is clear the cumulative traffic impacts resulting from the development will not be 'severe' as there is sufficient capacity to accommodate the expected traffic generated by the new use.
- 5.5 Car parking provision is well above the minimum requirements set out in the 'Suffolk Guidance for Parking' document. 35 spaces are proposed when only 22 spaces are required. It is clear that a reason for refusal based on grounds of parking provision cannot be sustained.
- 5.6 In the absence of an objection from the authority charged with the responsibility of maintaining highway safety and having regard to the 'severe' threshold promoted at paragraph 109 of the NPPF, it is difficult to substantiate a reason for refusal based on highway safety grounds.

## **6. Design and Layout [Impact on Street Scene]**

- 6.1 The proposed extent of rebuilding is very limited. New structures are subordinate to the main barn, of a scale that is proportionate to the host building. The new structures will not dominate the retained building or the broader setting. The extent of rebuilding is considered necessary and reasonable to secure a viable venue operation.

## **7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 7.1 The proposed works will enhance the rural appearance of the area through the removal a large steel framed farm building and derelict buildings. The replacement structures will make a far more positive contribution to the character of the immediate site and broader locale than the existing structures proposed for removal. Landscape planting is proposed to screen the new car park and details can be managed by planning condition. Details of material finishes, including colours, is best managed by planning condition. On the whole, the landscape setting will be significantly improved.
- 7.2 In respect to biodiversity, the application is supported by an Ecology Report. The report sets out a series of recommendations including precautionary methods to be undertaken to ensure the protection of species and all of these measures can be adequately managed by planning condition. It is noted that the report does not contain any indication of protected or locally rare habitats. The proposed landscaping provides opportunity to enhance the ecological value of the site.
- 7.3 Noteworthy is the inclusion of a bat loft of significant scale (17m long) in the roof void of the single storey building. The bat loft is a proposed mitigation measure, in part because it has not been possible to survey the buildings at the optimal time of year. Suffolk Wildlife Trust have stated that further bat surveys are required prior to commencement of works. The Resolution gives the Corporate Manager authority to grant planning permission following the submission and consultation of further bat surveys.

## **8. Land Contamination**

- 8.1. A Land Contamination Assessment accompanied the application. The Environmental Health Team have reviewed the assessment and are content that the land does not cause a risk of contamination for users of the building.



## **9. Heritage Issues**

- 9.1. During the course of the application an interested party contacted Historic England because they felt that the barn should be listed because of its historic fabric and setting. Historic England has carried out a full inspection of the site and have decided not to list the building.
- 9.2 The Council's Heritage Team offer no objection to the proposed scheme of physical works. The proposal secures the retention of an historic building through its conversion and renovation, a positive heritage outcome. The works proposed will in no way compromise the historic understanding of the building. It is concluded that the proposed works are acceptable in heritage terms.

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

- 10.1. The noise impact assessment by Oakridge Environmental Services Ltd (OES) dated 5 February 2018 has been re-submitted without any further update or amendment and is accompanied with a "technical note" by dB Consulting Ltd (DBC) which gives further advice on noise mitigation measures.
- 10.2 The Environmental Protection Team previously considered the noise impact assessment by OES and replied dated 29 May 2018. In summary the response was to recommend refusal because assessment methodology did not take account of the impact of entertainment noise on New Street Farm House and the external amenity of a dwelling in Plum Road. Advice on how this type of assessment could be carried out with reference to specific codes of practice and guidance from the Institute of Acoustics was outlined in that reply.
- 10.3 The technical note by DBC further discusses noise break out from the proposed application site and makes recommendations for both structural and management mitigation measures to reduce noise at the nearest noise sensitive receptor.
- 10.4 The technical note describes New Street Farm as a rural location outside the village of Glemsford surrounded by agriculture. It advises that the nearest noise sensitive receptor to the application site is a dwelling 170m to the East and that the background noise levels are very low at night, typical of a rural locality. DBC Uses the façade of the dwelling in Plum Street as a reference point to assess the noise impact of people (conversation); transport (motor vehicles and parking) and entertainment noise (amplified music).  
The assessment is made after taking account the effect of:
- Sound insulation improvements to the walls, roof and windows of the function room;
  - A sound limiting device (SLD) in the function room;
  - A new access road and with a 1m high bund and
  - Management measures.
- 10.5 Structural Sound Insulation Measures - The technical note describes construction detail for the walls, roof and windows to a standard that will achieve the minimum sound reduction indices as per table 1 in the note. This construction detail includes the use of double layers of 'Soundbloc' plaster board, sound insulation in cavity walls and acoustic double glazing. If applied to all walls and ceilings in the function room, it will contain entertainment noise. Residual noise breaking out of the function room is assessed from the roof and wall facing the nearest noise sensitive receptor (depicted by the red shaded area on an unlabelled drawing in the technical note).

