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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 6 OCTOBER 2021 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

Members		
<u>Conservative</u> Sue Ayres (Vice-Chair) Simon Barrett Peter Beer Mary McLaren Adrian Osborne	<u>Independent</u> John Hinton Lee Parker Stephen Plumb (Chair) <u>Liberal Democrat</u> David Busby	<u>Labour</u> Alison Owen <u>Green</u> Leigh Jamieson

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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/21/11 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11 AUGUST 2021 5 - 14

4 PL/21/12 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 25 AUGUST 2021 15 - 26

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

6 **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.

7 **PL/21/13 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 27 - 32

An Addendum to Paper PL/21/13 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/21/00754 GCB FACTORY AND PREMISES, LOWER ROAD, GLEMSFORD, SADBURY, SUFFOLK, CO10 7QS** 33 - 66

b **DC/21/02319 LAND TO THE EAST OF, STATION ROAD, LONG MELFORD, SUFFOLK, CO10 9HP** 67 - 148

Notes:

1. The next meeting is scheduled for Wednesday 20 October 2021 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, 20 October 2021 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page:
https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01449 724930 or Email: Committees@baberghmidsuffolk.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.

Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 11 August 2021 - 09:30

PRESENT:

Councillor: Stephen Plumb (Chair)
Susan Maria Ayres B.Ed Hons (Vice-Chair)

Councillors: Simon Barrett Peter Beer
David Busby John Hinton
Leigh Jamieson Mary McLaren
Adrian Osborne Lee Parker

Ward Member(s):

Councillors: Clive Arthey
Margaret Maybury
Jan Osborne

In attendance:

Officers: Chief Planning Officer (PI)
Strategic Projects and Delivery Manager (SS)
Senior Development Management Engineer (LB)
Head of Environment Strategy (MH)
Case Officer (JW/SS/KH)
Governance Officer (CP)

Apologies:

25 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were received from Councillor Alison Owen.

26 DECLARATION OF INTERESTS

26.1 Councillor Hinton declared a local non pecuniary interest in respect of application number DC/20/04615.

27 PL/21/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 14 JULY 2021

It was **RESOLVED** that the minutes of the meeting held on 14 July 2021 were confirmed and signed as a true record.

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

None received.

29 SITE INSPECTIONS

29.1 The Case Officer presented Members with a request for a site visit from Councillor Derek Davis and gave a short presentation regarding application DC/20/03083 – Erwarton Hall Farm, The Street, Erwarton.

29.2 The Case Officer responded to Members questions on issues including: the built up area boundary, and the permitted development rights on site.

29.3 Councillor Simon Barrett proposed that the committee does not undertake a site visit. Councillor Peter Beer seconded the motion.

29.4 Members discussed the site visit and whether more photos could be obtained before the reporting of the application to the committee for determination.

By 6 votes to 4.

It was RESOLVED:-

That Members of the BDC Planning Committee would not undertake a site visit for application DC/20/03083.

30 PL/21/8 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/21/8 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/01460	Ruth Stanesby (Agent) Councillor Margaret Maybury (Ward Member) Councillor Clive Arthey (Ward Member) Councillor Jan Osborne (Ward Member)
DC/21/02764	Samuel Caslin (Agent) Councillor Margaret Maybury (Ward Member) Councillor Clive Arthey (Ward Member) Councillor Jan Osborne (Ward Member)
DC/21/04615	Leslie Short (Agent)
DC/20/05137	Leslie Short (Agent)
DC/21/02577	None

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/21/8 be made as follows:-

31 DC/21/01460 CHILTON WOODS MIXED DEVELOPMENT, LAND NORTH OF, WOODHALL BUSINESS PARK, SUDBURY, SUFFOLK

31.1 Item 6A

Application DC/21/01460
Proposal Discharge of Conditions Application for B/15/01718 – Condition 8 (Design Code)
Site Location **SUDBURY** – Chilton Woods Mixed Development, Land North of, Woodhall Business Park, Sudbury, Suffolk
Applicant Taylor Wimpey London

31.2 The Case Officer presented the discharge of conditions submission to the Committee outlining the Design Code proposal before Members including: the cycle and pedestrian routes on the site, the landscaping on the site, the proposed heights of the building, and the officer recommendation of approval as detailed in the Committee Report.

31.3 The Case Officer responded to Members' questions on issues including: the width of the cycle paths, the location of the recycling centre, Babergh Councils input in the design code, and the management of the green spaces.

31.4 Members considered the representation from Ruth Stanesby who spoke as the agent.

31.5 The Agent responded to Members' questions on issues including: the width of the cycle paths, the communication with the Parish Council, and whether other development on the site would have to follow the design code.

31.6 Members considered the representation from Councillor Margaret Maybury who spoke as a Ward Member.

31.7 Members considered the representation from Councillor Clive Arthey who spoke as a Ward Member.

31.8 Members considered the representation from Councillor Jan Osborne who spoke as a Ward Member.

31.9 Members considered the written representation from the Ward Member, Councillor Elisabeth Malvisi, which was read out by the Governance Officer.

31.10 Members debated the application on issues including: futureproofing and sustainability on the site, whether anything could be done outside of the

design code.

31.11 Councillor Peter Beer proposed that the discharge of conditions application be approved as set out in the officer recommendation.

31.12 Councillor Sue Ayres seconded the motion.

By a unanimous vote

It was RESOLVED: -

That authority be delegated to the Chief Planning Officer to approve and discharge condition 8 of the Outline planning permission B/15/01718.

32 DC/21/02764 CHILTON WOODS MIXED DEVELOPMENT TO NORTH OF, WOODHALL BUSINESS PARK, SUDBURY, SUFFOLK

A break was taken from 10:48am until 10:57am.

32.1 Item 6B

Application Proposal	DC/21/02764 Reserved Matters application for Residential Phase 1 (matters relating to Appearance, Landscaping, Layout and Scale) comprising erection of 200 no. dwellings, residential amenities, open space, drainage, parking and associated development and pursuant to Outline Planning Permission B/15/01718 dated: 29/03/18 (Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m2 Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works) Chilton Woods Mixed Development To North Of Woodhall Business Park Sudbury Suffolk
Site Location	Sudbury – Chilton Woods Mixed Development to North of, Woodhall Business Park, Sudbury, Suffolk
Applicant	Taylor Wimpey London Ltd

32.2 The Case Officer presented the Reserved Matters application to the Committee outlining the proposal before Members including: the TPOs on the

site, the proposed parking and cycles routes on the site, the proposed landscaping on the site, the contents of the tabled papers, and the officer recommendation of approval as detailed in the Committee Report.

- 32.3 The Case Officer responded to Members' questions on issues including: the lack of bungalows on the site, the number of disabled apartments on the site, the maintenance of the landscaping, and the distance of the trees from the highways.
- 32.4 Members considered the representation from Samuel Caslin who spoke as the Agent.
- 32.5 The Agent responded to Members' questions on issues including: when construction would begin on the site, the PV panels, the glazing of the windows, and the landscaping maintenance on the site.
- 32.6 Members considered representation from Councillor Margaret Maybury who spoke as a Ward Member.
- 32.7 Members considered representation from Councillor Clive Arthey who spoke as a Ward Member.
- 32.8 Members considered representation from Councillor Jan Osborne who spoke as a Ward Member.
- 32.9 Members debated the application on issues including: the location of the apartment blocks, the PV panels on the site, and the water efficiency on the site.
- 32.10 Councillor Peter Beer proposed that the application be approved as set out in the officer recommendation with the amendment as follows:
- ... be delegated authority to resolve the ambiguity between application documents regarding glazing and subject thereto to ... to Approve the Reserved Matters ... and to add condition 4 to require compliance with the Energy Statement

32.11 Councillor Simon Barrett seconded this motion.

With 8 votes for and 2 against.

It was RESOLVED:

That the Chief Planning Officer be delegated authority to resolve the ambiguity between application documents regarding glazing and subject thereto to APPROVE these Reserved matters subject to such conditions as he considers fit including:-

- **List of Approved documents**
- **Materials**
- **Surfacing materials**

- **Noise assessment for Chilton Grain and mitigation measures**

and to add condition 4 to require compliance with the Energy Statement

1. APPROVED PLANS & DOCUMENTS The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

2. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason - To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

3. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF SURFACING MATERIALS No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the surfacing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation

Reason - To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: NOISE ASSESSMENT Prior to the occupation of any dwelling hereby approved, a noise assessment based on BS4142:2014 shall be submitted to, and agreed in writing by the Local Planning Authority, to identify any potential mitigation needed to ensure that BS8233/WHO guideline values are met at the new properties. Thereafter, such mitigation shall be fully carried out as agreed.

Reason-In order to protect the operation of Chilton Grain from being fettered following any noise complaints from these new dwellings.

33 DC/20/04615 LAND OFF LADY LANE, HADLEIGH, SUFFOLK

A break was taken from 12:28pm until 12:41pm.

33.1 Item 6C

Application Proposal	DC/20/04615 Outline Planning Application (some matters reserved, access and structural landscaping to be considered) - Erection of up to 45 No dwellings (including up to 15 affordable dwellings) (following demolition of three existing buildings).
Site Location Applicant	HADLEIGH – Land off Lady Lane, Hadleigh, Suffolk Place Farm Developments Ltd

33.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the access to the site, the proposed landscaping on the site, the site's location within the emerging Joint Local Plan, the contents of the tabled papers, and the officer recommendation of refusal as detailed in the Committee Report.

33.3 The Case Officer responded to Members' questions on issues including: whether there was any affordable housing allocation on the site.

33.4 Members considered the representation from Leslie Short who spoke as the agent.

33.5 The Agent responded to Members' questions on issues including: whether any marketing had been done for the site.

33.6 Members debated the application on issues including: the timescale for marketing, and the sites proximity to existing dwellings.

33.7 Councillor Lee Parker proposed that the application be refused as set out in the officer recommendation.

33.8 Councillor Leigh Jamieson seconded the motion.

By a unanimous vote

It was RESOLVED:

That the application is REFUSED planning permission for the following reasons:-

1. The application site is currently allocated employment land in both the Adopted Development Plan and the Emerging Draft Joint Local Plan and has therefore been given strategic employment importance. Whilst the proposal is located in the BUAB and therefore housing could be acceptable in principle there is at present time no overriding need to allow residential dwellings here

in order to make up any shortfall in numbers given that Babergh District Council can currently easily demonstrate that it has a 5-year housing land supply.

The applicant has not provided sufficient evidence to indicate that this site is no longer viable as employment land within an existing employment allocation. It is noted that the majority of Lady Lane Industrial Estate is still in active employment use.

As such the proposal is considered contrary to Local Plan Policy EM02, EM24 and paragraphs 81 and 182 of the NPPF.

2. Whilst the application is outline only given the close proximity of the proposed site to the existing industrial estate and the issue of agent of change, the proposal would bring residential use much closer to the existing industrial estate and would potentially cause conflict between the residents and the businesses as a result of what may be seen by new residents as nuisance, disturbance and pollution coming from the existing commercial use on the neighbouring industrial estate. As such the proposal is also considered to be contrary to paragraph 127 of the NPPF.

34 DC/20/05137 LAND AT COBBOLDS FARM, IPSWICH ROAD, HADLEIGH, IPSWICH, SUFFOLK, IP7 6BG

34.1 Item 6D

Application	DC/20/05137
Proposal	Outline Planning Application. (Access and Structural Landscaping to be considered). Employment land for use as Class E Business buildings up to 1900m ² and Classes B2 and B8 buildings up to 4200m ²
Site Location	HADLEIGH – Land at Cobbolds Farm, Ipswich Road, Hadleigh, Ipswich, Suffolk
Applicant	Mr Philip Munson

34.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: access to the site, the visibility splays, the landscaping on the site, the public right of way through the site, and the officer recommendation of refusal as detailed in the Committee Report.

34.3 The Case Officer responded to Members' questions on issues including: the permission of the neighbouring site.

34.4 Members considered representation from Leslie Short who spoke as the agent.

34.5 The Agent responded to Members' questions on issues including: the infrastructure on the land.

34.6 Members debated the application on issues including: the use of the

employment land.

34.7 Councillor Simon Barrett proposed that the application be deferred for the reason as follows:

- That the application be deferred. That Members are minded to grant Planning Permission subject to Officers reviewing and advising on policy CS2 issues and any risk issues arising together with any conditions and reasons that may be recommended.

34.8 Councillor Peter Beer seconded this motion.

With 6 votes for and 4 against.

It was RESOLVED:

That the application be DEFERRED. That Members are minded to grant Planning Permission subject to Officers reviewing and advising on policy CS2 issues and any risk issues arising together with any conditions and reasons that may be recommended.

35 DC/21/02577 CALAIS STREET DEPOT, PYKENHAM WAY, HADLEIGH, SUFFOLK, IP7 5ER

35.1 Item 6E

Application	DC/21/02577
Proposal	Planning Application – Siting 3 No Storage Containers (following demolition of an existing building)
Site Location	HADLEIGH - Calais Street Depot, Pykenham Way, Hadleigh, Suffolk IP7 5ER
Applicant	Mr John Buckingham On Behalf Of BMS Public Realm Team

35.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the site's location within the conservation area, the council being the applicant, and the officer recommendation of approval as detailed in the Committee Report.

35.3 The Case Officer responded to Members' questions on issues including: the operating hours on the site, the demolition hours on the site, and the potential for more containers on the site.

35.4 Councillor Peter Beer proposed that the application be approved as set out in the officer recommendation.

35.5 Councillor Simon Barrett seconded the motion.

By a unanimous vote.

It was RESOLVED:

(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation)**
- Approved Plans (Plans submitted that form this application)**
- Removal of containers should BMSDC no longer require the site/storage**
- Operating hours**

(2) And the following informative notes as summarised and those as may be deemed necessary:

- Proactive working statement**
- SCC Highways notes**
- Support for sustainable development principles**

The business of the meeting was concluded at 2.09 pm.

.....
Chair

Agenda Item 4

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 25 August 2021 at 09:30am

PRESENT:

Councillor: Stephen Plumb (Chair)

Councillors:	Simon Barrett	Peter Beer
	David Busby	John Hinton
	Michael Holt	Leigh Jamieson
	Mary McLaren	Alison Owen
	Lee Parker	

Ward Member(s):

Councillors: Clive Arthey

In attendance:

Officers: Strategic Projects and Delivery Manager (SS)
Planning Lawyer (IDP)
Environmental Management Officer (PC)
Heritage and Planning Compliance Team Leader (SB)
Case Officer (JW/LB/OF)
Governance Officer (CP)

36 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

36.1 Apologies were received from Councillor Sue Ayres and Councillor Adrian Osborne.

36.2 Councillor Michael Holt substituted for Councillor Ayres.

37 DECLARATION OF INTERESTS

37.1 Councillor Lee Parker declared a pecuniary interest in respect of application number DC/21/00745 as he had a business arrangement with the applicants agent.

37.2 Councillor Parker advised that he would leave the chamber for the duration of this application and would therefore not be taking part in the debate or vote.

38 PL/21/9 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11 AUGUST 2021

38.1 The minutes of the meeting held on 11 August 2021 were deferred to the next meeting of the Babergh Planning Committee to seek sign off from the Chief Planning Officer.

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

39.1 None received.

40 SITE INSPECTIONS

40.1 None requested.

41 PL/21/10 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/21/10 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/01073	Andrew Filmore (Applicant)
DC/21/00357	Tony Foster (Chilton Parish Council) Robert Lindsay (Objector) Robert Gandy (Agent) Councillor Margaret Maybury (Ward Member) Councillor Clive Arthey (Ward Member)
DC/21/03599	Lee Carvell (Applicant)
DC/21/00745	Councillor Melanie Barrett (Ward Member)

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/21/10 be made as follows:-

42 DC/21/01073 LAND TO THE NORTH AND EAST OF BOBBITS LANE, WHERSTEAD, SUFFOLK

Item 6a

Application DC/21/01073
Proposal Submission of details under Reserved Matters following approval of DC/19/05093 – Appearance, Layout, Landscaping, and Scale for commercial development for flexible employment use to enable changes in accordance with Part 3 Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)] within use classes B1c

(Business light Industry appropriate in a residential area), B2 (General Industry) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 as amended.

Site Location **WHERSTEAD** – Land to the North and East of, Bobbits Lane, Wherstead, Suffolk
Applicant Pigeon (Wherstead) Ltd c/o Pigeon Investment Management Ltd

- 42.1 The Case Officer presented the application to the committee outlining the proposal before Members including: the layout and location of the site, and the officer recommendation of approval.
- 42.2 The Case Officer responded to questions from Members on issues including: the free port status of the application site, the landscaping on site, and who be responsible for determining the number of cycle parking spaces and electric vehicle charging points on site.
- 42.3 Members considered the representation from Andrew Filmore who spoke on behalf of the applicant.
- 42.4 The applicant responded to questions from Members on issues including: whether there were any prospective tenants to occupy the buildings, the provision of electric vehicle charging points on site, the potential for installation of PV panels, and the BREEAM (Building Research Establishment Environmental Assessment Method) rating of the buildings.
- 42.5 Councillor Barrett proposed that the application be approved as per the officer recommendation.
- 42.6 The motion was seconded by Councillor Beer.
- 42.7 Members debated the application on issues including: the provision of employment opportunities on the site, and potential traffic impact.

By a unanimous vote.

It was RESOLVED:-

That authority be delegated to the Chief Planning Officer to GRANT reserved matters, including the following conditions:-

- **Approved plans**
- **Submission of details of cycle storage and spaces**
- **Submission of details of electric vehicle charging points**
- **Security measures implemented prior to first use of the site as shown on plan. Details of security management company to be submitted to LPA.**

Informatives

- East Suffolk Drainage Board comments
- SCC Floods and Water informatives
- Reserved matters should be read in conjunction with the Outline, including all conditions.

43 DC/21/00357 LAND NORTH EAST OF CHURCH FIELD ROAD, CHILTON INDUSTRIAL ESTATE, CHILTON, SUDBURY, SUFFOLK

Item 6b

Application	DC/21/00357
Proposal	Planning Application - Erection of plant and machinery for development and operation of a standby energy generation facility (resubmission of withdrawn application DC/20/02035)
Site Location	CHILTON – Land North East of, Church Field Road, Chilton Industrial Estate, Chilton, Sudbury, Suffolk
Applicant	Balance Power Projects Ltd

- 43.1 A break was taken from 10:07 am until 10:12am, after application number DC/21/01073 and before the commencement of application DC/21/00357.
- 43.2 The Case Officer presented the application to the committee outlining the proposal before Members including: the contents of the tabled papers, the location and layout of the site, the purpose and use of the buildings on site, and the officer recommendation of approval.
- 43.3 The Case Officer responded to questions from members on issues including: how the hours of usage would be recorded, whether gas fuel is considered as a low carbon technology, and the weight given to the Governments white paper referred to in the committee report.
- 43.4 The Environmental Management Officer responded to questions from members on issues including: the initial objection to the proposal and reasons behind the change in that consideration.
- 43.5 The Case Officer responded to further questions from Members on issues including: what will happen to the site after 20-25 years of use, the number of houses benefitting from the energy generated by the site, and the reason for referral to the committee detailed in the report.
- 43.6 The Environmental Management Officer responded to questions from Members on issues including: whether any data was available relating to electrical outages in the area, and how many of these facilities would be built across the country as a whole.
- 43.7 Members considered the representation from Tony Foster who spoke on behalf of Chilton Parish Council.

- 43.8 The Parish Council representative responded to questions from Members on issues including: the planning policies used to base the Parish Councils objections on, whether the Parish Council had met with the applicants, and whether the Parish Council accepted the comments from the Statutory Consultees.
- 43.9 The Case Officer responded to questions from members regarding how the objections were submitted.
- 43.10 Members considered the representation from Robert Lindsay who spoke as an objector.
- 43.11 The objector responded to questions from Members on issues including: low carbon energy.
- 43.12 Members considered the representation from Robert Gandy who spoke as the agent.
- 43.13 The agent, and the applicant Jack Hulme, responded to questions from Members on issues including: whether there is any opportunity for the plant to be converted to an alternative fuel in the future, why this location was chosen, the amount of noise anticipated from the development, the hours of operation of the facility, how the hours of use would be monitored and limited, and whether the facility would operate every day or only when required.
- 43.14 Members considered the statement from Ward Member Councillor Margaret Maybury, which was read out by the Governance Officer.
- 43.15 Members considered the representation from Councillor Clive Arthey who spoke as a Ward Member.
- 43.16 The Ward Member responded to questions from Members on issues including: the suitability of any alternative uses for the site.
- 43.17 Members debated the application on issues including: whether the site is suitable for the proposed use, the location of residential housing in relation to the site, and the environmental impact.
- 43.18 The Strategic Projects and Delivery Manager provided clarification to Members regarding the role that the proposal plays in relation to the Councils policies.
- 43.19 Members continued to debate the application on issues including: the lack of employment generated by the facility, heritage issues, who would benefit from the installation at the site, and the amount of homes serviced by the facility.
- 43.20 Councillor Beer proposed that application be approved as set out in the officer recommendation
- 43.21 The motion was seconded by Councillor McLaren.

43.22 Members continued to debate the application on issues including: the use of fossil fuels and the sustainability of the facility, and the potential increase in noise levels.

43.23 The Environmental Management Officer and the Strategic Projects and Delivery Manger responded to questions from Members on issues including: the increase in noise levels.

43.24 Members continued to debate the application on issues including: the local need for the facility, and the amount of electricity being generated by the facility.

43.25 By 5 votes to 5. The Chair used their casting vote against the proposal. The motion was lost.

43.26 Councillor Jamieson proposed that the application be refused for the reasons as detailed below:

The proposal comprising a fossil fuel powered standby energy generation facility, would not represent sustainable development by reason of the Environmental harm caused by the burning of a fossil fuel that would increase carbon emissions in the locality contrary to Policies CS13 and CS15 of the Babergh Local Plan 2011-2031 Core Strategy (2014).

The application fails to comply with the development plan as a whole and there are no material considerations that indicate otherwise.

43.27 The motion was seconded by Councillor Hinton.

43.28 By 5 votes to 5. The Chair used their casting vote in favour the motion.

It was RESOLVED:

Refuse planning permission for the following reason:

The proposal comprising a fossil fuel powered standby energy generation facility, would not represent sustainable development by reason of the Environmental harm caused by the burning of a fossil fuel that would increase carbon emissions in the locality contrary to Policies CS13 and CS15 of the Babergh Local Plan 2011-2031 Core Strategy (2014).

The application fails to comply with the development plan as a whole and there are no material considerations that indicate otherwise.

44 DC/21/03599 STATION ROAD CAR PARK, STATION ROAD, SUDBURY, SUFFOLK

Item 6C

Application DC/21/03599

Proposal	Planning Application – Erection of 3no. solar PV carports with associated infrastructure including cabling to Leisure Centre, battery storage system and 5no. electric vehicle charging points
Site Location	SUDBURY – Station Road Car Park, Station Road, Sudbury, Suffolk
Applicant	Babergh and Mid Suffolk District Councils

44.1 A break was taken from 11:51am until 12:01pm, after application DC/21/00357 and before the commencement application DC/21/03599.

44.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the layout and location of the site, the proposed use, and the officer recommendation of approval.

44.3 The Case Officer and the applicants representative responded to questions from Members on issues including: the position of the carports within the car park and in relation to the lorry park and proposed health centre, whether the solar power generation capacity of the leisure centre is linked to the application, whether there would be any effect on the accessibility of the existing car parking spaces, and any potential removal of landscaping.

44.4 Councillor Beer proposed that the application be approved as set out in the officer recommendation.

44.5 Councillor Barrett seconded the motion.

44.6 The applicants representative responded to questions from Members on issues including: the capability of the structures to withstand extreme weather, the proposed type of charging points to be installed, car parking time constraints and charging levels, and how the location was selected.

By a unanimous vote

It was RESOLVED:

That the application be GRANTED planning permission and include the following conditions: -

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

3. **REQUIREMENT FOR NOISE ASSESSMENT** The development hereby approved shall not commence until full details of all plant to be installed including precise acoustic specification, as well as a noise assessment, to include details of the prevailing existing background level, to be based on methodology as given in British Standard BS4142:2014 have been submitted to an approved by the LPA, in order to allow the likelihood of loss of amenity to be determined.

Reason - To minimise detriment to nearby residential amenity.

4. **ONGOING REQUIREMENT: BS4142 LIMIT ON EXTERNAL NOISE LEVELS** The rating level of sound emitted from any fixed plant and/or machinery associated with the development for the use hereby approved shall not exceed background sound levels by more than 5dB(A) between the hours of 0700-2300 (taken as a 15-minute LA90 at the nearest sound sensitive premises) and shall not exceed the background sound level between 2300-0700 (taken as a 15-minute LA90 at the nearest/any sound sensitive premises). All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property. This shall be the initial noise condition. Where the levels predicted, exceed the background levels by more than those established in the initial noise condition then a scheme of mitigation to ensure compliance shall be submitted for approval by the LPA.

Reason - To minimise detriment to nearby residential amenity.

5. **ONGOING REQUIREMENT: MAINTENANCE** The plant and any noise mitigation scheme as required, hereby approved by the LPA, shall be maintained throughout the lifetime of the development to ensure the level of noise emitted from the site shall not exceed the initial noise condition.

Reason - To minimise detriment to nearby residential amenity.

- 6. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: CONSTRUCTION MANAGEMENT TO BE AGREED** A construction management strategy shall be submitted to, and approved in writing by, the Local Planning Authority prior to work commencing on site; this strategy is to include access arrangements for contractors' vehicles (locations and times) and a methodology for avoiding mud from the site tracking onto the highway with a strategy for remedy of this should it occur. The approved strategy is to be adhered to until completion of the development.

Reason - To ensure safe working, minimal disturbance to the existing communities and adverse impact on the public highway during the construction phase.

- 7. ACTION REQUIRED PRIOR TO USE: SIGNAGE AND BAY MARKING** Prior to the development hereby permitted coming into use, details of proposed on-site signage and updated bay marking shall be submitted to and approved in writing by the Local Planning Authority. Such measures shall be in place prior to use and shall remain as such at all times.

Reason - To clearly direct visitors and staff to the EV charging points.

- 8. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF EQUIPMENT** The hereby approved carports, electric vehicle charging points and associated infrastructure shall be removed from the site when no longer required and the land re-instated to its former condition within six months of their last use.

Reason - To ensure that the site is kept in a tidy condition in the interests of visual amenity and the character and appearance of the area.

POSITIVITY STATEMENT

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high-quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's preapplication service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

INFORMATIVES

This permission / consent includes a condition precedent. Your development is potentially at risk of enforcement if you do not comply with the terms of

any condition which requires you to do something before you commence development / start work. Development which is commenced in breach of a condition is normally unlawful and may not constitute a valid implementation of the permission. We strongly advise you to allow reasonable time for the preparation, and consideration of, any conditional matters before the time limit on this application expires.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

45 DC/21/00745 URGENT ITEM ADDED TO AGENDA WITH AGREEMENT OF CHAIR

45.1 The Heritage and Planning Compliance Team Leader presented the urgent item to committee outlining the recommendation before Members including: the resolution made by the Planning Committee at the meeting on 14 July 2021, the reason for referral to Committee, and the officer recommendation detailed in the tabled papers.

45.2 The Heritage and Planning Compliance Team Leader responded to questions from Members on issues including: whether consultation had taken place with Ward Members and the Parish Council.

45.3 The Heritage and Planning Compliance Team Leader and the Planning Lawyer provided clarification of the implications of the recommendations.

45.4 Councillor Barrett proposed that the officer recommendation as detailed in the tabled papers be approved.

45.5 The Heritage and Planning Compliance Team Leader and the Planning Lawyer responded to questions from Members on issues including: the future actions and timescales should the recommend option be unsuccessful, and whether any of the other plots on site were occupied.

45.6 Members considered the representation from Ward Member, Councillor Melanie Barrett which was read out by the Governance Officer.

45.7 The motion was seconded by Councillor Hinton.

By a vote of 8 votes for 1 against

It was RESOLVED:

That the authority delegated to the Chief Planning Officer be amended as

follows:

That delegated authority be given to the Chief Planning Officer to GRANT conditional planning permission as previously set out in the Minutes to the meeting held 14 July 20221 subject to the following amendment to clause [7] of that Minute and to the prior receipt of a suitable binding Section 106 planning obligation on those amended terms that in his opinion satisfactorily secures: ...

Option [a]

7. the deposit into a bank account operated by the Council, or similar, of funds in the sum of £130,000 that the Council can draw down to undertake such work as may be required itself to monitor and implement the planning permission in the event of the applicant/developer defaulting or failing to follow the agreed timetable, and the transfer, without charge or encumbrance, to the Council of the freehold title to the two dwellings subject to the application/permission such that the Council can undertake such work as may be required itself to monitor and implement the planning permission in the event of the applicant/developer defaulting or failing to follow the agreed timetable, and to, upon completion, take the properties to market for sale.

The business of the meeting was concluded at 12.35 pm.

.....
Chair

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PL/21/13

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

06 OCTOBER 2021

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
7A	33 - 66	DC/21/00754	GCB Factory and Premises, Lower Road, Glemsford, Sudbury, Suffolk, CO10 7QS	JH
7B	67 - 148	DC/21/02319	Land to the East of, Station Road, Long Melford, Suffolk, CO10 9HP	VP

Philip Isbell
Chief Planning Officer

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

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

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE AFTER 19 JUNE 2021

Guidance for visitors to Endeavour House after 19 July 2021

On the 19 July Government legal requirements to wear face coverings and to socially distance in our social lives was lifted. However, in the workplace the onus to maintain safe working arrangements is the responsibility of the employer.

Government guidance is that there is a place for continued Covid-19 control measure when meeting with people who are ‘unknown’ to you.

In order to protect both our visitors and our staff if you wish to access Endeavour House, please follow these steps:

- Please carry out a lateral flow test beforehand. If this is positive, please self-isolate and do not continue with your visit.
- If you are unwell or have any of the Covid-19 symptoms, please do not continue with your visit.
- Please sanitise or wash your hands before entering the building
- Please wear a face covering before you enter the building and whilst in the building – unless you are seated in a meeting and advised by our staff that this may be removed. If you have a health condition, which makes this uncomfortable for you, please advise our staff in advance of your visit.
- Please use the NHS Covid-19 App for track and trace purposes and use this to ‘check-in’ to our building using the QR code at the door.
- Please socially distance within our building.

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with the updated COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

Arrival at Endeavour House (EH) and movement through the building

- Please observe social distancing
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.
- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House have been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible, but may ways not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside (unless you have an exemption) in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.). The face covering can be removed when seated. Re-useable face coverings are available from the H&S Team if you require one.
- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

Agenda Item 7a

Committee Report

Item No: 7A

Reference: DC/21/00754

Case Officer: Jo Hobbs

Ward: Chadacre

Ward Member/s: Cllr Michael Holt, Cllr Stephen Plumb

RECOMMENDATION – DELEGATE DETERMINATION TO CHIEF PLANNING OFFICER

Description of Development

Planning Application - Part demolition and replacement of existing logistics space, new construction of a biomass boiler building and bridge link, alterations to existing logistics building to accommodate a new chocolate production facility, construction of a new waste water treatment building, new gatehouse and 2 weighbridge offices, and other associated works.

Location

GCB Factory and Premises, Lower Road, Glemsford, Sudbury Suffolk CO10 7QS

Expiry Date: 15/10/2021

Application Type: FUL - Full Planning Application

Development Type: Major Large Scale - Manufacturing/Industrial/Storage/Warehouse

Applicant: GCB Cocoa

Agent: Mr Kevin Bayliss, BE Design

Parish: Glemsford

Site Area: 7.2ha

Density of Development:

Gross Density (Total Site): N/A

Net Density (Developed Site, excluding open space and SuDs): N/A

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes DC/20/05179 – principle of development considered acceptable but matters such as landscape, design, flood risk, highways and ecology all required further consideration.

PART ONE – REASON FOR REFERENCE TO COMMITTEE / EXECUTIVE SUMMARY

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

- Major development for the erection of industrial building/s with a gross floor space exceeding 3,750 sqm

At this point in time officers are unable to undertake an overarching planning balance, accounting for the development plan and other material considerations, because the complete impacts of the application proposal are not yet known.

The application is brought to Committee in exceptional circumstances where no recommendation for determination is available at present but in light of the commercial imperative, urgent views are sought from Committee where the most expedient treatment of the application would, in officers' opinion, be a resolution to delegate authority for the determination of it to the Chief Planning Officer.

The application development is highly likely to pose a number of serious harms in a variety of ways; not least, by virtue of its sheer mass and bulk, notably high levels of harm to the landscape and less than substantial (but not insignificant) harm to a range of designated (and non-designated) heritage assets. In respect of the latter, there must be a presumption that planning permission will be withheld.

The potential for harm to SSSI in the vicinity poses great risk and it is not yet clear whether there would be any adverse impact by virtue of emissions, or not. Natural England have concerns with the approach and methodology undertaken by the applicant and cannot presently be satisfied on the likely impacts and consequent effects. In accordance with the NPPF, development that would pose harm to a SSSI should not normally be permitted. It is also not yet clear whether the application development would be safe from flooding for its lifetime and would not increase flood risk elsewhere.

However, weighed against those serious likely known, and potential, harms would be the considerable economic benefits to flow from allowing development to proceed where the occupier is known and is in a position to deliver; a much-needed boost both to the local and broader economy, and local job creation. Members might consider those benefits to be overwhelmingly weighty; officers do not consider that such a view would be unreasonable in the circumstances, notwithstanding any breach of the development plan as a whole that might be present.

In light of the commercial imperative, officers therefore bring the item to Committee to present the application as it sits and seek Members' views on the proposed development and its appropriateness, bearing in mind the factual position as known. Officers wish to seek delegated authority to deal with the application in light of any comments recorded, where officers – in the spirit of policy CS1 – will work proactively with the applicant to find solutions which mean that the application can be approved where possible. In light of the technical issues that remain in play, and where there is no evidence at this point in time to suggest that they cannot be capable of positive resolution, officers anticipate that the application might be acceptable weighing into account the likely harms and benefits.

In the event that, subject to resolution for delegated authority, officers find that it is not possible to resolve any outstanding issues in a satisfactory manner such that in their opinion planning permission can be granted, the application will be returned to Committee for further consideration.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy

- CS3 Strategy for Growth and Development
- CS13 Renewable/Low Carbon Energy
- CS14 Green Infrastructure
- CS15 Implementing Sustainable Development in Babergh
- CS21 Infrastructure Provision

[Policy CS11 is not considered to apply because while the site falls within the parish of Glemsford the development is not, strictly speaking, considered to be for the Core Village of Glemsford on account of its siting within the countryside far removed from the settlement boundary in both a spatial and functional sense]

Saved Policies in the Babergh Local Plan (2006):

- EN22 Light Pollution – Outdoor Lighting
- CN01 Design Standards
- CN06 Listed Buildings
- CN08 Conservation Areas
- CR02 AONB Landscape
- EM20 Extension of Employment Sites
- TP15 Parking Standards – New Development
- TP16 Travel Plans

Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2019)
- Dedham Vale AONB and Stour Valley Management Plan (2016-2021)

Other material planning considerations

NPPF National Planning Policy Framework 2021

Neighbourhood Plan Status

This application site is in the Glemsford Neighbourhood Plan Area. The Neighbourhood Plan is currently at Stage 1: Designated neighbourhood area. Given its infancy the NP is not afforded any weight.

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

Town/Parish Council

Glemsford Parish Council
Approval.

Long Melford Parish Council
No comment.

Braintree District Council

The existing buildings are only about 12m high. The proposed maximum building height will range from 25m to 39.5m. Although the remodelling of the cocoa processing building will utilise the existing building footprint, it is considered that the overall building bulk and scale are excessive as compared to the site size. The proposed development will be highly visible from the public vantage points in all directions, in particular from the further south within and beyond the SSSI. The resulting buildings will have a modern appearance which is highly incompatible with its rural location, in particular in close proximity to the SSSI and LNR. It is also noted that the amount of car parking provision has been significantly reduced to cater for the new biomass building, new weighbridge, gatehouse and widening works. Officers are of the view that the proposal represents an over-development of the site. The additional buildings and floorspace should not be achieved by sacrificing the character and appearance of the rural area nor parking provision and there is a lack of room for meaningful and appropriate landscaping and boundary treatment.

It is noted that the applicant has responded on 29 April 2021 to some consultee comments in relation to the design, building height, mass and materials. The applicant only provided some additional explanation without proposing changes to the overall height, mass or scale. The applicant insisted that the main cladding material (profiled silver metal cladding) which reflect the surroundings will give the illusion of the buildings disappearing. Officers cannot agree with this statement as the resultant buildings as shown in the proposed 3D views (Drawing No. 1007) are bulky, have overly modern appearance and impose a stark contrast to the local rural area.

Whilst it is accepted that the proposed building height may be necessary for the production process and to save energy consumption, the proposed building heights are far too high in such a rural location and clearly not suitable for such a sensitive yet small site. The proposed materials would not be sufficient enough to mitigate the harmful visual impacts of the development and the excessive amount of reflective elements will also insert detrimental impacts to the AONB Project Area.

Despite the submitted Landscape and Visual Appraisal (January 2021) has identified that the areas to the immediate south of the site has high sensitivity to the proposal, only 2 viewpoints within the boundary of Braintree District (04 and 05) are included. The 2 viewpoints showed that the resulting development is visible and appeared to be continuous, which clearly disturb the tranquillity landscape currently enjoyed from the District's public right of way/footpath(s) and protected lane. The detrimental landscape and visual impacts also impact on the setting of numerous Grade II listed buildings at a higher ground level. The LVA is therefore not acceptable and failed to demonstrate that the highly sensitive landscape character of the area would not be adversely affected by the proposal nor preserving and enhancing the significance of designated heritage assets. The authority echoes the views of the AONB Planning Officer that the proposal would be visually dominant within the Project Area, in particular to the south of the site and the proposed bulky buildings will break the skyline of the southern valley slopes.