- 10.6 This is reasonable and Environmental Health recommend is conditioned (if granted) to include a provision for post construction testing using a suitable noise source inside the building to confirm that the sound reduction performance as defined in table 1 of the technical note has been achieved.
- 10.7 It is worth noting, at this point that the sound reduction levels quoted in table 1 are greatest at high frequencies and much less at low frequencies. It is widely accepted that low frequencies are more difficult to contain within timber-built structures in contrast to the use of more traditional (and denser) materials, such as bricks and concrete. When low frequency noise breaks out of structures it is omnidirectional and can diffract around structures. Low frequencies are typically represented at the bass end of entertainment noise (bass drums and bass guitar)
- 10.8 Although DBC's predicted levels of low frequency noise are reported at the façade of the nearest noise sensitive receptor in their technical note, they are not compared with equivalent background levels. DBC does not have the measured linear octave band data at this location for comparison. DBC simply say "it is our experience these levels are likely to be below No Observed Effect Level and unlikely to change behaviour or sleep". The assessment by OES only reports background noise levels in the A weighted scale. The scale A weighted scale under reports low frequency noise e.g. – 26 dB and – 16 dB for the first octaves centred on 63 at 125 Hz respectively. Direct comparisons with the A weighted background value are therefore not possible.
- 10.9 The Environmental Health Officer considers that low frequency background noise levels (as with other frequencies) outside of towns in rural areas away from industrial activity and major transport links, are very low. During night time periods when the background noise level is very low, low frequency noise such as a bass beat will become more apparent.
- 10.10 A proper assessment of the impact of the low frequency entertainment noise by direct comparison of the background levels has not been made and because of this Environmental Health cannot accept the conclusion made by DBC.
- 10.11 Advice on the control of entertainment noise which included low frequency noise was given in the previous application. (Noise Council Code of Practice on Environmental Noise Control at Concerts (NCCP) and the Institute of Acoustics Good Practice Guide on the Control of Noise from Pubs and Clubs (IOA Guide).
- 10.12 The NCCP although originally intended for use at outside venues, is also used for music entertainment at indoor venues. The guide recommends noise limits to protect external amenity and low frequency noise. The Institute of acoustic also published guidance to be considered for the assessment of noise from pubs and licensed premises and gives guidance on low frequency noise. This guidance has not been used in the resubmission.
- 10.13 To reduce the possibility of noise break out the technical note also recommends adding lobby entrances to the function room, making doors self- closing and not allowing doors to be open during the playing of amplified music. This is not shown on any plans submitted but I consider are reasonable and could be subject to condition to any approval (if granted), provided this is acceptable within any fire safety requirements for such venues.
- 10.14 By keeping windows and doors closed to prevent noise breakout, however, it will be necessary to introduce some form of mechanical ventilation or air conditioning into the function room and foyer to control room temperature and ventilation for comfort, especially during the warmer summer months, otherwise these measures will not be practical or achievable. Again, this could be agreed with the applicant or made a condition of any approval.

- 10.15 Sound Limiting Device - The technical note recommends controlling the music noise at source to 87 dBA in the function/entertainment room with the use of a sound limiter. The use of a sound limiter is reasonable, and It is recommended that this is conditioned should approval be granted.
- 10.16 For the assessment of noise breakout DBC suggests a notional average music noise level at the centre of the dance floor of 87 dBA and uses this value to calculate the impact on the nearest noise sensitive receptor. This is a relatively low level for a disco or live amplified band typical of a wedding venue and would not be viable for a live band or disco, typical of evening entertainment at a wedding or events venue.
- 10.17 Referring to the applicants' previously submitted noise impact assessment, OES, describes a typical level as 90 dBA (expressed as an average measured over 15 minutes).
- 10.18 The Environmental Health Officer considers when a noise is incongruous to the character of a locality, the reaction to it by a receptor is in real time and not as a measured 'dose' over the 15-minute measurement period quoted. Music levels fluctuate between 90 and 95 dB in real time and this depends on the style of the music played. This variation is more typically in the centre of a dance floor. A level of 95 dBA would more accurately describe the music source and any subsequent assessment of noise breakout. It would be a robust test (worst case scenario) for the noise mitigation measures and provide greater certainty about the impact on the nearest noise sensitive receptor.
- 10.19 Resurfacing Access Road and Bund - DBC recommends that the access driveway and proposed car park is constructed from concrete. A 1m high bund bordered on the nearest noise sensitive receptor side is also recommended for the length of the driveway. These measures may have marginal noise reduction impact for road traffic. No assessment or evaluation of noise levels have been made in respect of traffic passing by the nearest noise sensitive receptor in Plum Street with reference to sleep disturbance and accepted guideline maximum levels at any first-floor habitable rooms having windows that overlook the new access road and in Plum Street.
- 10.20 Management Measures - Whilst such measures appear reasonable and should be supported in the overall noise management strategy, they are not enforceable and may from time to time be breached by patrons and visitors to the venue.
- 10.21 The nearest noise sensitive receptor referred to in both the technical note and the noise impact assessment by OES is the dwelling in Plum Street approximately 170m East of the proposed venue. OES states "this report does not assess music impacts of adjacent agricultural workers dwellings which is in the same ownership as the applicant". The report does not offer any explanation as to why noise impacts are not considered at this location.
- 10.22 It is understood from the Agent that the dwelling is occupied by a tenant employed in agriculture but not in any way associated with the proposed wedding venue.
- 10.23 Any such occupier or future occupier either as tenant or owner will be entitled to protection from the adverse impacts of the development and as a minimum entitled to make a complaint to the Council under the Environmental Protection Act 1990 that they are suffering nuisance. The Council has a statutory duty to investigate any such complaint and, in this circumstance, should a complaint be made, it is likely to result in the Council serving a noise abatement notice. This point was raised in the previous application but have not found that it has been satisfactorily addressed in this resubmission.

- 10.24 In the previous application the assessment methodology revolved around a separation distance of 170m to the facade of the nearest noise sensitive receptor. Although using the façade is correct for subsequently assessing the impact of the noise inside the premises (with a window partially open) it does not consider the noise impact on residential amenity outside in areas where people are likely to frequent and enjoy as part of their home. This includes areas used for recreation, gardening or simply sitting enjoying conversation. It is understood that the garden boundary of the nearest noise sensitive receptor in Plum Street is much closer to the application site and it is estimate this to be 85m; the point at which such the external amenity assessment should be based. The garden boundary is also directly opposite the proposed car parking area. The estimated distance is 30m.
- 10.25 In the resubmission the opening hours are not known and no other controls on the number of events throughout the week or year reported and so assume that the applicant does not wish to see any restriction over the number of events (weddings) or successive events that occur.
- 10.26 Whilst it is noted the recommendation by dB Consultation Ltd of a 10mph speed limit and 1m earth bund along the new access road, the limit will be difficult to police or enforce and the bund will not protect or mitigate motor vehicle noise impact to any first-floor habitable rooms/bedrooms of the nearest noise sensitive receptor on Plum Street. The nearest noise sensitive receptor is very close (20m) and directly overlooks the new access road. The noise impact from the tidal flow of motor vehicles including larger vehicles such as a coach or mini bus leaving the venue during the night time has not been assessed with regard to sleep disturbance.
- 10.27 In summary, the submitted assessments and technical notes do not fully or properly assess the noise impact from the proposed development for the following reasons:
- The source of entertainment noise (with reference to DBC technical note) is understated and as such does not represent worst case scenario;
  - The closest external amenity areas (gardens) of nearest noise sensitive receptors in Plum Street are not properly considered in the assessments;
  - The noise impact of low frequency sound (typically bass and drum beat) from the venue on nearest noise sensitive receptors in Plum Street has not been assessed or referenced to accepted codes of practice;
  - The noise impacts of entertainment noise, people and car parking on the residential occupation of New Street Farm House have not been explained or considered in the submitted report or technical note;
  - The impact on sleep disturbance on the nearest noise sensitive receptor in Plum Street from the tidal flow of venue vehicles leaving the site has not been quantified and properly assessed.
- 10.28 The applicant has requested that the decision for the application is held until he has had an opportunity to respond to the Environmental Protection Team's comments on the application. However, it is felt there is sufficient detail to be able to make a recommendation on this application based on the Noise Impact Assessment and Noise Technical Note that accompanied the application. Any further information received from the applicant will be given as a verbal update at the committee meeting.
- 10.29 In addition to the impact on the amenity of nearby residential properties, there is also the wider landscape to consider. Although this area does not have an official designation as a "Tranquil Area", it is recognised that due to the isolation and rural nature of the application site this is a quiet area in terms of background noise. Paragraph 180 of the NPPF (2018) seeks to "protect tranquil areas which have remained relatively undisturbed by noise and are prized for the recreational and amenity value". The area has many public footpaths which are well used by people enjoying the tranquillity of the area.