The landscape agent acting on behalf of the Applicant has contacted our Officers between May and June in relation to the landscape and visual impacts of the proposed development. It is disappointed that the addendum of the Landscape and Visual Appraisal has not taken into account the comments provided by our Officers via email dated 8 June 2021. The additional information provided still does not address our previous concerns.

As mentioned previously, the resulting development would be highly visible and the build form would appear to be continuous, especially when viewed from the Braintree District administrative area. Officers cannot agree that the provided viewpoints accurately demonstrate the impacts imposed by the proposal in terms of harm to the intrinsic character of the rural countryside, the detrimental harm to the highly sensitive landscape as well as the less than substantial harm to the designated heritage assets within Braintree District. It is clear from the submitted cladding comparison that the resulting development would be visually

dominant, regardless of the cladding finishes. The scale, mass and bulk of the buildings are incompatible to the surroundings and the adverse impacts would not be overcome simply by the materials. This authority therefore maintains the view that the site is too sensitive and not suitable for such a modern and bulky development, and our objection remains.

It is noted that the Revised Construction Environmental Management Plan (July 2021) has highlighted the need to use bats-friendly lighting during construction phase, however, any external lighting during operational phase should also be ecologically friendly and details should be provided prior to installation.

It is noted that various statutory consultees have maintained their objection/holding objections or still have serious concerns on the proposal. The District Council would expect that the comments from the AONB Planning Officer, Natural England, Suffolk Country Council SUDS, Ecological Consultant of Essex County Council Place Services, and your Heritage and Design Officer would be taken into account, prior to determination of the application.

West Suffolk Council

No comments.

National Consultee

Natural England

We can confirm that the documents submitted on the 20 and 21 July 2021 satisfactorily provide the information requested. As such the applicant has agreed to apply mitigation measures appropriate to site at 'high risk' of dust pollution in regard to Glemsford Pit Site of Special Scientific Interest (SSSI) as per our advice. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

From the information supplied we advise that there are no impacts on the SSSI expected from the foul water and surface water drainage strategy.

Our outstanding concerns (28 July 2021, ref 358807) relate to the Air Quality Assessment, which still requires further work as detailed within our previous response to ensure that we can suitably advise on the potential air quality impact on Glemsford Pit SSSI. Without this information, Natural England may need to object to the proposal.

[Officer Comment: Regrettably, despite repeated attempts to overcome the issues raised by the statutory consultee, concerns remain in relation to the information submitted by the applicant where the extent of impact upon SSSI remains unknown. There may be no adverse impact but, equally, there is a possibility that there could be. Likewise, should an adverse impact be identified there is no mitigation proposed for consideration at present.]

Environment Agency

No objection.

Historic England

No comments.

County Council Responses

Highways

Lower Road is a 'A' classified highway (A1092). The existing vehicular accesses onto the highway is within 40mph speed limit. The existing accesses and visibility splays are sufficient for the speed limit as shown in Design Manual for Roads and Bridges (DMRB)

The proposal will generate 227 vehicle trips (additional 37 trips for the previous use of the site) in the morning Peak Hour; approx additional 1 vehicle every 2 minutes.

There are no footways linking the site to communities but there is a Public Right of Way footpath to Glemsford. It is expected that there would not be many staff walking to the site.

There have been 2 injury accidents in the past 5 years in the area. The analysis shows there are no patterns and no significant highway safety concerns.

Although the site may not be considered a sustainable location from a transport policy perspective, we consider the proposal would not have a severe impact on the public highway with regard to congestion, safety or parking. Therefore, the County Council as Highways Authority, does not wish to restrict the grant of permission as it would not have a severe impact on the road network (NPPF para 109). Conditions recommended.

Flood and Water

A holding objection is necessary because the proposed discharge rate needs to be a fixed rate rather than viable unless long term storage is provided. The proposed storage are for surface water needs to be outside of flood zone 3. The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

The points below detail the action required in order to overcome our current objection:

1. Discharge rate needs to be limited to the Qbar for all events up to and including the 1:100+CC rainfall event i.e. 77 l/s.
2. Demonstrate that the surface water storage area will be outside of flood zone 3.
3. Submit cross sections of surface water drainage component.

[Officer Comment: the LLFA continues to object to the proposal remains to be satisfied that the application development would not increase flood risk elsewhere. The application remains incapable of determination as a result but there is no evidence to suggest that a technical solution cannot be found]

Archaeology

No objection.

Development Contributions

No objection.

Fire and Rescue

We require a condition on the Decision Notice for the installation of Fire Hydrants.

Internal Consultee Responses

Place Services - Landscape

We recognise that in terms of landscape sensitivity to change, the site has a low sensitivity as the proposed development does not imply a change of use or activities on site, nor does the proposal extend beyond the existing site operation area.

We disagree with para 4.24 from the Landscape and Visual Impact Assessment report (LVIA), which considers that the surrounding landscape overall has a medium to high sensitivity to change. Due to the proximity of the site to the Special Landscape Area, the adjacent SSSI and LNR, both within the Stour Valley Project Area and being a Valued Landscape, it is considered that the surrounding landscape has a high sensitivity to change.

We have concerns over the proposed reflective material and light colour and its ability to make the new buildings less prominent and to blend into its surroundings and the landscape. Page 17 of the Design and Access Statement (DAS) indicates that this approach has been used before in rural settings successfully, but no examples have been provided to fully demonstrate that this can be. Place Services is a traded service of Essex County Council achieved for the proposed development. On this basis, we cannot agree with the statements of para 7.7 and 7.8 of the LVIA.

The sensitive receptors identified in the LVIA report have a high sensitivity to the proposed development. As shown on Viewpoint 02W and Viewpoint 07W the new buildings appear very prominent in the landscape. In the case of Viewpoint 07W, breaking the skyline.

We have concerns over the proposed height and mass for the new buildings and the proposed reflective material and light colour as this will make it difficult to adequately mitigate the visual and landscape impact of the development.

The justification based on the existence of industrial buildings on site does not demonstrate or justify that the height and mass of the proposed buildings is acceptable. In our professional judgement, we consider that the proposal will not be temporary or reversible and it will change the aesthetic and perceptual aspects of the landscape. The proposed development will have a medium to high adverse effect upon the Stour Valley Project Area / Valued Landscape and the local landscape character. Prior to determination we would expect to see further justification or a review on the height, choice of materials and colour is needed. Good practice examples for buildings of similar mass and height within a rural setting which uses cladding material / colour as the ones proposed need to be provided to demonstrate that appropriate mitigation can be achieved.

We would recommend a holding objection based on the concerns highlighted in this response.

Heritage

I consider that the proposal would cause a range of less than substantial harm to various designated and non-designated heritage assets due to the scale and mass of the proposed buildings, which are out of keeping with the current surroundings of the heritage assets, reflective of their historic settings. I also maintain concerns regarding potential noise, odour and lighting impacts. However, please note that the levels of harm are not confirmed, as the available evidence is not as comprehensive as it could be.

Following my previous comments, further verified views/CGIs, attempting to show how the proposed factory buildings would likely appear within the settings of most of the heritage assets for which this was requested, or at least additional photographs for others, have been submitted. This was particularly in relation to the main factory building proposed, of nearly 40 metres in height. These additional views/CGIs are not entirely to the level of detail that I would have preferred. The way that the form of the new buildings is not overlaid on the photographs where there is currently vegetation in the way is particularly unhelpful, as it restricts the ability to understand how the buildings may appear in a slightly different position within

the setting of the same heritage asset, where current vegetation cover may be lower, which may otherwise be easier to appreciate if the CGIs ignored the vegetation. Furthermore, it would seem to imply that this vegetation would act as a permanent screen, and at the same level as at the time the photographs were taken (late spring), whereas, as previously highlighted, this could not be guaranteed.

The CGIs also only show an outline of the proposed building, rather than blocking in the proposed building, which makes it more difficult to understand what the perceived mass of the building would be.

Nonetheless, based upon the information the CGIs provide, I consider that I can provide a broad assessment of the impacts the proposal would cause on the heritage assets and thus roughly define a level of harm in each case. For example, the viewpoint selected for Potash House results in the factory buildings largely being obscured by a current bush, but suggest that if the viewer moved slightly, or the bush was removed, the factory buildings would be very noticeable within the setting of this asset. In general, where the proposed factory buildings would be visible within the setting of a heritage asset, I consider that their impact would be negative, particularly the main building of nearly 40 metres in height, as features entirely out of scale and out of keeping with the rural village or open countryside setting of the assets and, in some cases, and overly dominant feature within that setting as well. My assessment of the levels of harm relative to each asset are set out below:

Potash House (Grade II) – A low to medium level of less than substantial harm, as the factory buildings would likely be a particularly dominant incongruous feature within its setting.

Three Turns (Potential NDA) – A low to medium level of less than substantial harm – as for Potash House.

Barns at Lodge Farm (Potential NDAs) – A low to medium level of less than substantial harm – as for Potash House.

The Church of St Mary, Glemsford (Grade I) – Probably a low level of less than substantial harm. This is more difficult to assess, as no CGI has been produced for the church from the tower, as requested, but based upon the drone photograph provided, it seems likely that the new factory buildings would be fairly noticeable from the tower. The Heritage Statement argues that views from the church tower do not contribute to the building's significance because it was/is not a publicly accessible space. However, Historic England's The Setting of Heritage Assets guidance (2017, 2) states that "the contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting." It appears the tower roof is currently an accessible space (if not a public one), and it may have been historically, and thus views from the tower, and the way they likely reinforce the historically rural setting of the church, may be/have been appreciable by those who had, have and in the future may have, access to this space.

Glemsford Conservation Area – Probably a low level of less than substantial harm. Some glimpses of the factory buildings would occur from the southern tip of the Conservation Area along Skates Hill, as well as the aforementioned views from the tower of The Church of St Mary, which is within the Conservation Area. Additionally, some panoramic long-distance views towards the Conservation Area from Braintree District, highlighting its rural setting, would likely be considerably obscured by the new building.

1-3 Low Road (Grade II) – A very low to low level of less than substantial harm. This one is more difficult to assess from the CGI provided, but it seems likely that the factory buildings would be less noticeable within its setting than for the assets referred to above.

The Church of the Holy Trinity, Long Melford (Grade I) – Potential for a very low level of less than substantial harm - as with The Church of St Mary, Glemsford, but the greater distance should mean the factory buildings are less noticeable and thus the level of harm would be lower.

Long Melford Conservation Area – Potentially a very low level of less than substantial harm. Reference is made in the Heritage Statement to the potential for the taller elements of the factory buildings to be viewed between trees from this Conservation Area, and changes in vegetation cover could increase these. CGIs of these views are not provided, but given the distance, it seems unlikely the harm would be greater than ‘very low.’

Kentwell Hall + Registered Park and Garden (Grade II*). Potentially a very low level of less than substantial harm – as for Long Melford Conservation Area.

Melford Hall (Grade I) – Potential for a very low level of less than substantial harm – as with Long Melford Conservation Area.

The Heritage Statement also identifies harm to other assets, particularly ancillary, but separately listed, structures within the grounds of Kentwell or Melford Hall. However, it does not appear that the proposed buildings would be visible from these assets specifically, and thus I do not consider that their significance would be harmed.

N.B. More comprehensive verified views/CGIs may allow for more definitive levels of harm to be identified.

I also have concerns at this stage about the proposed external cladding materials for the new buildings and whether its apparent reflective qualities would work in the way suggested, in practice.

As per my previous comments, I consider that noise, odour and lighting potentially generated by the factory could also negatively impact nearby heritage assets. In line with the latest comments submitted by Environmental Health (Noise/Odour/Light/Smoke) and having discussed with them, the current application documents are not considered to provide sufficient information to assess the noise and odour that would/may be generated from the factory and thus, from my perspective, how this would be experienced within the setting of any heritage assets. Thus, in line with the comments from Environmental Health, more information in this regard would be required.

In regard to lighting, I note that it has been stated that the only new external lighting proposed is the replacement of some existing car park light columns. I am satisfied that this would not be a heritage issue. However, I am aware that there may be requirements and regulations for externally lighting a building of the size proposed; for example, in regard to aircraft safety, and thus request that the applicant/agent confirm this.

The proposal would therefore not meet the requirements of Local Plan policies CN01, CN06 and CN08.

Place Services - Ecology

Holding objection due to insufficient ecological information upon Glemsford Pits Site of Special Scientific Interest (SSSI).

We have reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Adonis Ecology Ltd, December 2020), provided by the applicant, relating to the likely impacts of development upon designated sites, protected and Priority species & habitats.

In addition, we have reviewed the Air Quality Assessment – Rev C (Aval Consulting Group, July 2021) and the Air Quality Addendum - Impact on Glemsford Pits SSSI (Aval Consulting Group, June 2021), Construction Environment Management Plan (Delta-Simons, July 2021) and the Addendum to Drainage Strategy and SuDS Report (BE Design Ltd, July 2021) which has been submitted to outline the likely

impacts upon the adjacent Site of Special Scientific Interest and provide mitigation strategies to demonstrate that the proposals will not impact the SSSI's favourable conservation status.

Furthermore, we note the further comments provided by Natural England (Ref: 357489 & Ref: 358807). It is highlighted, that Ecology - Place Services previously had no objection subject to securing ecological mitigation and enhancement measures for this application, following the further information provided in June 2021. However, following the further information provided by Natural England (Ref: 358807), it is indicated that we now are not satisfied that sufficient ecological information is available for determination for this application. This is because Natural England have consulted an Air Quality specialist within their team, which has identified fundamental problems with the results of the Air Quality Addendum - Impact on Glemsford Pits SSSI (Aval Consulting Group, June 2021). This may result in the figures exceeding the specified thresholds as highlighted within Government Guidance¹. These inconsistencies were not identified initially in Ecology - Place Services comments (02 June 2021) and as a result we request that further information should be submitted to meet the requirements of Natural England's further comments prior to determination. This is necessary to provide air quality assessment, which appropriately assesses the likely impacts upon Glemsford Pits SSSI.

In terms of impacts during the construction phase we had noted that the Air Quality Assessment (Aval Consulting Group, April 2021) had identified the risk of dust pollution upon Glemsford Pits SSSI and had applied criteria from IAQM (2016). The conclusions of the Air Quality Assessment were considered acceptable, and we were satisfied that a finalised mitigation strategy could be secured via Construction Environmental Management Plan. We noted Natural England's comments on utilising appropriate professional judgement alongside the IAQM guidance², which recommend the applicant should apply mitigation measures appropriate to site at 'high risk' of dust pollution. Nevertheless, we were satisfied that the applicant's consultant had followed appropriate methodology and that appropriate mitigation measures had been set out to avoid impacts upon the Glemsford Pits SSSI (in line with IAQM guidance for construction dust measures to mitigate 'Medium Risk' effects).

We now note that a Construction Environment Management Plan (Delta-Simons, July 2021) has been submitted to meet the requirements of Natural England's comments (Ref: 357489), as well as an amended Air Quality Assessment – Rev C (Aval Consulting Group, July 2021). These now include mitigation measures to mitigate 'high risk' effects of dust pollution. It is indicated that we support the measures for biodiversity contained within the Construction Environment Management Plan, which are in line with the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Adonis Ecology Ltd, December 2020). This also provides adequate measures to avoid impacts from construction lighting upon Glemsford Pits SSSI and foraging and commuting bats. Therefore, we are still satisfied that sufficient information has been contained within the Construction Environmental Management Plan, which should be secured and implemented in full. However, a Wildlife Friendly Lighting Strategy will still be required prior to beneficiary use to avoid impacts from lighting during the operational phase. In terms of foul water and surface water drainage strategy, we had noted in our initial review of the application that the developer planned to facilitate the existing pumping station and rising main to discharge both the domestic wastewater and trade effluent off-site for any foul water drainage. In addition, we had noted planned to utilise the existing gravity outfall which discharges to River Stour for the surface Water Drainage, which is located away from Glemsford Pits SSSI. Therefore, we are still satisfied that the proposed drainage strategy will have no impact to the Glemsford Pits SSSI.

Consequently, the further air quality information is required to enable the LPA to demonstrate compliance with its statutory duties under the Wildlife and Countryside Act 1981 (as amended) and NPPF 2021, as well as its biodiversity duty under the NERC Act 2006.

Environmental Health – Contamination

No objection.

Environmental Health – Noise/Odour/Light/Smoke

I have had regard to the Noise Impact Assessment (NIA) submitted with the application (produced by AVAL, Job code 91352, dated 27 April 2021, revision A). This assessment also encompasses the impact of noise on workers – however this is not within the remit of environmental protection and would be enforced by the Health and Safety Executive. I will therefore offer no comment on this element of the report.

A background survey has been undertaken to determine existing noise levels at the closest receptors to the factory. Section 1.3 of the NIA states that “at this stage of the planning process, there are no specifications and noise emission data for any of the external equipment to processes involved as the site is not operational” therefore the NIA is limited to some noise sources only and is not representative of the whole site.

Some internal noise sources are known and as a result Section 5.2 considers noise breakout from inside the factory. It states that ‘in the event of a worst-case scenario where all equipment would be operating at the same point in time, the noise levels from the factory would sum up to 103dB’. This figure relates only to internal noise breakout and not any of the external plant and furthermore does not include any penalties for factors such as tonality, impulsivity, intermittency and other sound characteristics, as per section 9.2 of BS4142:2014. I would ask that this be addressed. It is also unclear as to whether noise from the delivery bays have been taken into account in the calculation of this figure. In terms of noise breakout it is calculated that in order to ensure that internal noise is sufficiently attenuated or below existing background levels at the nearest residential receptor, an attenuation level of 58dB is recommended for the building facades facing the receptors. This would include appropriately attenuated openings including ventilation louvres. I would recommend that a condition be attached to any permission to the effect that full acoustic specifications for building facades, to include that of doors/windows, loading bays and ventilation louvres, should be submitted to the LPA along with report/calculations demonstrating that this value is met. Once the issues relating to sound characteristics above, and the matter of the loading bay have been addressed then I would suggest a condition requiring details of materials and calculations detailing that they meet this specification should be submitted to and approved by the LPA.

In terms of breakout noise from the biomass boiler housing, it is proposed that the facades should have a minimum acoustic attenuation of 32dBA – this would include all openings. Again, clarification is needed on whether this would include any penalties as outlined in section 9.2 of BS4142. I note that no windows are proposed on the facades facing the residential receptors, but doors would need to be attenuated to this level and kept closed at all times except for access and egress. As per the paragraph above, once the matter of sound characteristics has been addressed, a condition to require these elements be required.

Section 5.4 considers noise from lorries/HGVs on the access road (to the West of the site) and the impacts on receptor 2 (houses to the west of the site). In terms of mitigation of HGVs on the access road, it is proposed that acoustic fencing with a reduction of at least 15dB should be installed (this appears to be based on a daytime use only, which would need clarification). However, Section 6.3 states that ‘the suitability and need for the barrier will be assessed in detail when all plant information is finalised and confirmed as part of the noise mitigation strategy’. It is difficult to comment further without this information be available, but I would suggest that a condition will be needed to assure the attenuation afforded by the fencing. No details are given about the proposed use, if any, of the Eastern access road which is very close to Stone Cottages and I would request that this matter be clarified prior to determination. I note the eastern façade of the chocolate building does have a number of roller shutter doors proposed which would suggest that some operations may take place at this façade. No account has been made of this.