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## **PART FOUR – CONCLUSION**

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### **11. Planning Balance and Conclusion**

- 11.1 The proposal has been assessed in accordance with adopted development plan policies, guidance contained in the NPPF and all other material considerations. These policies seek to promote sustainable development through the economic, social and environmental roles of the planning system. The NPPF, adopted Babergh Core Strategy and Babergh Local Plan policies are supportive of the rural economy and the local natural and historic environment.
- 11.2 The proposal fails when assessed against the criteria set out at Policy CR18 which is consist with the NPPF. The scheme offers positive heritage benefits. Landscaping will enhance the landscape setting as will the proposed physical works, including removal of derelict structures. Landscaping enhances biodiversity and limits amenity impacts. However, no evidence has been provided that acoustic measures can be implemented, and noise controlled by conditions to ensure residential amenity will be safeguarded. The Highways Authority raises no objection to the proposed increase in traffic movements resulting from the development subject to measures such as the construction of passing bays. Proposed parking provision is well in excess of the prescribed minimum standards. Ecological impacts can be adequately mitigated, and the bat loft is a welcome ecological enhancement for the area.
- 11.3 There is significant community opposition to the proposal. Concerns are principally raised in respect to highway safety, in particular pedestrian safety using the 'horseshoe', and residential amenity, in particular noise effects. However, in the absence of an objection from the Highways Authority it is not deemed reasonable to refuse the application on highway safety grounds. The applicant has gone to some length to demonstrate how noise effects will be managed, as detailed in the supporting noise report. However, suitable noise mitigation measures have not been demonstrated by the submitted details and amenity levels for neighbouring residents have not been proven to be safeguarded.

### **RECOMMENDATION**

This planning application is recommended for refusal for the following reason:

Paragraphs 127 and 180 of the NPPF directs planning decisions to avoid noise giving rise to significant adverse impacts upon health and quality of life, to identify and protect areas of tranquillity, and to mitigate, and reduce to a minimum, other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions. Policy CS15 of the Core Strategy and Policy CR18 of the Local Plan require all new development to demonstrate the principles of sustainable development, and to safeguard amenity.

The application is not supported by evidence considered sufficient to demonstrate that the development would adequately safeguard amenity and it has not been adequately demonstrated that sufficient controls could be imposed in order to mitigate adverse impacts.

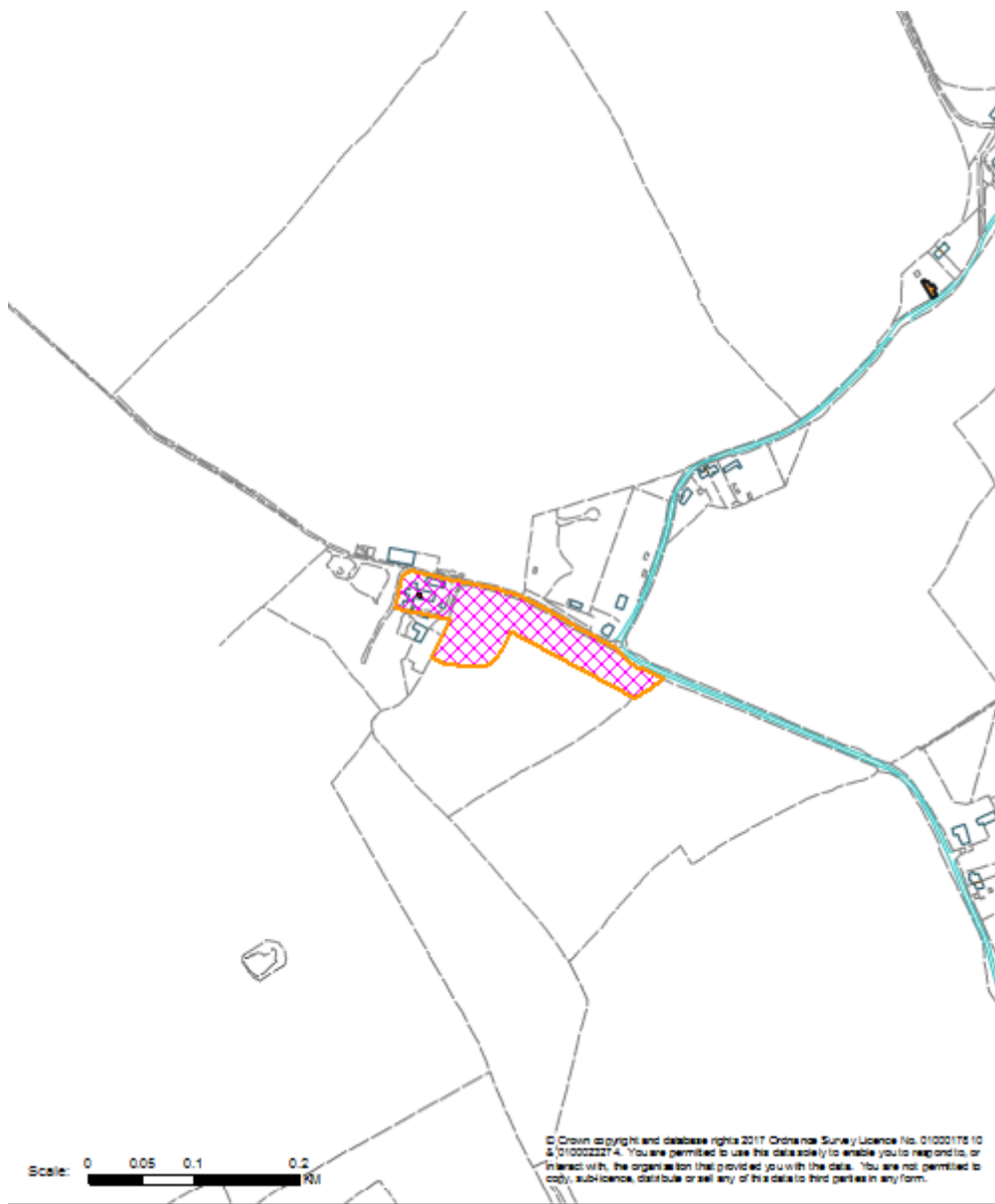
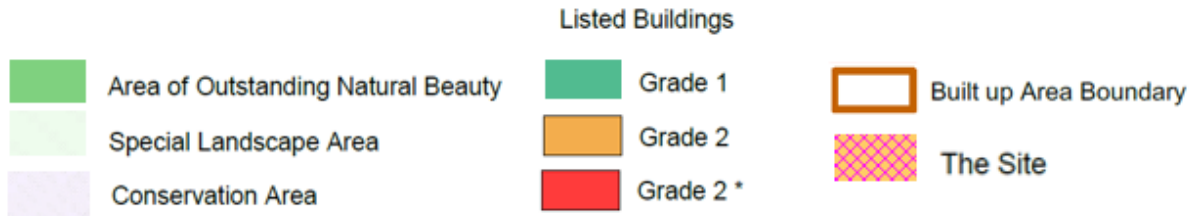
The benefits posed would not outweigh the harm identified, contrary to the aforementioned policies.