Section 7 of the NIA states, in conclusion, that ‘the noise levels emitted from the activities have been determined and a course of action have been proposed’. This is not the case. Only HGV movements to one of the access roads and noise breakout from internal sources have been considered. The conclusion

goes on to state that that 'a noise mitigation strategy will be developed and following approval a noise management plan will be adopted for operational noise management... following implementation of the approved and adopted mitigation strategy no further mitigation measures should be required in order to protect the amenity of local noise sensitive receptors as well as site personnel.'. I am unable to comment on whether a strategy that has yet to be written will be sufficient to protect the amenity of local residents. Furthermore, information on the external plant, HGV movements/idling whilst on site and noise from loading bays are not considered (particularly those on the western façade of the cocoa building). Whilst I appreciate that external plant may not yet be known, I would recommend that a condition be attached to any permission, requiring a noise assessment based on BS4142 to be submitted and approved by the LPA prior to commencement of operation to ascertain the likely noise level arising from all external plant. Mobile vehicles and loading/unloading of goods and to identify appropriate attenuation.

Finally, I note the emails from the agent on the subject of external lighting and also construction management plans – these are items which I had suggested could be controlled by means of condition.

I have had regard to the document 'Construction Environment Management Plan' (produced by Delta-Simons, Project no, 21-1086.01 issue 2). Section 3 considers noise and vibration. Whilst there is a reference in section 3.2.1 to the need for noise monitoring during identified activities, including piling, once again no information is given about location and methodology for noise or vibration monitoring, or noise/vibration limits are included. Section 3.4.2 references risk assessment although this appear sot be geared towards noise at work rather than the impact on neighbours. Given the scale of the development and the proximity of residential receptors I would consider this to be key and I would recommend the plan be revised to reference noise limits (as per BS5228) and identify ,monitoring points and how monitoring will be carried out (in terms of methodology and frequency).

I note the comments in section 3.1.1. about the applicants wish to apply utilise the extended construction hours scheme, which I understand runs until September 2021. Whether you feel the application for extended hours on this site is compelling will be a planning matter but I would again draw your attention to the proximity of residential receptors and suggest that if you are minded to extend hours then noisy works should be kept as far as possible to within the 'normal' construction hours, as below.

Section 3.1.3 gives details of 'normal construction hours'. I would again advise that the Weekend hours for this should be, Saturdays 09.00 – 13.00hrs, with no work permitted on Sundays and Public Holidays.

Environmental Health – Air Quality

As the Biomass Boiler will be subject to a strictly controlled environmental permit that will control emissions to air I will not comment on those issues but note the comments of the Environment Agency who request early engagement with the permitting process. Overall the site is unlikely to be a significant variation to the previous uses of the site in terms of air quality as any variations to vehicles accessing and egressing the site will be unlikely to be of a scale that would lead to an exceedance of LAQM regulations. On account of that I would have no objections to the proposed development on the understanding that the biomass emissions will be controlled by the permit issued by the Environment Agency.

Environmental Health – Sustainability

I have viewed the applicant's documents in particular the Planning Statement and the Design and Access Statement and note the commitment to sustainability. The ratio of process energy used compared to energy demand from the building fabric is noted. The use of photovoltaic panels and the proportion of electric vehicle charging spaces to be provided within the car park is to be welcomed. I have no objection to this application. If the planning department decided to give permission I propose conditions.

Waste

No comments.

Public Realm

No comments.

Other

AONB Officer

The site lies within the Stour Valley Project Area which abuts the Dedham Vale Area of Outstanding Natural Beauty. The Project Area extends 3-4km either side of the River Stour westwards from the AONB boundary past Sudbury and Haverhill to near Great Bradley on the Cambridgeshire border. The Stour Valley Project Area is afforded special consideration through policies contained within the Dedham Vale AONB and Stour Valley Management Plan (2016-2021) which is material planning consideration.

The GBD factory site falls within the Central Stour and Glem Valley section of the Stour Valley Project Area. For this stretch of the Stour Valley, the Valued Landscape Assessment Report considers that 'the combination of intact historic villages and high-quality valley setting, and valley floor pastures coupled with the remote rural lanes on the southern valley sides give this part of the Stour Valley a high scenic quality and strong time depth. The intimacy and high-quality environment experienced in the settlements and the valley landscape is equivalent to areas of the existing Dedham Vale AONB.

The existing factory site also lies between the Valley Meadows and Rolling Valley Farmlands Landscape Character Types. (LCT).

The application proposes the redevelopment of an existing factory site, including the demolition or partial replacement of existing buildings, the construction of new buildings and associated works, a new chocolate production facility. The AONB team is not objecting to the principle of re-developing and re-using the existing factory site and the team acknowledge the economic benefits that the scheme could deliver locally. The team however has significant concerns about the height of the buildings being proposed as part of the redevelopment of the site. The proposal will deliver a 'cocoa building' approximately 40 metres tall, a new 26m tall building to house a biomass boiler and a 'chocolate building' 20m tall. Existing factory buildings are 12m tall. The Landscape guidance for the Rolling Valley Farmlands highlights that the visual impact of new vertical elements is increased by landform in this LCT and that new buildings are likely to have a significant impact on both the character and visual amenity of the valley floor and on the valley side. Without amendments the proposed scheme has the capacity to be visually dominant within the Project Area south of Glemsford.

The existing factory site nestles into the Stour valley bottom. The factory is currently only visible in oblique and filtered views from Hobbs Lane, Skate Hill and from parts of the Stour Valley path which runs west - east along the norther valley slopes to the west of Glemsford and in views for the minor road to the south overlooking Foxearth Meadows.

While many views are restricted by the surrounding rolling topography and intervening vegetation as concluded in the submitted Landscape and Visual Appraisal (LVIA), the much taller buildings proposed as part of this application are likely be much more visible over a greater distance in the valley. The proposed buildings will break the skyline of the southern valley slopes as recognised in the LVIA.

The LVIA is unclear about the reflective properties of the cladding proposed for use on the replacement and new buildings. Given the increased height and bulk of the new buildings proposed and the light colour choice for the cladding, it will be difficult to adequately mitigate the landscape and visual impacts of this development. Further consideration should be given to the need for such tall buildings and the colour choice of the external cladding. To assist the latter, please refer to the Selection and use of Colour in Development

Guide for the Dedham Vale AONB. There is a developed colour palette for the Rolling Valley Farmlands LCT in this document which should be considered for use in this scheme.

The AONB team note that BMSDC's Environmental Health team have requested the submission of a noise and odour strategy. We fully support the need for a noise assessment to ensure that tranquillity levels, which is one of the recognised special qualities of the Stour Valley is not eroded by the proposed development. While the AONB team welcome proposals in the planning application to replace existing site lighting with LED hooded down lighters, we also recommend that a lighting strategy is requested for the site. As with noise, tranquillity levels can be impacted by excessive light spill. Nocturnal wildlife using the site, the nature reserve and SSSI to the south and surrounding countryside can also be impacted by inappropriate lighting across the site. External lighting at this location should seek to reduce impacts on both.

As proposed the scheme does not currently meet the requirements of Paragraph 127 a-c of the National Planning Policy Framework. It only partially meets the policy requirements of section 3.1.5 of the Dedham Vale AONB and Stour Valley Management Plan (2016-2021) for new development to contribute to economic development while also contributing to the conservation and enhancement of the AONB and Stour Valley Project Area. It also fails to meet the policy requirement in section 3.2.7 of the management plan which supports new development that contributes to the conservation and enhancement of local character.

The team has reviewed the additional information submitted by Mr Bayliss about the cladding proposed for use on the new factory buildings. The concerns raised by the AONB team in our original response about the highly reflective nature and unsuitability of the cladding being proposed in the sensitive rural valley location remain. The height of the buildings being proposed are required for operational efficiency and remain unchanged. Given the taller and bulkier design of the new buildings and the metallic and reflective finish of the preferred cladding for use on these buildings the AONB team maintain that the development will be highly intrusive visually within the Stour Valley Project Area. The scheme is not considered to meet the requirements of Paragraph 127 a-c of the NPPF, or policies RLP80 and RLP90 in Braintree Council's Local Plan Review (2005) or policies CS5 and CS8 in the 2011 Core Strategy. The proposal only partially meets the policy requirements of section 3.1.5 of the Dedham Vale AONB and Stour Valley Management Plan (2016-2021) for new development to contribute to economic development while also contributing to the conservation and enhancement of the AONB and Stour Valley Project Area. It also fails to meet the policy requirement in section 3.2.7 of the management plan which supports new development that contributes to the conservation and enhancement of local character. For the reasons set out above the application is not supported.

The Garden Trust

Without a satisfactory HIA for all the heritage assets, and as far as the GT is concerned, the RPGs, it is not possible for us to ascertain what harm, if any, may be caused to the setting and significance of these sites. Until we are provided with more complete information as to visibility and possible effects upon the setting and significance of the three RPGs of Grade II* Kentwell Hall, Grade II* Melford Hall and Grade II Trinity Hospital, we wish to submit a holding objection.

Suffolk Preservation Society

I write on behalf of the Suffolk Preservation Society (SPS) regarding the application for the above development. SPS is fully aware of the previous industrial uses of this site and the importance to the local economy of maintaining an employment use. We are therefore in general support of proposals which will continue to deliver a significant number of employment opportunities on the site. However this is a deeply rural area and the proposals include a significant increase in built form and therefore careful consideration must be given to the impacts of the proposals on the surrounding area.

The site is wholly within the Dedham Vale AONB Stour Valley Project Area and therefore shares some of the special qualities of the AONB landscape including scenic beauty and tranquility. It is a valued landscape, and the Dedham Vale AONB and Stour Valley Management Plan 2016-2021 covers the management of both the designated AONB and the Project Area. The Management Plan policies for the countryside, set out at 3.1.5, call for development to be supported where it contributes to the appropriate economic development and to the conservation and enhancement of the AONB and Stour Valley; and for the area to be protected, including its setting, from developments that detract from its natural beauty and special qualities, including its relative tranquillity.

Landscape Impact

The application site is located within a rolling rural landscape on a valley floor with rising topography to the north and south. The submission details the proposed replacement and additional buildings on the site will be significantly higher than the existing 12m buildings. These include a cocoa building at 40m tall and the building housing a biomass boiler at 26m with significant footprints, resulting in large bulky additions to the site.

Due to screening from trees both on and surrounding the site, the existing incongruous industrial use of the site is reasonably well contained within this otherwise rural area. However due to the rising topography the site is prominent in viewpoints from the north across the landscape and it is clear that the proposed larger scheme will be highly visible. In fact the significant increase in height will result in the buildings breaking the skyline in views from rising land, including from Hobbs Lane and Skate's Hill.

Heritage Impact

SPS concurs with the view of the authority's heritage officer that the large scale of the proposals may impact the setting of various designated and nondesignated heritage assets. The proposed works would likely be out of keeping with their existing settings which may lead to harm. This may be through increased noise, odour and lighting as well as their incongruous industrial appearance within an otherwise rural landscape. We agree with the opinion of the heritage officer that a Heritage Impact Assessment is required to inform a thorough assessment of heritage impact.

Proposed Mitigation

The LVIA accompanying the submission identifies a 'medium adverse' landscape impact on the Stour Valley Project Area and on visual receptors. In order to mitigate this harm we welcome the careful placement of the new buildings towards the rear of the site and we note that an innovative reflective metal cladding is suggested. SPS questions whether this is the best approach and would urge that serious consideration is given to the careful use of colour and non-reflective materials to break up the massing and bulk of the proposed new buildings in order to reduce their impact within longer views in the landscape, particularly where they break the skyline.

The 2015 Joint Babergh Mid Suffolk Landscape Guidance suggests that for large-scale buildings where the use of traditional materials is impractical, to make these buildings as inconspicuous as possible, the wall materials should blend with the colours and textures of the landscape; the materials should be of a low-reflective finish; and the roof of a rural building should be darker than the walls in order to help make the building appear smaller in scale. SPS recommends that although the site is within the Stour Valley Project Area rather than the AONB itself, the adopted 2018 Guidance on the selection and use of colour in development within the Dedham Vale AONB would be a useful starting point when considering the use of colour to mitigate impacts of developments within sensitive landscapes.

Anglian Water

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

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

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. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

B: Representations

At the time of writing this report at least five letters/emails/online comments have been received. It is the officer opinion that this represents three objections and two supporting submissions. A verbal update shall be provided as necessary.

Grounds of objection are summarised below:

- Odour;
- Infrastructure;
- Light/noise pollution.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/18/04687	Planning Application. Installation of new windows to first floor office.	DECISION: GTD 06.12.2018
REF: B/0208/79/FUL	Erection of extension to provide plant room.	DECISION: GRA 26.04.1979
REF: B/0170/74/FUL	Erection of service building, boiler house, sprinkler tanks, oil tank and pump house.	DECISION:
REF: B/0836/76/FUL	Erection of workshop.	DECISION:
REF: B/0766/83/FUL	Erection of single storey office extension.	DECISION: GRA 03.10.1983
REF: B/0006/76/ADV	Two illuminated signs.	DECISION:
REF: B/0169/76/FUL	Construction of wall and pedestrian access	DECISION: GRA 06.04.1976
REF: B/0434/75/FUL	Construction of vehicular access and erection of gates and fences	DECISION: GRA 09.07.1975

REF: B/17/01012	Installation of insulated aluminium roller shutter	DECISION: GTD 20.06.2017
REF: BIE/14/01199	Alterations to an existing area Tel appt 12/08/14 AM	DECISION: PCO
REF: B/13/01190	Alterations to existing front car parking area. As amended by drawing no. 44982/C/01 Rev B received on 22/10/13 to show provision of parking bays for disabled people.	DECISION: GRA 20.11.2013
REF: B/13/01061	Erection of main reception extensions and alterations for Philips Avent factory.	DECISION: GRA 25.10.2013
REF: BIE/13/00941	Multiple Silo Facility.	DECISION: PCO
REF: BIE/13/01188	Extensions	DECISION: PCO
REF: B/13/01086	Application for a Certificate of Lawfulness for a Proposed Use or Development - Erection of suspended concrete platform to accommodate 8 No. storage silo's, erection of gantry and cladded screen walls. As amended by Drawing No. 44982/P/13 Rev A received on 5th December 2013 to show reduction in height of screen walls.	DECISION: GRA 17.12.2013
REF: BIE/13/00835	CALL BACK - 01/07/13 - Agent: Proposed glazed entrance lobby	DECISION: PCO
REF: B/12/00716	Crown lift 2 no. Silver Birch Trees to 4m above ground level and reduce 1 no Silver Birch Tree by 2m away from building covered by Tree Preservation Order BT 291/G1.	DECISION: GRA 13.07.2012
REF: BIE/12/00708	Proposed telecommunications installation.	DECISION: PCO
REF: BIE/12/01038	Re-development of site.	DECISION: PCO
REF: BIE/12/01032	24/07/2012 - Agent - Insertion of windows into factory, does this require planning permission.	DECISION: PCO
REF: B/12/00322	Erection of storage building (retention of).	DECISION: GRA 02.05.2012

REF: B/11/01590	Erection of storage building (retention of)	DECISION: GRA 07.02.2012
REF: BIE/11/01594	Tel Appt Tues 8th Nov: Erection of replacement (B8) commercial building.	DECISION: PCO
REF: B/07/02033	Construction of 4 No. coach parking bays. Alteration to existing vehicular access.	DECISION: GRA
REF: B/07/01800	Siting of temporary portacabin.	DECISION: GRA
REF: B/07/02040	Erection of rear canopy.	DECISION: GRA 13.02.2008
REF: B/07/01818	Erection of 3 No. CCTV poles; erection of fencing; erection of traffic barrier to main entrance.	DECISION: GRA
REF: B/06/01173	Erection of single-storey extension to accommodate plant room.	DECISION: REF
REF: B/06/01831	Erection of single-storey extension to accommodate plant room.	DECISION: GRA
REF: B//02/02138	Erection of extension to provide replacement canteen, staff welfare facilities and office space (as amplified by agents letter re fee dated 07/01/03).	DECISION: GRA 05.02.2003
REF: B//01/01121	Erection of extension to existing warehouse, canopy around perimeter of marshalling yard and 6 silos for storage of raw materials, resiting and enlargement of sprinkler tanks and construction of additional staff car parking spaces (as amplified/amended by agent's letter dated 1 September 2001 and enclosure and applicant's Email dated 4 September 2001 and enclosure)	DECISION: GRA
REF: B//00/01752	Insertion of glazed entrance lobby	DECISION: GRA 18.01.2001
REF: B//98/00519	Erection of factory building for Class B2 Industrial and Class B8 Storage use and construction of car park and two vehicular accesses (existing warehousing and miscellaneous outbuildings to be demolished) as amended by additional information received from the agent on the 22/05/98, and 03/06/98 revised plans	DECISION: GRA

received by LPA on 04/06/98 and additional information received from agent on 05/06/98 and as amplified by applicants letters dated 26/06/98 and 29/06/98 and attached enclosures and 02/07/98 and further amended by agents letter dated 13/07/98 and 03/09/98 and amended plans received on 14/07/98 and agents fax dated 09/07/98 (and enclosures) list of machinery to be installed inside the building (as detailed on enclosures received on 15/07/98) agents fax dated 22/07/98 and 06/08/98 - amended plans regarding provision of the car park received 04/09/98 and 13/10/98 accompanying agents letter dated 03/09/98, agents fax dated 05/10/98 and accompanying details (re. landscaping and fencing) and agents letters dated 05/10/98 and 08/10/98 and agents faxes dated 16/10/98, 19/10/98, 20/10/98, 22/10/98 and 26/10/98 including amended landscaping plan 588 SK105 Rev C and report from SRL dated 19/10/98 and enclosures

REF: B//94/00730	ERECTION OF SINGLE STOREY REAR EXTENSION FOR STORAGE OF MATERIALS	DECISION: GRA 02.08.1994
REF: B//95/01464	ERECTION OF A TOOLROOM OFFICE, INSERTION OF 2 WINDOWS TO FRONT GROUND FLOOR ELEVATION	DECISION: GRA 01.02.1996
REF: B//96/01073	ERECTION OF A SINGLE-STOREY EXTENSION TO PROVIDE SWITCHROOM SUBSTATION AND COVERED AREA	DECISION: GRA

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is located on the southern side of the A1092 (Lower Road), south of Glemsford. Since 1998 the 7.2ha site has been used for industrial (B2 Use Class) and storage (B8 Use Class) purposes. It is occupied by two industrial buildings of scale, up to a height of 12m, surrounded by hardstanding areas, internal vehicle manoeuvring areas and car parks. The site is currently vacant, following the overseas relocation of the Philips Avent production facility in late 2020.
- 1.2. North of the site, on the opposite side of Lower Road, are fields in arable use. The site is adjoined on its west, east and south boundaries by woodland. The site is elevated from the River Stour. There are two small groups of residential properties to the west and east, all fronting Lower Road.