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**Application No: DC/18/03646**

**Parish: Glemsford**

**Location: New Street Farm, New Street**



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# Agenda Item 6g

## Committee Report

**Item No:** 7

**Reference:** DC/18/05610

**Case Officer:** Jack Wilkinson

**Ward:** Alton

**Ward Members:** Cllr Harriet Steer and Cllr Alastair McCraw

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## Description of Development

Full planning application for the erection of 3 No. houses, 6 No. flats and associated parking, following the demolition of existing dwellings.

## Location

**Site:** 11 and 12 Ipswich Road, Brantham, CO11 1PB

**Parish:** Brantham

**Site Area:** 0.18ha

**Conservation Area:** Not in Conservation Area

**Listed Building:** Not listed

**Received:** 24/12/18

**Expiry Date:** 01/04/19

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**Application Type:** Full Planning Permission

**Development Type:** Small Scale Minor Dwellings

**Environmental Impact Assessment:** N/A

**Applicant:** Babergh District Council

**Agent:** Ingleton Wood

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## DOCUMENTS SUBMITTED FOR CONSIDERATION

This decision refers to the Site Location Plan - received 24/12/18 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:

Highways Visibility Drawing - received 11/02/2019

Planning Application Form - received 24/12/18

Site location plan - received 24/12/18

Proposed site layout- received 24/12/18

Proposed floor plans and elevations plot 1- received 24/12/18

Proposed floor plans plots 2-3 - received 24/12/18

Proposed elevations plots 2-3- received 24/12/18

Proposed floor plans plots 4-9- received 24/12/18

Proposed elevations plots 4-9- received 24/12/18  
Drainage Strategy- received 24/12/18  
Ecological Appraisal- received 24/12/18  
Habitats Regulation Assessment- received 24/12/18  
Design and Access Statement- received 24/12/18  
PIA Report- received 24/12/18  
Planning Statement- received 24/12/18  
Topographical Survey- received 24/12/18  
Transport Note- received 24/12/18  
Tree Survey Schedule- received 24/12/18  
Preliminary Risk Assessment- received 02/01/19

The application, plans and documents submitted by the Applicant can be viewed online at [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk).

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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:

- The application is sought by Babergh District Council.

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## **PART TWO – APPLICATION BACKGROUND**

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### **History**

The site has no relevant planning history.

### **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**

CS01 - Applying the presumption in favour of sustainable development  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS13 - Renewable/ Low Carbon Energy  
CS15 - Implementing sustainable development in Babergh  
CS18 - Mix and Type of Dwellings  
CS19 - Affordable Housing  
CN01 - Design Standards  
TP15 - Parking Standards  
HS28 – Infill Development  
NPPF2 - National Planning Policy Framework (2018)

### **Supplementary Planning Documents**

Suffolk Adopted Parking Standards (2015)  
Suffolk Design Guide (2000)

### **Previous Committee / Resolutions and Any Member Site Visit**

Not applicable.

### **Pre-Application Advice**

Pre-application discussions held between the applicant and Council Officers.

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### **Consultations and Representations**

During the course of the application consultation responses have been received. These are summarised below.

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

##### **Environmental – Land Contamination**

No objection comments presented as follows:

*“Many thanks for your request for comments in relation to the above application. Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them”.*

##### **Natural England**

Further information required to determine impacts on designated site. Comments are as follows:

*“This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development.*

*As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded. We therefore advise that you should not grant permission until such time as the implementation of this measure has been secured”.*

##### **Suffolk Wildlife Trust**

No objection subject to compliance with submitted report recommendations:

*“We have read the ecological survey report and Habitats Regulations Assessment (both Wild Frontier Ecology, August 2018) and we are satisfied with the findings of the consultant. We request that the recommendations made within the reports are implemented in full, via a condition of planning consent, should permission be granted”.*

##### **Local Lead Highways Authority**

No objection subject to compliance with recommended conditions relating to visibility splays, loading / unloading, access details and refuse / recycling details.