- 1.3. There are two vehicle accesses to the site's northern boundary adjoining Lower Road. The site accommodates a 240 space car park. The site frontage is landscaped with mature trees, hedgerows and manicured grassed areas.
- 1.4. The application site lies in excess of 13km from the Dedham Vale Area of Outstanding Natural Beauty (AONB), which is located to the southeast. It is located within the Stour Valley Project Area which adjoins the AONB. A Special Landscape Area lies to the east, and Glemsford Pits Site of Special Scientific Interest (SSSI) and Foxearth Meadows Local Nature Reserve (LWS) is to the south. The latter is a 4.6ha floodplain wetland known for its conservation of dragonflies and damselflies. Kentwell Woods SSSI is 745m north of the site.
- 1.5. Nearby designated heritage assets include the Grade II listed 'Potash House' on Skates Hill 320m to the northwest, Grade II listed '1-3 Low Street' 650m to the west, the Grade II listed farmhouse and barn 600m to the south and the Glemsford Conservation Area 640m to the northwest.
- 1.6. The majority of the site is in Flood Zone 1. A very small part of the site is in Flood Zone 2 and 3.

2. The Proposal

- 2.1. The application seeks full planning permission for the development of a chocolate factory. The proposal involves converting/re-purposing the existing buildings on site and erecting new buildings and additions. A two-storey (25.7m high) biomass boiler building, a single storey waste water treatment building, a gatehouse and weighbridges are proposed.
- 2.2. The existing western building (Building A) will be partly demolished and rebuilt. Maximum building height of Building A is 39.5m and the total additional floor area is 1656sqm. The existing eastern building (Building B) will be largely retained and remodelled with a higher addition incorporated toward its rear, to be used as a chocolate production building. Maximum building height of Building B is 19m and the total additional floor area is 294sqm.
- 2.3. The total additional industrial floor space is approximately 4000sqm. The buildings will be finished in 'Diffused Silver' vertical trapezoidal profiled cladding – refer photomontage below.
- 2.4. A total of 106 parking spaces (20% to be EV charging bays) will be provided - a net reduction of 134 car spaces. The 20 existing cycle parking spaces are retained. A widening of the western vehicular entrance to accommodate HGVs is proposed.
- 2.5. A total of 250 staff will be employed; staff will work on shifts with a maximum of 84 staff on-site at any one time.
- 2.6. No additional lighting schemes on the site are proposed, with the exception of the replacement of existing car park lighting columns, to be no higher than the existing columns and in a reduced area. No work is planned in or near the sole tree within the site affected by a Tree Preservation Order (to the northeast).
- 2.7. The areas that are proposed to be redeveloped are located wholly within Flood Zone 1.
- 2.8. In addition to the proposed plans, the application is supported by an extensive number of specialist-authored technical reports including:
 - Planning Statement;
 - Design and Access Statement;
 - Landscape and Visual Impact Assessment (plus addendum);

- Economic Impact Statement;
- Flood Risk Assessment;
- Drainage Strategy and SUDs Report;
- Ecology Assessment Report;
- Heritage Impact Assessment;
- Noise Report;
- Air Quality Report (plus addendum);
- Construction Environment Management Plan;
- Transport Assessment;
- Travel Plan.



3. Policy Context

- 3.1. Paragraph 11 of the NPPF explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It indicates that where the development plan is absent, silent or policies which are most important for determining the application are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole; or unless specific policies in the NPPF indicate that development should be restricted.
- 3.2. In view of advice in paragraph 11(d) of the NPPF, it is necessary to consider how consistent the most important policies in the development plan are with the NPPF, to assess what weight should be attached to them. Paragraph 219 (Annex 1) of the NPPF explains that due weight should be given to relevant policies according to their degree of consistency with the NPPF, the closer the policies in the plan to those in the NPPF, the greater the weight that may be given.
- 3.3. The development plan for the area comprises a combination of the Babergh Core Strategy 2014, the 'saved' policies of the Babergh Local Plan 2006 and the emerging Joint Local Plan. Outside of the development plan, the Dedham Vale AONB and Stour Valley Management Plan (2016-2021) is also a material consideration.

- 3.4. The most important policies in the Core Strategy for determining the application are Policy CS1, CS2, CS11, CS13 and CS15. The most important policies in the Local Plan for determining the application are Policy CN01, CN06, CN08, CR02, CR02, EM20, TP15 and TP16.
- 3.5. Taken in the round, those policies are considered to be up to date.
- 3.7. The emerging Joint Local Plan is currently at Regulation 19 pre-submission stage and therefore, in accordance with paragraph 48 of the NPPF, is afforded only limited weight in the decision-making process. It does not play a determinative role in this application.
- 3.9. Having determined that the tilted balance does not engage, it is left to determine the key issues and assess the proposal's performance against relevant policies in the context of those issues. The key issues are:
- a) The principle of expanding the industrial site for industrial purposes;
 - b) The effects of the proposed development on landscape character, including the AONB, Stour Valley and Special Landscape Area;
 - c) The effects of the proposed development on the setting of nearby designated and non-designated heritage assets and archaeology;
 - d) The effects of the proposed development on highway safety;
 - e) The effects of the proposed development on residential amenity and the tranquillity of the AONB and Stour Valley, including noise and light spill;
 - f) The effects of the proposed development on local biodiversity values, including the neighbouring Glemsford Pits Site of Special Scientific Interest (SSSI) and Foxearth Meadows Local Nature Reserve (LWS);
 - g) Flood risk, drainage and wastewater management.
- 3.10. These issues are assessed in turn below, in the context of the three dimensions of sustainable development, as set out at NPPF paragraph 8.

4. The Principle of Development

- 4.1. The site comprises well-established, expansive, employment land occupied by large scale industrial buildings. The NPPF advocates re-use of previously-developed land. Saved Policy EM20 permits proposals for the expansion/extension of existing employment sites provided residential, environmental amenity and highway safety matters are safeguarded. The supporting text to Policy EM20 sets out a 'strong presumption' in favour of permitting the expansion of an existing firm or other employer.
- 4.2. Policy CS2 applies because the site is in the countryside where development is permitted only in exceptional circumstances subject to a proven justifiable need. Assuming a positive assessment overall, where in such circumstances policy EM20 would be satisfied, officers consider that this would resolve any tension with the policy; the weight afforded to any conflict would be limited.
- 4.3. For these reasons there is no in-principle objection to the re-use, repurposing and expansion of the factory site assuming a positive assessment against all other key issues.

5. Economic and Social Dimensions

- 5.1. A strong competitive economy is a key tenet of the NPPF. Paragraph 81 is very clear in its direction regarding economic growth, stating that decisions should 'help create the conditions in which businesses can invest, expand and adapt'. It places 'significant weight' on supporting economic

growth and productivity 'taking into account both local business needs and wider opportunities for development'. Paragraph 84 states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas. Policy CS3 mirrors these aspirations, supporting and encouraging economic growth and employment opportunities.

5.2 The benefits the scheme will bring to the regional economy are substantial, as outlined in the supporting Economic Impact Statement. In summary, the development is likely to generate the following positive economic impacts:

- Investment of £40M in the construction sector plus an additional £50M investment in specialist manufacturing equipment.
- A total inward investment of £90M to the UK (excluding the purchase of the site);
- An average of 145 FTE on-site gross jobs per annum over the 2.5 year construction period;
- 140 net additional FTE employment opportunities annually generated for workers in the East of England during construction, of which 90 will be locally captured by residents of Suffolk;
- 370 net additional FTE employment opportunities created for workers in the East of England area, inclusive of 195 additional jobs for residents of Suffolk;
- Total annual productivity contribution of circa £17.1M in GVA to the East of England economy, of which £13.9M will be locally concentrated in Suffolk.

5.3. The Economic Impact Statement concludes:

'The GCB Cocoa development will not only assist in providing much-needed manufacturing job opportunities for residents of Glemsford and more widely across Suffolk and the East of England region, but will also support the Council's vision to attract new businesses to the area and grow the economy of Babergh. Put simply, the economic importance of this development to local businesses and providing employment opportunities for residents of the surrounding area cannot be overstated.'

5.4 The development will substantially strengthen the local economy, in support of the competitive economy aspirations set out at Paragraph 81 of the NPPF and consistent with up-to-date Policy EM20. The scheme directly furthers Paragraph 84 of the NPPF and up-to-date Policy CS3, enabling sustainable growth and business expansion. Great weight is attached to this policy support.

6. Environmental Dimension

Landscape Impact and the AONB

- 6.1. The site is located in excess of 13km from the AONB. Lying directly between the site and the AONB are the settlements of Sudbury and Great Cornard. The site is however within the Stour Valley Project Area which abuts the AONB. The Stour Valley Project Area is afforded special consideration through policies contained in the Dedham Vale AONB and Stour Valley Management Plan (2016-2021) which, as noted by the AONB Officer, is a material planning consideration. The site is also in proximity of a Special Landscape Area, located to the east.
- 6.2. NPPF paragraph 177 states that planning permission should be refused for major development *within* an AONB and that criteria should apply if considering an exceptional circumstance to otherwise justify the major development. As noted above the site is not within the AONB, therefore the presumption against major development, and the criteria listed at paragraph 177, do not engage.

- 6.3. Paragraph 176 of the NPPF states that development within the setting of an AONB should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.
- 6.4. Policy CS15 requires development proposals to ensure adequate protection, enhancement, compensation and/or mitigation are given to distinctive local features which characterise the landscape and heritage assets of Babergh's built and natural environment within designated sites covered by statutory legislation, including AONBs. In particular proposals should protect and where possible enhance the landscape and heritage areas including habitats and features of landscape, historic, architectural, archaeological, biological, hydrological and geological interest. As noted above, this policy is attached lesser weight as it lacks the necessary balance in decision making as advocated for in the NPPF.
- 6.5. Saved Policy CR02 applies, requiring development proposals to be assessed in terms of their landscape impact. It requires regard to be had to Dedham Vale and Stour Valley Management Strategies and therefore the scheme's performance against the *Dedham Vale AONB and Stour Valley Management Plan 2016-2021* is an important consideration.
- 6.6. The AONB Officer observes that the site is located on the Stour valley bottom and that the much taller buildings proposed as part of the application are likely be visible over a significant distance in the valley. The Officer notes that by virtue of the extended building height the proposed buildings will break the skyline of the southern valley slopes, as recognised in the supporting Landscape and Visual Impact Assessment (LVIA). The AONB Officer considers that the scheme has the capacity to be visually dominant within the Stour Valley Project Area south of Glemsford.
- 6.7. Council's Landscape Consultant agrees with the LVIA, and in essence with the AONB Officer, noting that the surrounding landscape has a high sensitivity to change. Similar to the AONB Officer, the consultant is concerned with the height and mass of the taller buildings, concluding that they will appear very prominent in the landscape. The consultant considers that the scheme will have a medium to high adverse effect on the Stour Valley Project Area and the local landscape character.
- 6.8. In addition to height and mass, the cladding of the buildings are a concern of the AONB Officer, landscape consultant and heritage officer. None of these consultees are convinced that the reflective, metallic nature of the finishing material will be anything other than visually intrusive and unsuitable in the valued landscape.
- 6.9. The building height, at night on 40m, is undeniably extreme given the heights of neighbouring development, including even the relatively 'modest' 12m height of the industrial buildings on the site. The building height is borne out of operational need. It is the minimum height required to facilitate a gravity-based cocoa processing operation. A gravity-based system is the least energy consumptive method available. The applicant explains that a lower building height could be incorporated, however this would require a significantly less sustainable processing operation, with product circulated around an enlarged factory floor by pneumatic blown transfer lines. Not only would this require increased embodied energy and carbon usage, it would also generate greater waste product.
- 6.10. NPPF paragraph 154 states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through amongst other matters, its design. The same principle is applied by paragraph 157 and the expectation that new development should take account of building layout to minimise energy consumption. Policy CS13 reinforces these principles, requiring development to adopt a sustainable approach to energy use. It is clear that the substantial building height will have an adverse effect on the landscape that surrounds the site. The taller buildings, although set within an existing industrial site and positioned deep into the plot and therefore well back from the road, will nevertheless appear prominent from a multitude of viewpoints

(public and private) within the valley. In judging the overall character effect, one must have regard to the sustainability advantages brought about by the gravity-fed operation, and the level of support this enjoys from numerous policies at the national level. This forms part of the broader balancing exercise that must be undertaken, in addition to weighing up all other public benefits and disbenefits associated with the scheme.

- 6.11. The cladding is clearly a contentious element of the scheme for the landscape and heritage consultees. The reflective, metallic finish is not a finish consistent with that recommended in the *AONB Guidance on the selection and use of colour in development* document. It also does not align with the *2015 Joint Babergh Mid Suffolk Landscape Guidance* which states that materials on large scale buildings should be of a low-reflective finish.
- 6.12. The applicant's rationale for the proposed finish is that the diffused metallic finish enables the building to disappear into the skyline. The applicant contends that the proposed level of reflectivity allows, essentially through mirroring, the buildings to adopt the colours of their surroundings, including the vegetation. The effect is a softening of the building mass in the landscape. In other words, the reflective finish is a deliberate visual mitigating measure.
- 6.13. The materiality and colour finish is contemporary, striking and innovative. NPPF paragraph 130 states that developments should be visually attractive and sympathetic to local character and landscape setting, *while not preventing or discouraging appropriate innovation or change*. The AONB is 13km to the southeast and the harm to nearby heritage assets is deemed (in the main) low by the Heritage Officer. As already noted the development involves the re-purposing of an already heavily industrialised site, overtly utilitarian in its presentation. The proposed materiality is not unattractive; arguably it is a sleek visual offering. For these reasons, officers consider that there is scope to further the proposed innovative approach noting the express support offered by NPPF paragraph 130. Any landscape harm caused by the proposed materiality must be weighed in the planning balance.
- 6.14. Approval of the proposed diffused silver finish is offered on the proviso that a strict maintenance regime is implemented regarding the cleaning of the exterior of the buildings. It is clear that this is required in order for the reflective finish to retain its ability to reflect the surrounding landscape, maintaining the desired translucent appearance. A maintenance regime can be secured by planning condition.
- 6.15. The proposal includes a substantial reduction in the extent of the car parking area. This is a positive landscape change albeit not significant in its own right given the area lost is to the rear of the site. Nonetheless any reduction in hard surfacing and vehicle parking is considered to weigh favourably in landscape terms.

Heritage Impact

- 6.16. Following the submission of a Heritage Impact Assessment, the Heritage Officer has very carefully considered the impacts on all nearby designated heritage assets, of which there is a good number because of the scale of development, visible in the backdrop to them. They include the designated heritage assets comprising the Grade II listed 'Potash House' on Skates Hill, the Grade II listed '1-3 Low Street' to the west, the Grade II listed farmhouse and barn to the south, the Grade I listed Church of St Mary in Glemsford, the Glemsford Conservation Area, the Grade I listed Church of the Holy Trinity in Long Melford, the Long Melford Conservation Area, the Grade II* listed Kentwell Hall and Registered Park and Garden and the Long Melford Conservation Area. Non-designated assets include Three Turns and the Barns at Lodge Farm.

- 6.17. The Heritage Officer has assessed the impacts on the settings of these assets and considers, for all but one of the designated assets (Potash House), that they would range from a very low level to a low level of less than substantial harm. For Potash House a low to medium level of less than substantial harm is identified. The non-designated assets attract a low to medium level of less than substantial harm. The Heritage Officer concludes that the proposal would therefore not meet the requirements of Local Plan Policies CN01, CN06 and CN08.
- 6.18. Paragraph 202 of the NPPF states that where a development proposal would lead to less than substantial heritage harm, as is the case here, the harm should be weighed against the public benefits of the proposal. For the avoidance of doubt, the statutory duties of the listed buildings Act require considerable importance and weight to be applied to any harm identified. Such harm would, in accordance with those duties, give rise to a presumption that planning permission should be refused. Such a presumption is not irrebuttable but the justification must be suitably compelling i.e. that the public benefits ought to be sufficiently weighty to outweigh the harm even where considerable importance has been attached to it. In this case officers do adjudge that the harms, whether taken individually by asset, or cumulatively together, are decisively outweighed by the considerable economic benefits posed by the development.

The less than substantial harm to the significance of the designated heritage assets as identified by the Heritage Officer must nevertheless be weighed again in any overall planning balance, and considered in the context of the environmental, social and economic benefits (and harms) that the scheme would bring about.

Vehicle Access and Traffic

- 6.19. Paragraph 110(b) and (d) of the NPPF requires development proposals to ensure that safe and suitable access to the site can be achieved for all users and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Saved Policy EM20 sets out a presumption of permission for the expansion/extension of existing employment uses where there is no material conflict with highway safety.
- 6.20. The two existing access points are to be retained, with the western access widened to accommodate HGVs, an arrangement sufficient for the allocated 40mph speed limit. The access changes do not raise highway safety concerns noting an absence of objection from the Highways Authority. The proposal ensures that safe and suitable access to the site is maintained.
- 6.21. The development will generate a significant amount of movement and therefore the application is supported by a traffic impact assessment, in accordance with NPPF paragraph 113. The use will generate 227 vehicle trips in the morning peak hour. The Highways Authority considers the local road network sufficient to accommodate the traffic generation without causing issues in respect to congestion, safety or parking. There will not be a 'severe' local network impact, the threshold set by the NPPF paragraph 111.
- 6.22. The Highways Authority other recommends conditions in order to manage highway safety and these are also supported.
- 6.23. For the above reasons the proposal would not materially conflict with highway safety, in accordance with saved Policy EM20.

On-Site Vehicle and Cycle Parking

- 6.24. Policy TP15 requires new development to provide on-site parking in accordance with standards adopted as Supplementary Planning Guidance. The on-site parking spaces will be reduced, from 240 spaces to 106 spaces. Based on the Suffolk Guidance for Parking rate, the use generates a requirement of 1,058 on-site car spaces. Clearly the proposal results in a significant statutory shortfall. The shortfall is however acceptable given there will be a maximum of 84 staff members on-site at any one time, plus a 25% capacity to accommodate shift changes and visitors. Given the level of staffing, and the size of the site, a 1,058 space parking lot would be unnecessary and unreasonable.
- 6.25. Electric vehicle charging bays (21 spaces) are proposed to be incorporated, giving positive effect to paragraph 112(e) of the NPPF which states that development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations (bay siting details can be secured by planning condition). The electric charging bays are an environmental benefit.
- 6.26. The 20 existing cycle spaces on the site will be relocated and retained. Based on the Suffolk Guidance for Parking rate, 212 on-site cycle spaces are required. Again there is a significant statutory shortfall. Again however this is deemed acceptable, because the existing number of cycle spaces is not changing and a substantially lesser number of staff will be working from the site. A 212 cycle space arrangement would not be practical or realistic.