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## **Strategic Housing**

No objection with recommendations as follows:

*“It is recommended that in recognition that three of those applicants on the Babergh Housing Register requiring 1 and 2 bed roomed accommodation are in Band A or B, which demonstrate highest housing need, that 2 x 1 bed flats and 1 x 2 bed house (suggest plot 3) are offered to applicants with a local connection to Brantham for Initial Lets and that this will be secured through a Unilateral Undertaking. The remaining 4 x 1 bed flats and 2 x 2 bed houses will be made available to meet Babergh district-wide housing need. After initial lets all 9 dwellings to be available for district wide applications.”*

## **Place Services (Ecology)**

No objection subject to biodiversity mitigation and enhancement measures

## **Brantham Parish Council**

No objection to the principle of development:

*“BPC has no objection in principle to the submitted proposal, but would note that there is no specific undertaking, (except at Para 6.26 of the Planning Statement), within the Application or submitted drawings, that this development will provide low-cost affordable housing, either for rent or purchase. BPC would therefore request (should planning permission be likely to be granted) that this application should clearly demonstrate a viable commercial interest from a current registered provider\* of social housing, which is prepared to support that element of the project. \*As defined at <https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>”.*

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## **B: Representations**

5 no. objections were received relating to the following:

- Unsympathetic design
  - Proposal would create adverse highways impact and congestion
  - Extra vehicles will create increased pollution in this particular area
  - Housing mix (flats in a rural area) is not beneficial to the area
  - The proposed flats are not an effective use of the land
  - The proposal would create danger to pedestrians and other highways users
  - The size and scale of the proposal would create adverse residential amenity, including loss of sunlight and privacy
  - The proposal creates overlooking issues, and also noise pollution
  - Inadequate drainage provision
  - Inadequate parking provision
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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 0.18ha application site is located inside of the defined Built Up Area Boundary (BUAB) for Brantham (a Hinterland Village). The site is part of an established run of residential property, and is of previously developed residential form.
- 1.2** To the immediate north is further domestic property of two-storey scale, with agricultural land beyond (including the Dodnash Special Landscape Area). Immediately east is established residential dwellings of varying single and two-storey form. To the south is Ipswich Road / A137, a core vehicular route linking Brantham to Ipswich. To the west is Gravel Pit Lane, with further residential units beyond. The area is predominantly rural, located within the Stour Estuary Sites of Scientific Interest (SSI) and the Stour and Orwell Special Protection Area (SPA). The site is directly served by Ipswich Road and Gravel Pit Lane, including a pedestrian link south to the services, facilities and amenities of Brantham close by.
- 1.3** The existing site has 2 no. two-storey semi-detached houses, with generous garden space to the rear, with parking space, and overgrown boundary vegetation. The site is visually unconstrained.

## **2 The Proposal**

- 2.1** Full plans planning permission is sought for the erection of 3 no. houses and 6 no. flats with associated parking, following the existing demolition of 2 no. dwellings.
- 2.2** A proposed site layout has been provided illustrate the quantum of development, in that the amount of residential units proposed, can be accommodated on the site in an acceptable form. Key elements of this are as follows:
- 2 separate vehicular access points, firstly serving the 6 no. flats and 1 no. house and the other serving the remaining 2 no. houses, all from Gravel Pit Lane.
  - Spacious turning / manoeuvring areas
  - Low level landscaping to boundary edges
  - Footpaths provided around the perimeter of the site.
  - Bins and bicycle storage located on the west of the site.
  - Two storey form.
  - 100% affordable housing (tenure split subject to Strategic Housing comments)

## **3 The Principle of Development**

- 3.1** Core Strategy Policy CS02 sets out the adopted spatial strategy for development within Babergh. Brantham is identified as a Hinterland Village, for which there is a sequential preference for housing development. The policy also notes that previously developed land should be utilised to its maximum extent in order to aid this growth.
- 3.2** Policy CS02 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by Core and Hinterland Villages.
- 3.3** The proposal site is located within the Hinterland Village (as defined by CS02) of Brantham, where some development will be permitted. In this case the principle of housing on the site has already been established in the form of the 2 no. existing houses. Officers are required to consider what materialises by a net gain of 7 no.

additional units on the site, in light of the merits presented, and the adverse harm created. In this case and for the reasons detailed in the assessment sections below, the site is in an inherently sustainable location, supported by adequate connectivity and access to services and facilities, within the settlement boundary.

- 3.4 The Strategic Housing Market Assessment (SHMA) 2017 confirms a need for 73 new affordable homes within Babergh per annum. The Council's Choice Based Lettings system currently has circa 909 applicants registered for affordable housing in Babergh at January 19 requiring a mix of bedroom sizes from 1 to 4+.
- 3.5 The Council's housing register shows a registered housing need for Brantham of 20 applicants with a local connection requiring 1, 2, 3, and 5-bedroom properties. However, of these 20, only 6 have an assessed housing need and are in Band A, B or C. The remaining 14, although registered, are in band E which means they are adequately housed for now - possibly living in private rented housing, but do not have a high priority for housing. Of the six applicants in Band's A - C, 2 require 1 bed roomed accommodation, 2 require 2 bed roomed accommodation, 1 requires 3 bed roomed accommodation and 1 requires a 5 bed roomed house. In delivering affordable housing, this site would help to address this identified need required by Policy CS19.
- 3.6 Local Plan Policy HS28 states that 'infilling' or groups of dwellings will be refused where the site should remain undeveloped as an important feature in visual or environmental terms, as discussed below.
- 3.7 As such, the application site is considered to be acceptable in principle. It makes use of an existing residential site, well located within the established settlement boundary in line with the directions of the adopted Core Strategy. Further, it seeks to deliver an affordable housing offering designed for the local need.

#### **4 Nearby Services and Connections Assessment of Proposal**

- 4.1 The application site is located within close access of Brantham and its associated services, facilities and amenities. These include; Brooklands Primary School, The Crown Public House, Co-Op Foodstore, Restaurants, Village Hall and Playing Fields. There is a routine public bus service connecting the site to the wider area through the 92 route service.
- 4.2 Public transport accessibility from the site is good with bus stops available on Ipswich Road / A137, which is within walking distance from the site. The bus routes connect Brantham to the surrounding areas of Ipswich, Manningtree and Colchester. The accessible bus network provides a viable option for residents to commute to other settlements for employment, education and healthcare etc. As such, there is the opportunity for residents to choose more sustainable modes of transport than the private vehicle.

#### **5 Design and Layout**

- 5.1 Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the site should remain undeveloped as an important feature in visual or environmental terms; the proposal, in the opinion of the District Council, represents overdevelopment to the detriment of the environment, the character of the locality, residential amenity or highway safety. Paragraph 127 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development. This is further emphasised by Policy CN01.

Appropriate design is proposed for the new build units given the location within Brantham. The scheme adopts similar aesthetic details of existing residential dwellings along Ipswich Road / A137 and Gravel Pit Lane, and therefore harmonises with the character and form of the area. Certainly, the existing houses of two-storey form establish the principle of two-storey new build. It is also noted that the area is visually unconstrained, with varying design precedent offered along Ipswich Road / A137. Such variance can in some instances attract a more expressive design, however, the scheme responds appropriately to the existing visual character.

**5.2** Officers acknowledge that the provision of flats is not characteristic by form, however, the design details adequately correlate with the area, including through appropriate scale and mass. The development pattern and streetscene along Ipswich Road / A137 remains unbroken, with suitable domestic footprint enabling effective use of land. Ridge heights will be secured through planning condition to ensure continuity in built form. The materials palette is as follows:

- Buff facing brick – **Brick Wall**
- Red Multi Stock facing brick – **Brick wall**
- Through-colour Monocouche colour chalk - **rendered wall**
- ‘Rockpanel Woods’ or equal approved – colour teak - **cladding**
- u-PVC colour grey – **casement windows**
- G.R.P. Composite – **front/rear doors (Houses)** Aluminium – colour grey - **external communal doors (flats)**
- Concrete pantiles colour red – **Roof (with half-round matching ridge/hip tiles)**
- Manmade slate tiles colour grey – **Roof (matching ridge/hip tiles)**
- u-P.V.C colour grey – **Fascias, soffits, bargeboards**
- u-P.V.C circular colour black – **Rainwater goods**
- G.R.P. – colour grey (roof) & grey (fascia/soffit) – **Entrance canopy (flat roof)**
- G.R.P colour grey - **Chimney**

**5.3** A material factor in the overall consideration of the application is the intensification of built form on the site, from 2 no. semi-detached houses increasing to 3 no. houses and 6 no. flats. The site is readily capable of accommodating such increase, without undue harm to the character, landscape or indeed residential amenity experienced by occupants of neighbouring property.

**5.4** The proposal offers suitable design and an effective layout, offering an efficient and practical use of the land which provides uplift to what is currently an under-utilised plot of residential land within the BUAB. Officers consider the design to be sympathetic to the character of the surrounding area. Despite the increased domestic amount on site, Officers consider that there is a good degree of betterment for the area through the design and layout cues proposed, reflecting Policies CN01, HS28 and the NPPF2.

## **6 Residential Amenity**

**6.1** Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the layout provides an unreasonable standard of privacy or garden size. Paragraph 127 of the NPPF2 sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 6.2** The impact of the works is considered fully, and there is little before Officers to suggest the scheme would result in a materially intrusive development, which would hinder and oppress the domestic enjoyment and function of adjacent property, to an unacceptable level. Officers do not consider that the site is overdeveloped by virtue of the quantum of development shown on the proposed plans, demonstrating sufficient amenity space and parking provision.
- 6.3** The site is readily capable of accommodating 6 no. 1 bed 2-person flats at 50 sqm and 3 no. 2 bed 4-person houses at 79 sqm, in a manner that will not unduly compromise the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. More specifically, suitable distances between dwellings can be achieved to ensure no unacceptable loss of daylight, sunlight, or overlooking to the existing residents would ensue.
- 6.4** Built form visible from a private vantage point does not necessarily result in adverse private residential amenity harm. Officers note that objections raised do not relate to adverse character affects either, therefore the real extent of public harm caused is considered insufficient. Inner site privacy is retained and enhanced through divisional fencing, and this extends outwards retaining neighbour privacy further. The enclosures included in the scheme are suitably set out.
- 6.5** Similarly, noise pollution as a result of the domestic intensification is considered, and Officers consider it is unlikely to present unacceptable domestic noise pollution to a level which extends above and beyond the realms of the permitted use. Officers do acknowledge the potential for disruption during the construction phase, and in the interests of neighbours, a Construction Management Plan (CMP) will be sought through planning condition.
- 6.6** There is little before Officers to suggest the scheme would generate residential amenity harm worthy of refusal, and in the absence of such evidence to suggest so, Officers are of the sound opinion that the scheme reflects local and national planning policy. The scheme reflects the essence of Policy HS28 and Paragraph 127 of the NPPF2.

## **7 Site Access, Parking and Highway Safety Considerations**

- 7.1** Policy TP15 requires development to be delivered with safe and sufficient highways access and function. The site has been assessed by the LLHA, who are content that safe and sufficient egress can be delivered, subject to conditions. Additionally, they are satisfied with the general parking layout shown and consider sufficient manoeuvring space is provided such that vehicles may enter and leave the site in a forward gear, without severe detrimental impact.
- 7.2** Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is interpreted as referring to matters of highway capacity and congestion, as opposed to matters of highway safety. The courts have held that the principle should not be interpreted to mean anything other than a severe impact on highway safety would be acceptable (*Mayowa-Emmanuel v Royal Borough of Greenwich [2015] EWHC 4076 (Admin)*).
- 7.3** Parking on site is offered in accordance with the Suffolk Adopted Parking Standards SPD (2015) such that enough spaces are to be provided that future residents will be able to avoid on street parking.



7.4 Officers acknowledge the highway safety concerns raised by 3<sup>rd</sup> party objections. In this regard, careful consideration has been paid to the inner site layout ensuring pedestrian, cyclist and vehicular conflict is minimised. The design response in this regard is endorsed by Officers. Furthermore, and in recognition of *Mayowa-Emmanuel* and the wider safety implications upon the immediate area, the scheme is unlikely to present 'severe' adverse highways impact resulting in unacceptable congestion or obstruction. The visibility concerns are accepted, and the Agent has submitted amended plans (reference: 500532 IW XX XX DR A 2000) in order to secure a compliant scheme that provides safe and sufficient access for pedestrians, cyclists and vehicles. Visual obstruction is not created as a result of development. Finally, each plot is afforded parking space(s) including visitor parking as depicted on the proposed plans.