Travel Plan

- 6.27. Policy TP16 requires a Travel Plan for developments employing more than 25 people which encourage, amongst other matters, reducing car usage and increasing use of public transport, walking and cycling. Paragraph 110(a) of the NPPF requires development proposals to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location.
- 6.28. In accordance with Policy TP16 and NPPF paragraph 113, a Travel Plan supports the application, outlining how the development seeks to become less car dependent over time, through the promotion of alternative, more sustainable, modes of transport. The Highways Authority recommends a condition to ensure the implementation of the Travel Plan, including amongst other matters the appointment of a Travel Plan Coordinator, annual Travel Plan monitoring commitment, marketing strategy targeting employees, employee travel pack and efforts to secure an employee shuttle bus. Given the scale of the use and number of employees proposed, these travel plan requirements are considered essential in order to reduce the reliance on vehicle trips, and the Travel Plan condition is supported. The Highways Authority also requests a Travel Plan Evaluation and Support Contribution to cover its costs of overseeing the implementation of the Travel Plan. The contribution can be secured by a s106 obligation.
- 6.29. Having the operation adhere to a sustainable Travel Plan is an environmental gain, a significant improvement in sustainability terms upon the previous industrial use that operated from the site. The outcome is compliant with Policy TP16. The application presents the opportunity to deliver a significantly less car dependent operation at the site. This aspect of the scheme, a significant environmental benefit, weighs positively in the planning balance.

Residential Amenity

- 6.31. As already noted, saved Policy EM20 states that the expansion/extension of an existing employment use will be permitted, provided there is no material conflict with residential amenity.

Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, securing a high standard of amenity for all 'existing and future users'.

- 6.32. The nearest residential properties are located either side of the site, off Stour Close to the west and Stone Cottages to the east. The proposed built form is set well away from these properties. For this reason, the development will not present unacceptable visual bulk to neighbouring residents. The additional built form, even at the considerable heights proposed, will not cause any overshadowing or daylight/sunlight issues for residential neighbours, given the considerable separation distances to dwellings and private gardens.
- 6.33. The carpark nearest to the western residences is an existing arrangement, and in any event the extent of it will be reduced considerably. A smaller car park means less vehicle movements, less vehicle noise, less disturbance generally. These will be amenity positives for the western neighbours.
- 6.34. There will be an increase in HGV movements in the vicinity of the western dwellings given the western access is to be widened for these vehicles, however the access and the internal HGV access road are set well east of these dwellings, separated by the existing parking lot and established western side boundary landscape planting. Moreover, as noted below, acoustic side boundary fencing is proposed.
- 6.35. Subject to noise being appropriately managed (see further discussion below), a condition restricting factory operating hours is not deemed reasonable given: (a) the historic industrial use of the site; and (b) the less intensive use of the land (compared with the previous operation) in employment generating terms.
- 6.36. Conditions are recommended regarding the supporting Construction Management Plan - see further commentary below.
- 6.37. For the above reasons the proposal would not materially conflict with residential amenity, in accordance with up-to-date Policy EM20 and an outcome promoted by NPPF paragraph 130.

Lighting

- 6.38. NPPF paragraph 185(c) requires new development to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. Some local residents raise concerns regarding light pollution. This is an understandable concern given the industrial nature and scale of the development and the rural location. The applicant confirms that no new external lighting is proposed with the exception of the replacement of existing car park lighting columns. These will not be any higher than the existing columns and in a reduced area. The columns will be LED, downlighters with Dark Sky Compliance reducing light pollution and spill. The development will therefore reduce the existing light level, an environmental positive not only in general amenity terms, but also in wildlife and Sour Valley/AONB terms. The proposal accords with NPPF paragraph 185(c).

Noise

- 6.39. Paragraph 185 of the NPPF states that new development should avoid noise giving rise to significant adverse impacts on health and the quality of life. The supporting Noise Impact Assessment (NIA) has been reviewed by the Environmental Health Officer who notes a number of concerns, including omission of necessary information. These are summarised as relating to the assessment:

- Not taking account of any penalties for factors such as tonality, impulsivity, intermittency and other sound characteristics;
 - Not including details of acoustic specifications for building facades;
 - Not taking account of noise associated with delivery bay HGV activity;
 - Not specifying the western boundary acoustic fencing details;
 - Not taking account of noise associated with activity along the eastern access road or eastern façade of the chocolate building;
 - Not taking account of noise associated with external plant.
- 6.40. Whilst there are gaps in the supporting NIA, the Environmental Health Officer does not object outright to the scheme. Rather, the officer recommends that the gaps be addressed by planning conditions. The conditions are supported.
- 6.41. To be fair to the applicant, and the acoustic consultant, the complex nature and scale of the development is such that many of the details are not yet known, as operational design details have not yet been worked up. It is commonplace for developments of this ilk to not have all noise impacts known at the planning stage, and a conditional approach is justified in such an instance. Put another way, it would be an unreasonable impost on the applicant to require the provision of all of the noise assessment detail prior to determination. There is however sufficient detail to confirm that noise impacts on neighbouring residents can be appropriately mitigated with the necessary on-site attenuation measures. Officers are comfortable in deferring this control to planning conditions. Officers are confident that the proposal does not conflict with NPPF paragraph 185(a).
- 6.42. NPPF paragraph 185(b) requires development to limit adverse noise impacts and protect tranquil areas. Noise is also therefore a relevant matter in terms of its impact on the tranquillity of the AONB, a recognised special quality of the Stour Valley. The site is already heavily industrial. Having regard to the supporting NIA, and the details of the operation provided, officers do not consider that noise emissions generated from the development are going to be significantly greater than the previous industrial use. Officers are not convinced that a ground of refusal could be substantiated in respect to noise impacting the tranquillity of the Stour Valley or AONB.

Flood Risk and Drainage

- 6.43. Flood risk is an important consideration for the proposed scheme and paragraph 155 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, as well as confirming that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 6.44. The majority of the site is in Flood Zone 1. The application is supported by a Flood Risk Assessment (FRA) and a Drainage Strategy which has been reviewed by the LLFA. The LLFA raises a holding objection, primarily concerned with the rate of surface water discharge and ensuring the surface water storage area is located outside the Flood Zone 3 portion of the site. It is the officer's opinion that these technical requirements are not likely to be insurmountable (Flood Zone 3 covers only an extremely small part of the site) but final views are awaited from the LLFA following further information being submitted. In accordance with the recommendation of this report, officers would seek authority to resolve any outstanding matters prior to a decision being taken.

Wastewater Management

- 6.46. As noted above the Environment Agency does not object to the scheme. Anglian Water notes that the Glemsford Water Recycling Centre has capacity to treat the wastewater flows from the proposed

development site and that it would take the necessary steps to ensure that there is sufficient treatment capacity. Anglian Water therefore does not object to the scheme on wastewater grounds. The proposal accords with Policy CS21 (Infrastructure).

Archaeology

- 6.47. The County Archaeological Service (CAS) does not raise any concerns, observing that archaeological mitigation is not required. Based on this advice the absence of a desk-based assessment, as required by NPPF paragraph 194, is not a reason to withhold planning permission.

Biodiversity

- 6.48. Policy CS15 seeks to safeguard biodiversity values. 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.
- 6.49. An Preliminary Ecological Appraisal and Preliminary Roost Assessment (including site survey undertaken on 10/12/20), Construction Environment Management Plan, a Drainage Strategy and SuDS Report, and an amended Air Quality Assessment supports the application, all of which have been reviewed by Natural England and the ecology consultant.
- 6.50. The PEA notes the site to be of likely low value for wildlife at a local level. It concludes that, provided impact avoidance and mitigation measures are implemented as recommended, the risk of impact to the nearby SSSI and protected species from the development could be reduced to negligible. It states further that with the biodiversity enhancements implemented as recommended, the site should achieve a net biodiversity gain, in line with the NPPF.
- 6.51. The Drainage Strategy and SuDS Report sets out that the existing pumping station and rising main will be utilised to discharge wastewater and trade effluent off-site and that surface water disposal will be via the existing gravity outfall discharging to the River Stour. Importantly, the outfall is located away from Glemsford Pits SSSI. The ecology consultant is satisfied with these drainage outcomes, observing that they will not impact the Glemsford Pits SSSI. Natural England agrees.
- 6.52. The ecology report findings are uncontested. There is opportunity for the development to deliver net biodiversity gains. The ecology consultant has recommended relatively standard conditions regarding the securing of mitigation measures which are supported.
- 6.53. The outstanding concern of both Natural England and the ecology consultant, relate to the impact on air quality, more specifically, the potential impact of dust pollution on the habitats of dragonfly and damselfly in the Glemsford Pits SSSI. Natural England requires further information, in addition to that provided in the addendum to the Air Quality Assessment submitted on 29/06/21, in order for it to determine the significance of the impacts on these habitats from air pollutants created through the construction and operation phases of the development. Natural England requires technical information including estimates of current pollution concentrations and deposition, contour maps, metdata for 3 to 5 years, and calculated rather than estimated PEC figures.

However, at this point in time despite attempts to overcome the issues raised, concerns remain in relation to the information submitted by the applicant where the extent of impact upon SSSI remains unknown. There may be no adverse impact at all but, equally, there is a possibility that there could

be. Likewise, should an adverse impact be identified there is no mitigation proposed for consideration at present.

Officers do not presently consider that the application is capable of lawful determination in the absence of a resolved position, one way or another. Hence, delegated authority is sought for officers to work through and resolve the residual issues with the applicant.

Land Contamination

6.54. Council's Environmental Protection Team does not raise an objection in respect to ground contamination.

PART FOUR – CONCLUSION

7. Planning Balance and Conclusion

At this point in time officers are unable to undertake an overarching planning balance, accounting for the development plan and other material considerations, because the complete impacts of the application proposal are not yet known.

The application is brought to Committee in exceptional circumstances where no recommendation for determination is available at present but in light of the commercial imperative, urgent views are sought from Committee where the most expedient treatment of the application would, in officers' opinion, be a resolution to delegate authority for the determination of it to the Chief Planning Officer.

The application development is highly likely to pose a number of serious harms in a variety of ways; not least, by virtue of its sheer mass and bulk, notably high levels of harm to the landscape and less than substantial (but not insignificant) harm to a range of designated (and non-designated) heritage assets. In respect of the latter, there must be a presumption that planning permission will be withheld.

The potential for harm to SSSI in the vicinity poses great risk and it is not yet clear whether there would be any adverse impact by virtue of emissions, or not. Natural England have concerns with the approach and methodology undertaken by the applicant and cannot presently be satisfied on the likely impacts and consequent effects. In accordance with the NPPF, development that would pose harm to a SSSI should not normally be permitted. It is also not yet clear whether the application development would be safe from flooding for its lifetime and would not increase flood risk elsewhere.

However, weighed against those serious likely known, and potential, harms would be the considerable economic benefits to flow from allowing development to proceed where the occupier is known and is in a position to deliver; a much-needed boost both to the local and broader economy, and local job creation. Members might consider those benefits to be overwhelmingly weighty; officers do not consider that such a view would be unreasonable in the circumstances, notwithstanding any breach of the development plan as a whole that might be present.

In light of the commercial imperative, officers therefore bring the item to Committee to present the application as it sits and seek Members' views on the proposed development and its appropriateness, bearing in mind the factual position as known. Officers wish to seek delegated authority to deal with the application in light of any comments recorded, where officers – in the spirit of policy CS1 – will work proactively with the applicant to find solutions which mean that the application can be approved where possible. In light of the technical issues that remain in play, and where there is no evidence at this point in

time to suggest that they cannot be capable of positive resolution, officers anticipate that the application might be acceptable weighing into account the likely harms and benefits.

In the event that, subject to resolution for delegated authority, officers find that it is not possible to resolve any outstanding issues in a satisfactory manner such that in their opinion planning permission can be granted, the application will be returned to Committee for further consideration.

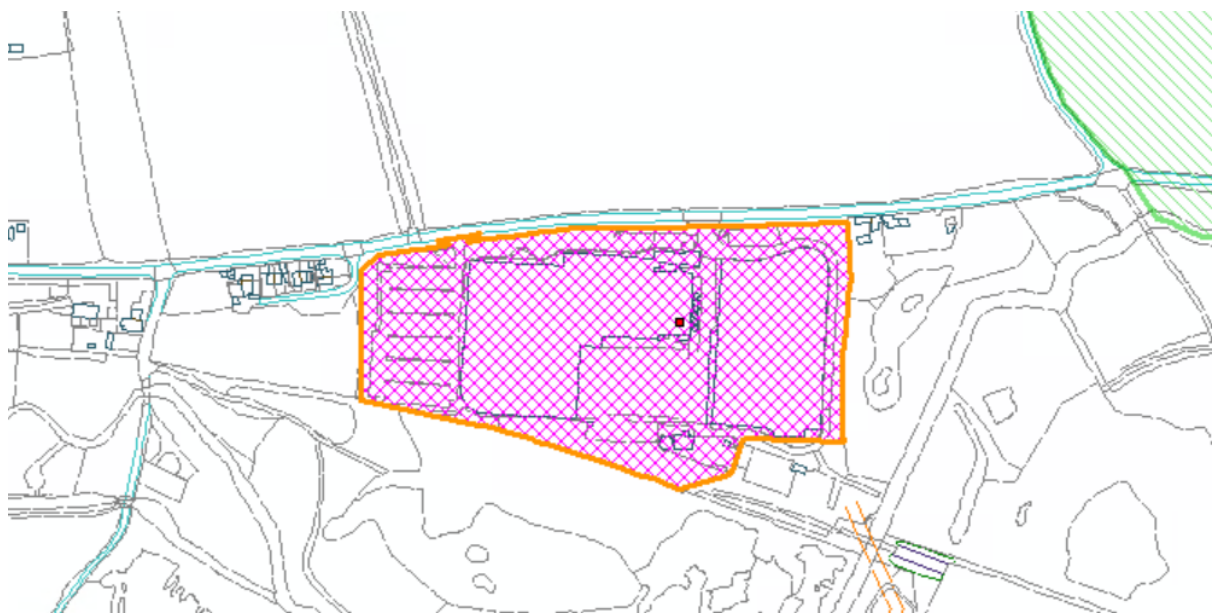
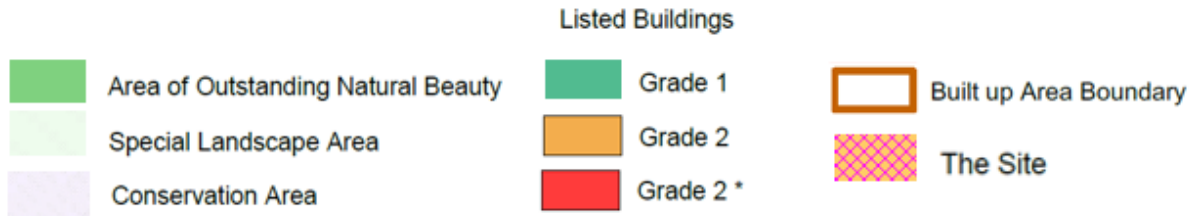
RECOMMENDATION

- (1) That the Chief Planning Officer be authorised to determine the planning application, working pro-actively with the applicant to find solutions which mean that the application can be approved where possible (and securing any conditions and obligations as may be required if minded to grant planning permission).**
- (2) In the event that, in the opinion of the Chief Planning Officer, accounting for the direction of the development plan and other material considerations, it is not possible to resolve outstanding matters such that planning permission can be granted, the application be returned to Planning Committee for further consideration.**

Application No: DC/21/00754

Parish: Glemsford

Location: GCB Factory And Premises



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Agenda Item 7b

Committee Report

Item No: 7B

Reference: DC/21/02319

Case Officers

Katherine Hale *[original report]* &

Vincent Pearce *[updated report and post committee negotiation]*

Ward: Long Melford.

Ward Member/s: Cllr John Nunn. Cllr Elisabeth Malvisi.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development *[no change from 14 July 2021 meeting]*

Submission of Details (Reserved Matters) and Discharge of Conditions 5, 7, 9, 10, 11, 13, 16, 21, 22 and 24 under Outline Planning Permission DC/18/00606. Appearance, Landscaping, Layout and Scale for the erection of 150no dwellings and associated infrastructure.

Location

Land To The East Of, Station Road, Long Melford, Suffolk CO10 9HP

THE UPDATED REPORT FOR COMMITTEE ON 22 September 2021

abbreviation used; LMPC Long Melford Parish Council

Background

This updated report is presented following deferral of the item at the meeting of the Committee on 14 July 2021.

The minute from that meeting records that:

That the item be DEFERRED for Officers to negotiate with the Applicant to provide:

- More sustainable elements (such as extra solar panels, electric charging points and grey water recycling);
- Greater variety of building forms and designs;
- Fewer four-bedroom houses.
- Heat pumps rather than gas power.

Also, to discuss with Suffolk CC Highway Authority the possibility of providing a pedestrian crossing.

This updated report provides Members with details of updated material received and supplementary professional advice in response to:

- [i] subsequent amendments designed to address concerns raised by the Committee [as recorded in the formal minute above] and,
- [ii] points of clarification provided by the applicant; and,
- [iii] additional comments and reaction from Long Melford Parish Council in respect of the updated material

The material received

002_Site Plan Rev K
003_Massing Plan Rev D
004_Refuse Plan Rev E
005_Boundary Treatment Plan Rev E
006_Materials Plan - Details Only
006_Materials Plan - Facing Only
006_Materials Plan - Roof Only
006_Materials Plan Rev F
007_Tenure Plan Rev C
008_Parking and Cycle Plan Rev E
009_Character Plan Rev D
010_Water Efficiency Plan
011_EV Charging Plan Rev A
013_Housetype Mix Plan Rev D
014_Street Scenes A-D Rev A
015_Street Scenes E-F Rev A
016_Sustainability Plan
017_Open Space Plan
Design & Access Statement Rev B - Part 1
Design & Access Statement Rev B - Part 2
Design & Access Statement Rev B - Part 3
Design & Access Statement Rev B - Part 4
Long Melford - House Type Booklet Rev B Part 1
Long Melford - House Type Booklet Rev B Part 2
EA171-SL-200E (Construction Management Plan)
Station Road Long Melford CEMP final v04
Ecological Enhancement Plan Station Rd Long Melford

Station Road Long Melford Energy Statement v2

EA171-LS-001d (Site Landscaping)

EA171-LS-002d (Site Landscaping)

EA171-LS-003c (Site Landscaping)

EA171-LS-004c (Site Landscaping)

EA171-LS-005c (Site Landscaping)

EA171-LS-006c (Site Landscaping)

EA171-LS-007d (Site Landscaping Planting Schedule + Specification)

EA171-LS-008a (Site Landscaping+Site Entrance)

EA171-LS-009 (Illustrative Site Landscaping+Play Area)

Schedule of accommodation

All of the above information has been shared with LMPC.

Ongoing involvement of Long Melford Parish Council.

Since the Committee meeting of 14 July 2021 where it was acknowledged that Bloor had liaised extensively with LMPC. in the lead up to submission and beyond further meetings between Bloor, The Parish Council and the Development Management Service have occurred. The aim being to try and work towards a consensus and to mutually tackle where possible the issues raised at the meeting of 14 July 2021. The chronology of these meetings is as shown in the amended report that follows.

A fuller description of liaison is provided within the body of the amended report now being presented to members on this agenda.

Full Description of Development [no change from 14 July 2021 meeting]

Submission of Details (Reserved Matters) and Discharge of Conditions 5, 7, 9, 10, 11, 13, 16, 21, 22 and 24 under Outline Planning Permission DC/18/00606 (appeal ref. /APP/D3505/W/18/3214377). Appearance, Landscaping, Layout and Scale for the erection of 150no dwellings and associated infrastructure.

Members are advised that the conditions referred to relate to:

Condition 5: Open Market Housing Mix

Condition 7: Biodiversity Enhancement Strategy for Protected and Priority Species

Condition 9: Construction Management Plan

Condition 10: Construction Environmental Management Plan

Condition 11: Construction Surface Water Management Plan

Condition 13: Noise and Vibration Protection Scheme

Condition 16: Surface Water Drainage

Condition 21: Energy Assessment

Condition 22: Archaeological WSI

Condition 24: Scheme to Direct Existing High Voltage Overhead Lines

Location

Land To The East Of, Station Road, Long Melford, Suffolk CO10 9HP

Expiry Date: 20/07/2021

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Bloor Homes

Agent: Mr James Bailey

Parish: Long Melford

Site Area: 8.23 hectares

Density of Development:

Gross Density (Total Site): 18.22 dph

Net Density: 30.18dph

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: Yes DC/20/05262

Update on Long Melford Neighbourhood Plan

Members are advised that as of Monday 20 September the consultation period on the **Submission Draft Long Melford Neighbourhood Plan** began. The consultation period finishes on Friday 5 November 2021. This is a re-run of the Reg 16 stage as there have been changes from the previous version.

Any changes relevant to this Reserved Matters application will be described and explored in this amended report. Where the document remains to be examined, regard has been paid to it but it is a consideration of limited weight at this time.

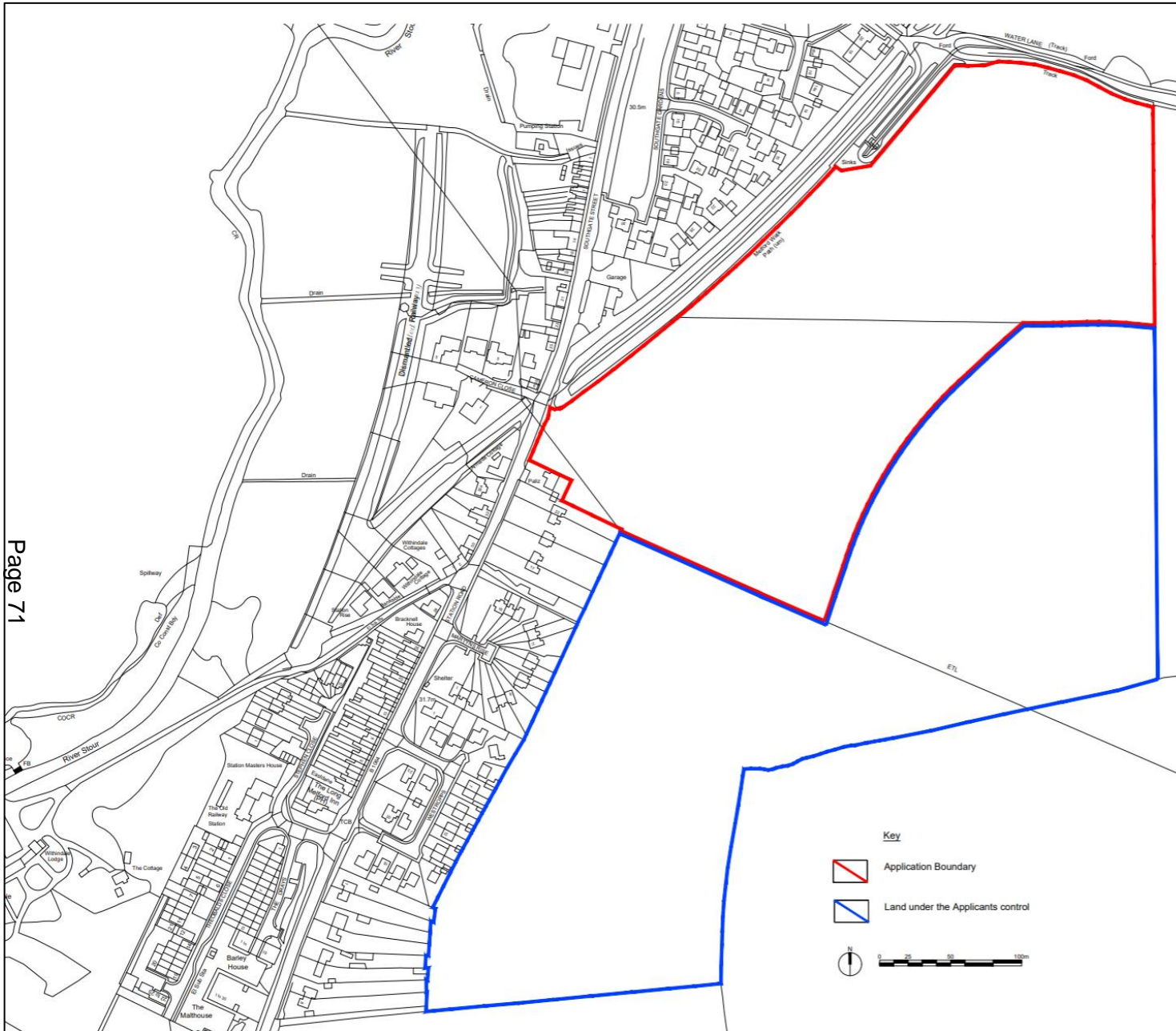


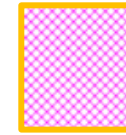
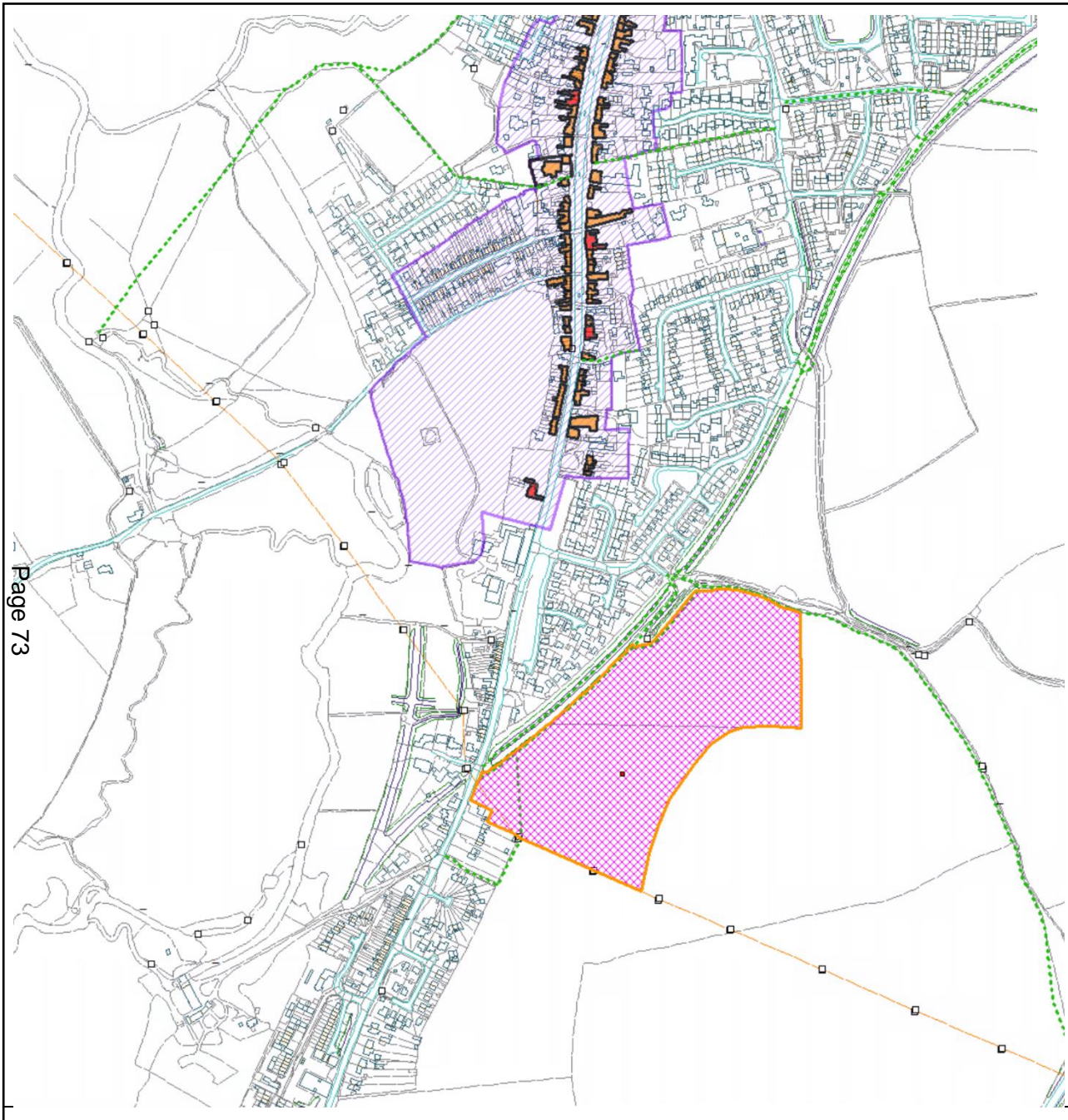
figure 1: **The site**

CLASSIFICATION: Official



figure 2: **The site [aerial]**

CLASSIFICATION: Official



The SITE



CONSERVATION AREA



LISTED BUILDINGS



PRoW



PYLONS

figure 3:

Heritage context of the site and existing public access



figure 4: Post-1950 morphology of Long Melford

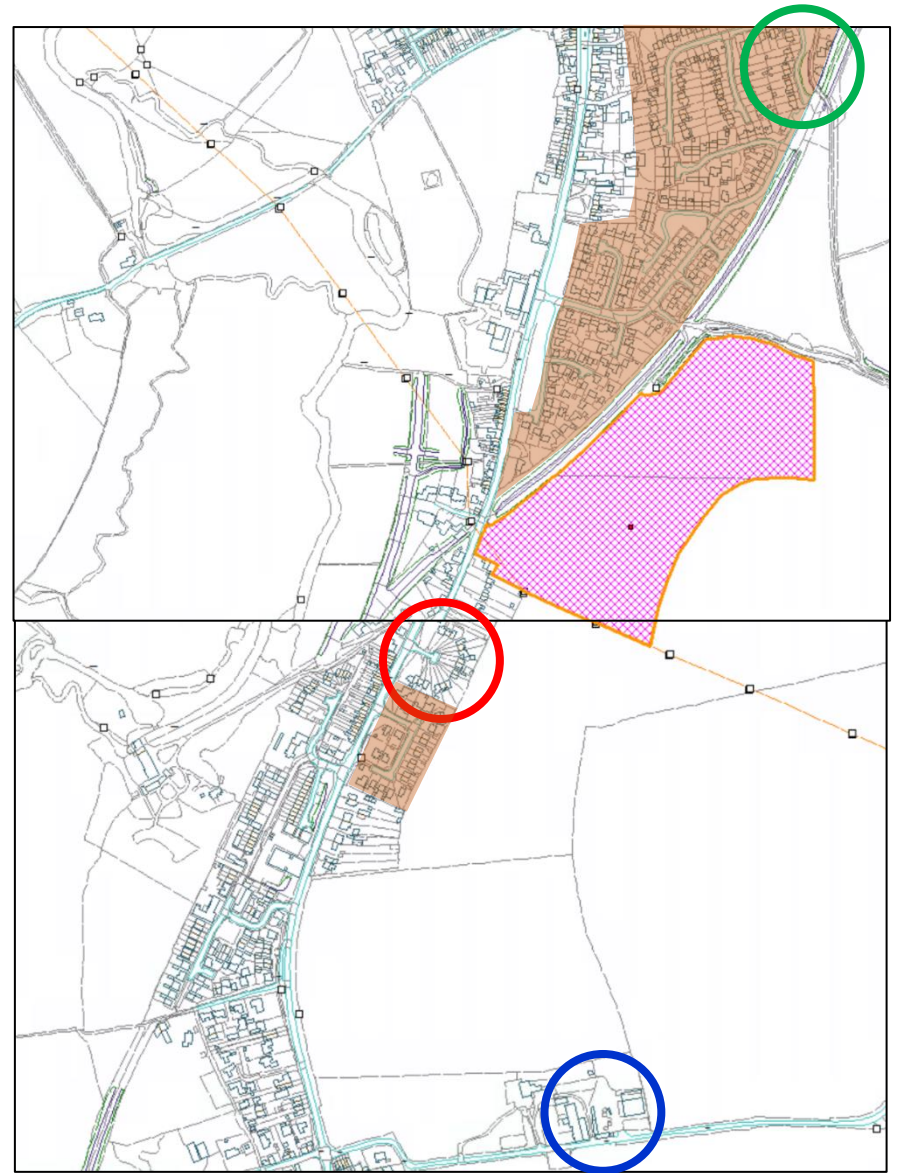


figure 5: Morphology of Long Melford by 2021

THE UPDATED ASSESSMENT FOR COMMITTEE ON 22 September 2021

Note paragraphs within the updated report include the prefix 'A' to avoid confusion with paragraphs in the previous report that is reproduced here after the updated section below. The previous report remains a relevant material planning consideration except where superseded by comments in the updated report.

Members will understandably wish to consider the extent to which Bloor Homes has actively engaged with the Long Melford Parish Council not just after the previous Committee meeting but before and during submission.

The agent has provided the following schedule which no doubt the Parish Council will either be able to confirm or otherwise

	Date 2021	Time	Meeting
PRE-SUBMISSION	Wednesday 31 st March	4pm	Introductory meeting
	Monday 12 th April	10am	Working Group 1
POST-SUBMISSION	Friday 23 rd April	4pm	Working Group 2
	Tuesday 15 th June	2pm	Working Group 3
POST-COMMITTEE	Tuesday 10 th August	12.00pm	LMPC / BMSDC / Bloor
	Wednesday 25 th August	4pm	LPMC / BMSDC / Bloor

If confirmed by Long Melford Parish Council this appears to be sustained contact. Certainly the Development Management Service can vouch for the two August 2021 meetings as it had representatives present.

Certainly, from what could be seen and heard from the August 2021 meetings both Bloor Homes and the Parish Council explored matters in a constructive, open and positive manner. Hopefully both sides will be able to endorse that assessment. Consequently, a whole series of further amendments have been secured. Whilst these may not have fully satisfied the Parish Council [see consultation response section of this supplementary report] officers readily accept that the overall quality of the proposal has been improved considerably beyond that previously felt to be acceptable by officers. Credit must be given to Bloor, the Parish Council and the Committee for reviewing the layout and making significant changes.

The question for Members who previously voiced reservations is – “Do these changes go far enough to now elicit your support, having regard to the development plan and other material considerations?”

The Amendments

The applicant has provided the following schedule of changes made since 14 July 2021.

“Housing Mix

Amendments to private mix:

Beds	Previous Amount	Proposed Amount	Unit Change
2 Beds	18	25	+7
3 Beds	28	32	+4
4 Beds	51	40	-11

Materials

Reflecting the Character of Long Melford

- Removal of Tudor boarding from all plots
- Addition of 2 x flint dwellings (Plots 1 & 111) and 2 x flint panel brick walls
- Addition of 3 x more render colours, including Suffolk Pink (4 total render colours)
- Addition of black plinths to some dwellings
- Introduction of buff brick into the site palette
- Introduction of clay plain roof tiles and black roof tiles
- Addition of white boarding to flying links, where previously only black offered
- Increase in Plots with black fascias/barge boards/canopies/surrounds
- Addition of coloured windows
- Addition of diaper work to some exposed side elevations
- Particular focus on the entrance dwellings, Plots 1-4, in terms of architectural details, materials choices, dwelling types, and flint wall

Landscaping

- Gap in hedge & mown path added to entrance landscaping after discussions with LMPC
- Play Area – train play equipment added at the front of the play area, opposite Melford Walk
- Significant trees added to end of turning heads adjacent the North East & South boundaries, adjacent field
- Landscaping added to node point as requested by BMSDC

Boundary Treatments

- 2 x flint panel brick walls added
- Bollards confirmed in black heritage style
- Further knee rail (and hedging) added around private drives to avoid cars parking on POS

Sustainability

- Improving on the carbon reduction offer from a 10% reduction to a 19% reduction, in line with emerging policy LP25 as requested by LMPC, which will include a number of properties with PV
- Water butts to be added to all Plots, as part of water recycling
- Electric vehicle charging provision increased from all Plots with a garage, to all Plots with on-Plot parking

Construction Management

Amendments to address specific queries raised by LMPC

- Noted on Bloor’s Construction Management Plan that no construction traffic will go through Hall Street or Little St Mary’s and this will be brought forward to SCC Highways
- Further information added to Construction Management Plan, i.e. Working Hours already in the CEMP, however duplicated on Plan as requested”

Officers advise that these are correct.

Long Melford Parish Council's updated comments in respect of the amendments.

[received 6 September 2021]

“Representatives of Long Melford Parish Council (LMPC) met remotely with representatives of Bloor Homes on four occasions before the Babergh Planning Committee’s meeting on 14 July. At that meeting the Committee decided to delay a decision on Bloor Homes application regarding details of reserved matters and discharge of conditions.

Since then representatives of LMPC have met remotely in three-way discussions with representatives of Bloor Homes and Babergh Planning.

We are very grateful for the opportunity to be involved in this way. ✓

In many ways, Bloor Homes has taken our views into account and changed its proposals to make them more acceptable to the village. But we think there are important changes still needed. ✓

Housing mix for open market homes


We expressed the view that there were too many 4-bedroom homes and that there should be significantly fewer of them and more 2- and 3-bedroom homes and bungalows.

Since the 14 July Planning Committee, Bloor Homes has gone some way to meet our (and the Planning Committee’s) requests for revising the housing mix. Below is a summary: ✓

12 x 4-bed houses have been reduced to 3-bed


7 x 3-bed (incl 6 bungalows) homes have been reduced to 2-bed

	Original Proposal	Now	BDC Strategic Housing Required %
1-bed	0	0	12%
2-bed	18 (19%)	25 (26%)	36%
3-bed	28 (29%) (incl 6 bungalows)	32 (33%) (incl 6 bungalows)	30%
4-bed	51 (53%)	40 (41%)	22%

As can be seen from the above, the % of 4-bed homes is still almost double the % required for Open Market Housing in Babergh over the next 18 years stated by BDC Strategic Housing in Table 4c of the Officer's Report for the 14 July Planning Committee meeting – rounded to nearest %. The figures from the Residents Survey conducted for our Neighbourhood Plan are also relevant. 