7.5 The LLHA have assessed the proposal, and support the scheme subject to the imposition of planning conditions which include; details of visibility splays, loading / unloading and manoeuvring / parking provision, access and refuse / recycling storage. There is nothing before Officers to suggest a LLHA compliant scheme could not be delivered, reflective of Policy TP15.

## **8 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

8.1 The scheme presents a limited impact upon arboricultural value. The removal of trees and overgrown vegetation as existing is not a matter which Officers raise concern with.

8.2 Natural England (NE) were also consulted given the sites location within the wider 'zoned' area. This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. As the site is identified as falling within the zone of influence for the Stour and Orwell Estuaries SPA and Ramsar site, a Unilateral Undertaking to secure a contribution towards the Suffolk RAMS is required.

8.3 Suffolk Wildlife Trust (SWT) were also consulted. The Trust identified that the scheme could be supported subject to the implementation of recommendations within submitted ecological survey report and Habitats Regulation Assessment, which is supported by Place Services (Ecology). No other protected or priority species were identified on site.

## **9 Land Contamination**

9.1 No issues are identified within the submitted land contamination studies and the Environmental Health Officer (EHO) is satisfied that development could go ahead without the need for further investigation or remediation at this stage.

## **10 Flood and Water**

10.1 The site is not located in a vulnerable flood zone area, therefore the risks of flooding are considered to be low. Given that the application is considered 'minor', on site attenuation and surface water management / disposal is not considered by the Local

Lead Flood Authority (LLFA) during the determination process. These matters are brought to the attention of the applicant, who is required to comply with Part H (Drainage and Disposal) of the Building Regulations 2010.

- 10.2** Nonetheless, Officers acknowledge the content of 3<sup>rd</sup> party objection relating to drainage, however much of the concern relates to areas falling outside of the defined red line outline. The surface water run off onto the highway has been assessed by the LLHA, and Officers concur with these findings insofar as the sites sealed surfaces are adequately managed. Foul and surface water drainage function is a matter for Building Regulations approval. The scheme does not present concern in this regard, and there is little before Officers to suggest a flood and water compliant scheme could not be delivered.

## **11 Sustainability of the Proposal**

- 11.1** Policy CS1 requires development proposals to be considered in line with the presumption of sustainable development outlined within the NPPF2. Development that improves the economic, social and environmental conditions in the District will be approved where possible. The three objectives of sustainable development, in the context of the proposed development, are assessed in detail below:

### **11.2 Economic objective**

- 11.3** The provision of up to 3 no. houses and 6 no. flats will give rise to employment during the construction phase of the development. Furthermore, future occupiers of the development would be likely to use local services and facilities. The New Anglia 'Strategic Economic Plan' (April, 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built.

### **11.4 Social objective**

- 11.5** In respect to the provision of new housing, the development would provide a benefit in helping to meet the current housing shortfall in the district through the delivery of additional dwellings. The scheme will provide 6 no. 1 bed 2-person flats at 50 sqm and 3 no. 2 bed 4-person houses at 79 sqm, allocated for affordable housing, helping to ensure that a vibrant and sustainable community is provided. The scheme will support the village's health, social and cultural well-being.

- 11.6** Paragraph 78 of the NPPF2 seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*' and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

- 11.7** The matter of the sustainability of the site in terms of access to local services and facilities has been discussed under Section 4.

### **11.8 Environmental objective**

- 11.9** The site is located amongst an established residential development in the Hinterland Village of Brantham, and is within suitable walking distance to a range of local services, facilities and amenities discussed above.

**11.10** The visual appearance of the proposal set amongst the backdrop of the locality is endorsed by Officers, in providing betterment and uplift to this part of Brantham, through appropriate design and layout. The scheme enhances the environmental character, without undue landscape, biodiversity or ecology harm, making effective use of land.

## **12 Affordable Housing**

**12.1** The Strategic Housing Officer (SHO) has offered comment on the nature of the proposal, including the mix and tenure of the proposed residential units. Having considered the registered housing need in Brantham, it is recommended that in recognition that three of those applicants on the Babergh Housing Register requiring 1 and 2 bed roomed accommodation are in Band A or B, which demonstrate highest housing need, that 2 no. 1 bed flats and 1 no. 2 bed house (suggest plot 3) are offered to applicants with a local connection to Brantham for Initial Lets and that this will be secured through a Unilateral Undertaking. The remaining 4 no. 1 bed flats and 2 no. 2 bed houses will be made available to meet Babergh district wide housing need. After initial lets all 9 units will be available for district wide applications.

**12.2** The SHO has resolved to conclude that the scheme is acceptable, conforming to the requirements of Policy CS19. The legal agreement will set out the relevant cascade mechanism for the local need connection initially for plot 3 and 2 of the 1 bedroom flats. These will revert to general district need following the initial let.

## **13 Planning Obligations**

**13.1** As noted above, the application engages 100% affordable housing contribution for the district wide need. Officers consider it necessary to secure delivery (as per the recommendations of the SHO) through a Unilateral Undertaking with Suffolk County Council. This is a robust legal arrangement, enforceable by both the District and County Authorities engaged.

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## **PART FOUR – CONCLUSION**

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### **14 Planning Balance**

**14.1** The Council benefits from a five-year housing land supply. The tilted balance at Paragraph 11(d) of the NPPF2 is not engaged in that respect. The starting point for decision-taking purposes remains the development plan with the NPPF2 a material consideration in this decision. The policies of the Core Strategy generally conform with the aims of the Framework to promote sustainable transport through walking, cycling and public transport by actively managing patterns of growth in support of this, whereby significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

**14.2** However, the Framework objectives for sustainable development include delivering a sufficient supply of homes. The Council's July 2018 Annual Monitoring Report indicates that Babergh can demonstrate at least the five-year housing land supply required by Paragraph 73 of the Framework. Therefore, there are not the grounds on which to find policies as out of date in respect of housing supply and so it is not necessary to apply the 'tilted balance' of Framework Paragraph 11 in that respect.

- 14.3** The NPPF2 requires decisions to be approved that accords with an up to date development plan without delay. The proposal fully accords with policies CN01, HS28 of the Local Plan and Policies CS1 and CS2 of the Core Strategy.
- 14.4** The site is a sustainable location, within walking distance of a good range of local services. The proposed development is visually well related to the village, set within the settlement boundary, offering betterment and uplift through choice design and layout which effectively utilises this inner settlement boundary site.
- 14.5** There is little before Officers to suggest the scheme conflicts to an unacceptable level in terms of; design and layout, residential amenity, landscape, ecology, highways, flood and water, land contamination or sustainability. These key outcomes are appropriately safeguarded, and conditioned / legally bound where justified.
- 14.6** The proposal represents an appropriate intervention for residential development and would deliver sustainable development, furthering the overarching thrust of Policies CS1 and CS15 of the Core Strategy, and providing net gains to the three objectives of sustainability in accordance with the NPPF2 (which notwithstanding the development plan is a compelling material consideration). The application is therefore recommended for approval.

## **RECOMMENDATION**

**That authority be delegated to the Acting Chief Planning Officer to grant full plans planning permission subject to the prior completion of a Unilateral Undertaking on terms to their satisfaction to secure the following heads of terms:**

- Affordable Housing (3no. units local need (initial let) and 6 no. district need)
- Ecological Mitigation Contribution

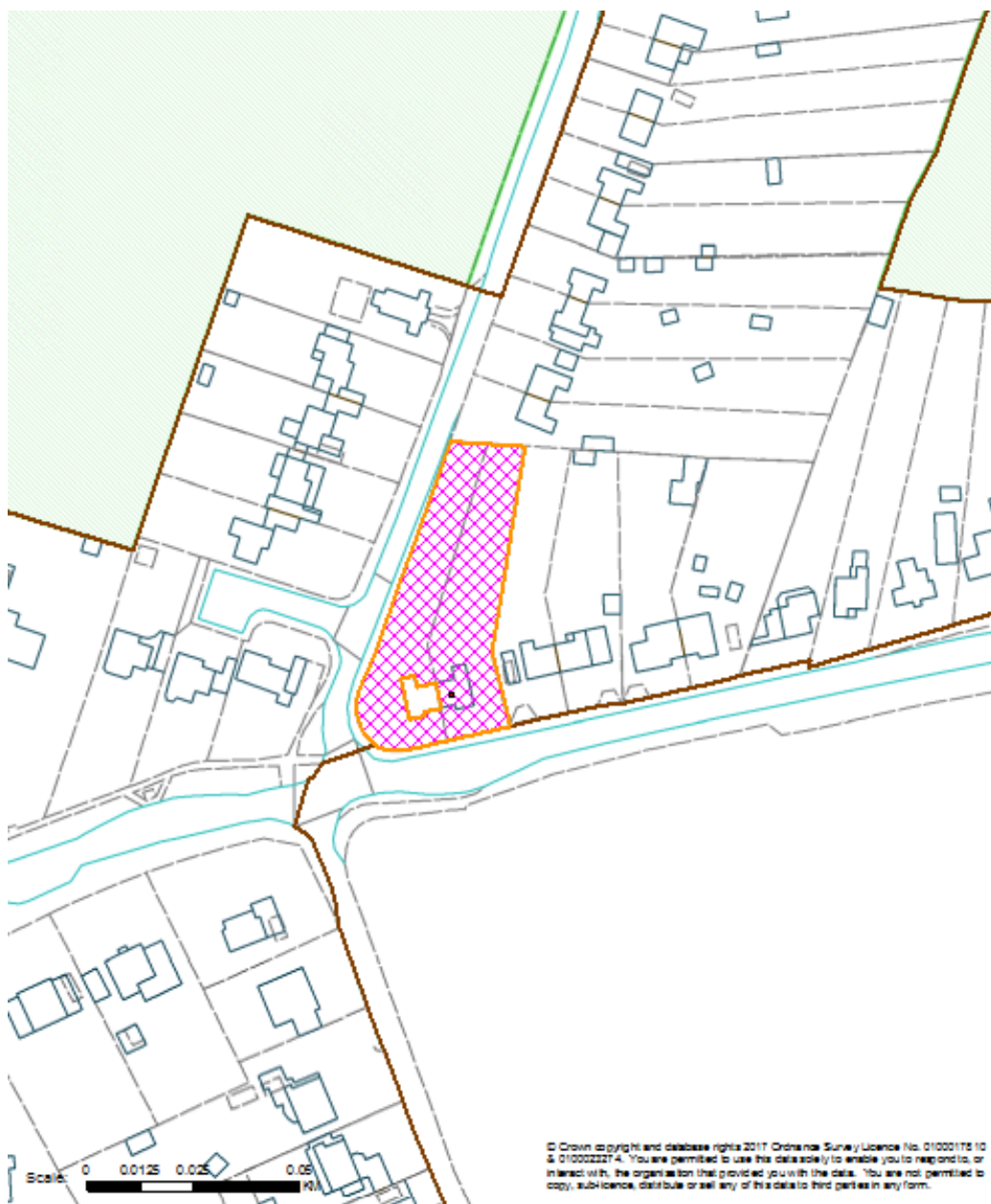
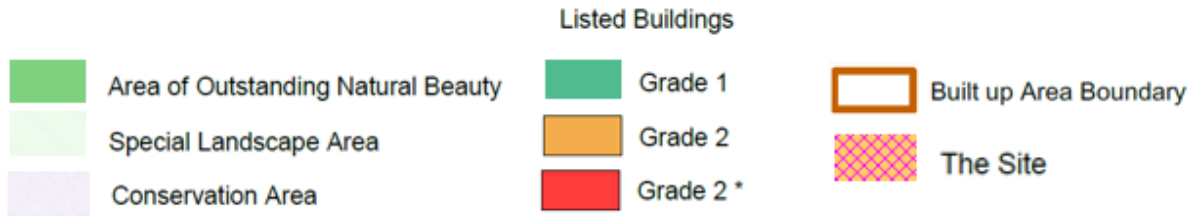
**and that such permission be subject to the conditions as summarised below and those as may be deemed necessary by the Acting Chief Planning Officer:**

- Standard time limit
- Approved plans
- Construction Management Plan
- Levels
- Highways – visibility splays
- Highways – loading / unloading and manoeuvring / parking provision
- Highways – access details
- Highways – refuse / recycling storage
- Ecology mitigation
- Biodiversity enhancement

**Application No: DC/18/05610**

**Parish: Brantham**

**Location: 11 and 12 Ipswich Road**



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