The response rate (75%) was extremely high – 1,995 questionnaires were returned out of 2,655 distributed and the results showed that the following % of respondents thought there was a need for the following types of housing:


- Bungalows 58%
- 2-bed houses 70%
- 3-bed houses 58%
- 4-bed houses 17%

Note the low figure for 4-bed homes and high figures for the others. We would like to see the % of 4-bed homes reduced to something like 25%, with an increase in the number of: 


- bungalows (there are only 6 planned for the open market – approx. 6% of the 97 homes) but there is a big demand for them in Melford as we have a significantly higher proportion of people aged 65 or over: 26.8% compared with 21.4% in Babergh and 16.3% in England
- 2-bed homes (the proportion proposed is still well below the BDC Strategic Housing figure and 2-bed homes were thought to be the most needed type in our Residents Survey)


Housing styles

Bloor Homes have introduced more houses with rendering (including some in 'Suffolk pink'), varied roof tiling and two walls and houses with 'flint/stone detailing' – one at the entrance to the site and one facing the play area and Melford Walk Nature Reserve. We welcome these changes. 

But we would like to see more flint/stone houses or bungalows in the development, especially in positions visible from well used public footpaths. These fit in with Melford's rural heritage and would add to the variety of house styles, which is another key characteristic of the village's housing stock. We suggest these could include two of the houses facing the largest Attenuation Basin and the Melford Walk Nature Reserve (plots 44 to 53) and two facing the smaller Attenuation Basin, the Melford Walk Nature Reserve and Public Footpath 2 (plot 139 and one of 130 to 138). 

Sustainability

Bloor Homes have undertaken to reduce CO2 emissions further so that they will now comply with Babergh's emerging joint local plan policy of reducing CO2 emissions by 19%. The plans also now include: PV panels on 35 of the 150 homes, cabling for EV charging points for all homes, water butts for all homes. 

But the thrust of Government announcements currently encourages much greater CO2 reductions and it is likely that national policies will be changed in the near future. 

It would be very pleasing if Bloor was aspirational and made this an exemplar development for water and energy savings and at the leading edge of new developments. There is so much more that could be done, including installing heat pumps rather than gas boilers and grey water recycling.

Public open space, landscaping and biodiversity

Bloor Homes have gone a long way to meet our suggestions and the entrance to the site will feature a big area of green that will be open to the public, as will the footpaths round the perimeter and the attenuation basins. The plans include planting lots of trees and some wildflower meadows.

Construction management plan

Condition 9 of the Appeal decision requires the submission and approval of a Construction Management Plan covering at least 18 different matters.

Condition 10 of the Appeal decision requires the submission of a Construction Environmental Management Plan for Biodiversity.

Bloor Homes appears to have submitted a Construction Environmental Management Plan which covers both. Section 4 of this seems to be nearest we have to a Construction Management Plan. However, it seems to us that the following items have not been included:

- *Piling techniques*
- *Measures for traffic management and haul routes for construction traffic on the highway network.*
- *Details of the delivery times to the site during the construction phase.*
- *Temporary buildings and boundary treatments including erecting a reptile barrier along the Melford Walk Nature Reserve.*

These all need to be included.

One phrase that does concern us is in Table 12 on p 49 of the Construction Environmental Management Plan:

'There will be no unauthorised off-site parking of HGVs or employees' cars in residential streets surrounding the site, vehicles must use designated ingress and egress routes.'

But if the project manager/site manager authorises off-site parking what safeguards do we have? We suggest that such authorisation be given only after consultation with the Parish Council's representative.

And there seem to be no detailed definitions of ingress and egress routes (except that the entrance for construction vehicles will be in Station Road). It is vital that a condition is imposed that construction vehicles can only approach from and depart to the south and not through Hall Street and Little St Mary's which are lined by listed buildings that are part of Long Melford's heritage.

We would also like a condition imposed that any necessary closure of Station Road (or other roads), or temporary closure of parking spaces or temporary traffic controls such as lights, will only take place after consultation with the Parish Council's representative and with an agreed period of notice given to local residents by Bloor Homes

Continued communication

Bloor have offered to communicate regularly with a representative of the Parish Council during the construction phase to consult about any upcoming disruptions and deal with any problems raised by residents. We welcome that and would like it to be included as a condition.



Officer comment:

From this there appears to have been good progress although some concerns remain particularly around the proposed mix and the Construction Management Plan.

These and other matters raised by the Parish Council will be explored in detail in this amended report.

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Design issues follow.....

A1.0.0 Design Issues

The entrance cluster of dwellings

A1.1.1 The buildings at the entrance to the development as originally proposed and presented to Committee on 14 July 2021 are depicted below.



figure 6: **original entrance dwellings layout**



figure 6: **original elevations of above layout**

A1.1.2 This group of buildings are the most publicly prominent on the development and sit at the main entry point to the development from the village. They represent the public face of the development and represent the public interface between the new development and the rest of the village.

- A1.1.3 Both the Parish LMPC and the Planning Committee were of the opinion that this cluster of dwellings lacked local distinctiveness and did not provide a suitable reference to the fine character of old Long Melford.
- A1.1.4 It is accepted that the site is not within or adjacent to a conservation area and does not read as part of old Long Melford but the point made does have resonance in that the proposed form and appearance of this important cluster is suburban in character.
- A1.1.5 It has a modern ubiquity that lacks a sensitivity with Long Melford's aesthetic and historic reputation as something of a 'jewel in Babergh's crown' particularly in this gateway location.
- A1.1.6 Bloor has responded positively to the challenge set by the Parish Council and the Planning Committee in that they have re-planned and re-designed the entrance cluster of buildings as shown below.



figure 7: **Amended elevations**



figure 8: **3-D visualisation note the Long Melford character that now radiates**

- A1.1.8 The proposed composition better reflects the established character of old Long Melford in terms of its appearance, form and the use of traditional materials from the Suffolk palette.
- A1.1.9 Taking advice from the Parish Council a nicely detailed red brick and flint wall now provides an elegant and attractive boundary at the back of the prominent adjacent open space that forms an apron in the foreground upon entering the development.
- A1.1.10 This wall also provides harmony with the flint detailing on the end unit and its associated
- A1.1.11 Bloor is to be commended for working with all concerned to achieve this attractive and sympathetic result. It achieves the locally distinctive transition sought by Committee and represent a great outcome to the extended negotiations following the meeting of 14 July 2021.

Mock Tudor detailing

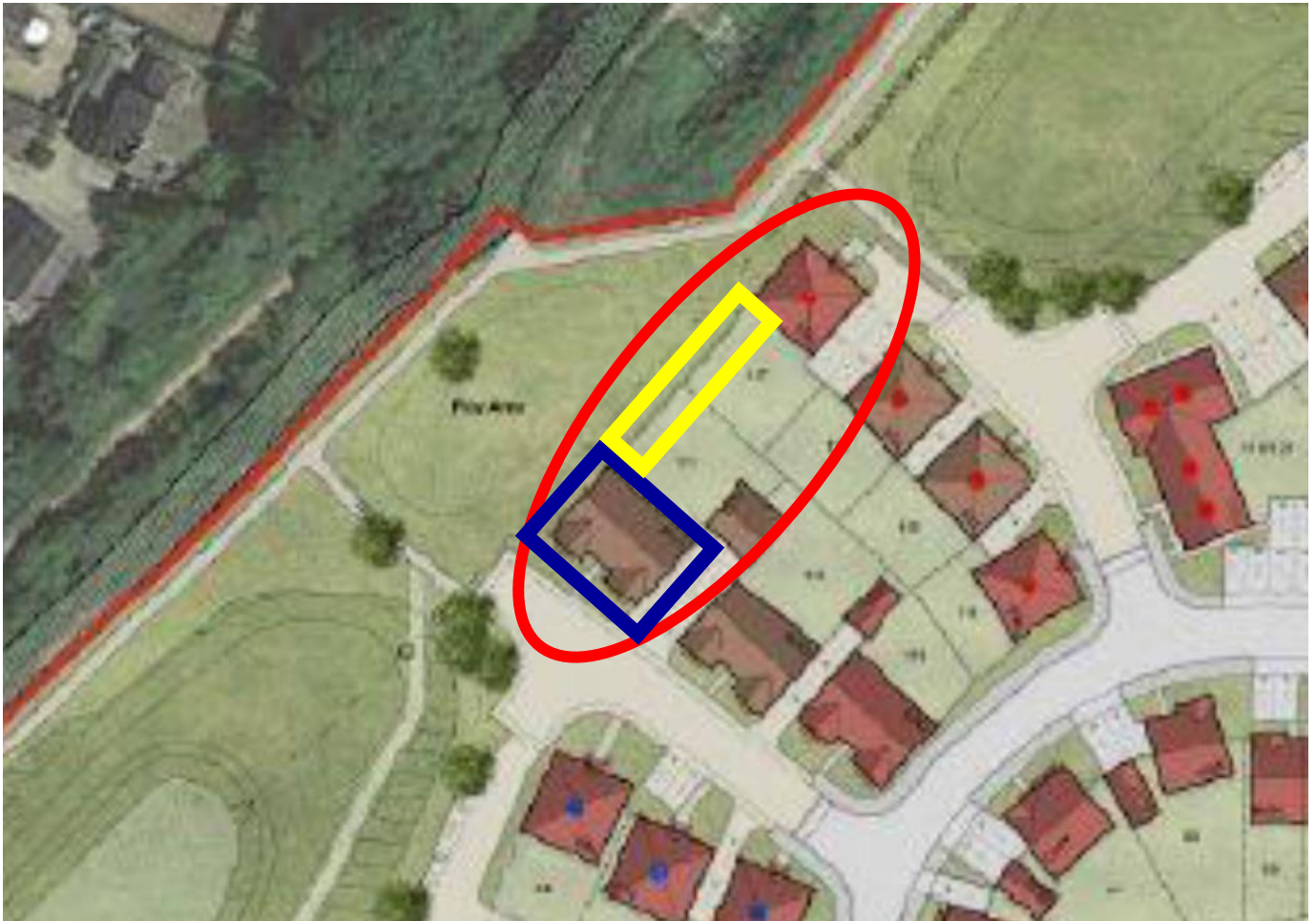
- A1.2.1 The Committee expressed concern at the inclusion of mock Tudor detailing in that it was felt inappropriate in Long Melford from an aesthetic perspective
- A1.2.2 Bloor has responded by removing such detailing from the proposal.
- A1.2.3 Alternative solutions include brick gable, rendered gables or a combination.
- A1.2.4 Members and the Parish Council will be pleased to note that Bloor has agreed to use Suffolk pink and ox-blood coloured render as requested along with cream shades to reflect old Long Melford's traditional character.



figure 9:
**Removal of mock
'Tudorbethan' style
framing in gables**

The Public face of the development from the north-east corner

A1.3.1

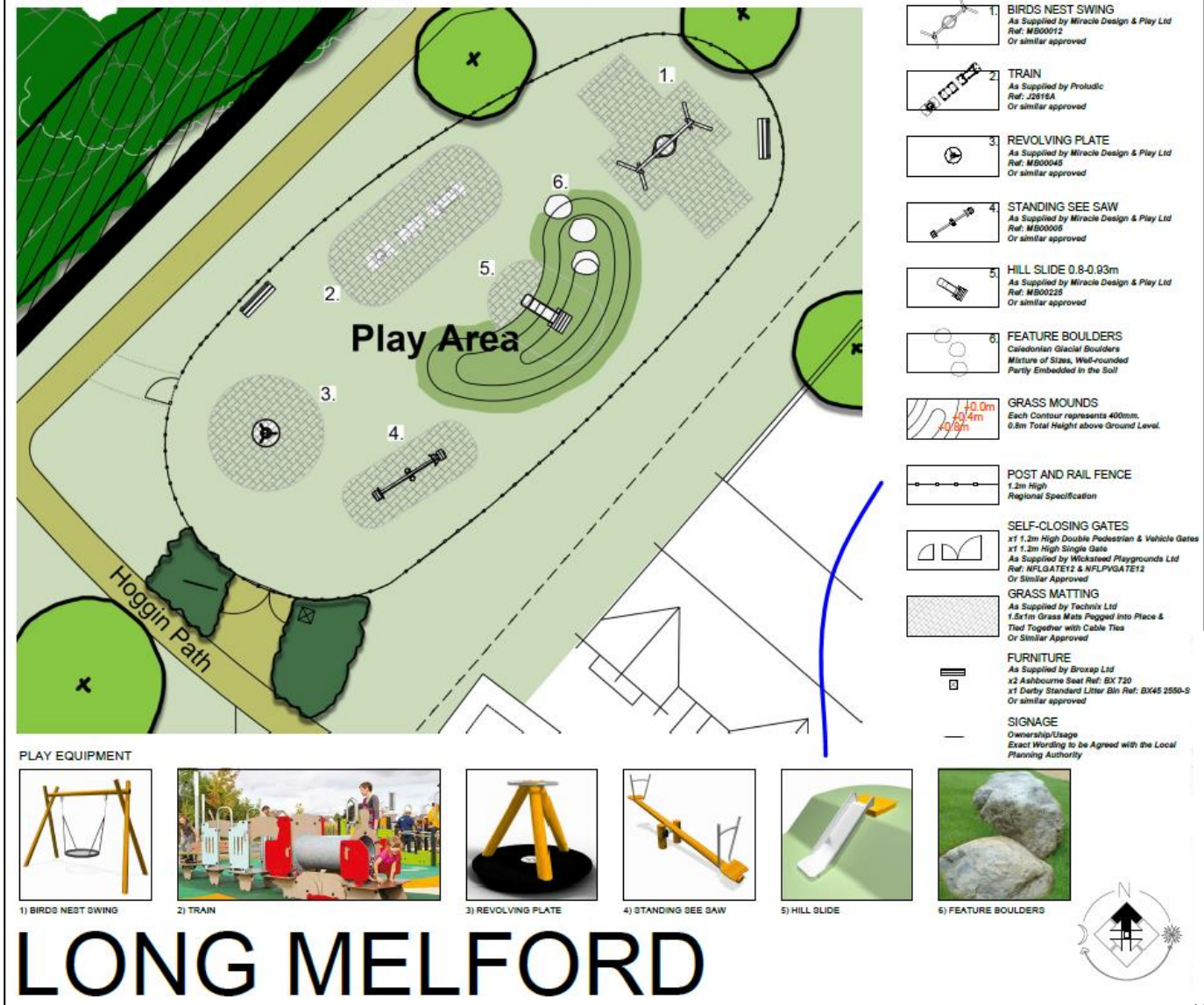


figures 10:



introduction of flint and brick house type [blue] and brick and flint boundary wall 1.8m [yellow]

ILLUSTRATIVE LEAP PROPOSAL WITHIN POS



figures 11:
conceptual equipped play area
actual location

no longer harshly urban in character.



figure 13: **Raised table as now proposed**



figures 14: **As now proposed**



As previously proposed [Committee 14 July 2021]

Notice how the planting transforms the scene adding a natural softness and how the bollards recede into the picture. The paved table is now a warm rich colour rather than the previous depressing grey. The scene is now one of a rural character.

The turning heads

- A1.5.1 As previously proposed the turning heads on the edge of the development within the proposal will be 'closed' with the planting of extra heavy standard specimens.
- A1.5.2 To assist the Committee to imagine the impact of these trees examples have been reproduced below from a nursery catalogue. These happen to be Quercus Robur [English Oak].
- A1.5.3 As can be seen from the images below such trees have immediate impact and add significant natural grace and drama to a scene as a result of their stature On the left is a 7-8 m specimen and on the right is a 10-12m specimen. The person in the image provides a sense of scale. The red lines are there just to show both images are at the same scale.

figure 15: **Extra Heavy Standards**



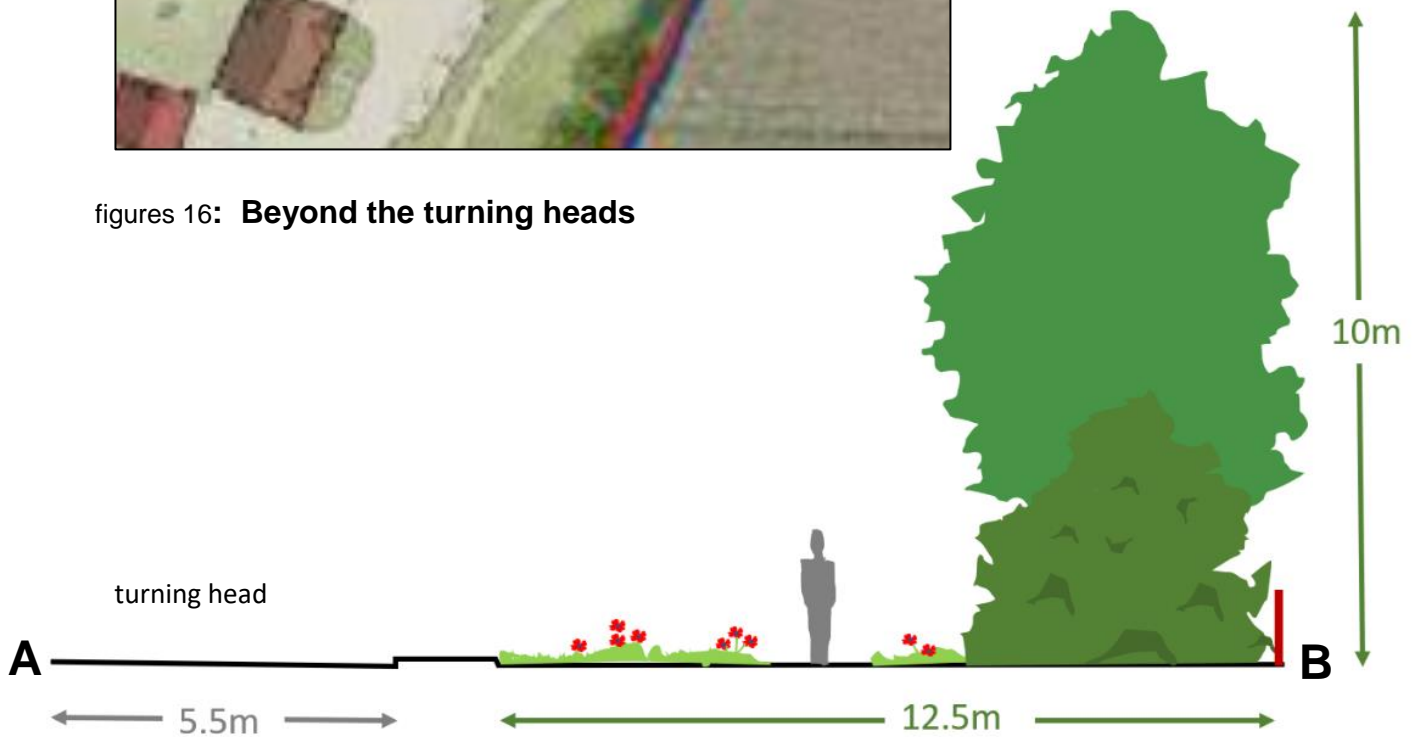
- A1.5.4 Bloor has also provided visual impressions and it can be seen that as requested by the Parish Council typical rural field edge fencing is proposed.

A1.5.5 Officers remain convinced that the treatment is appropriate particularly as the design includes extensive and lavish perimeter planting so as to resemble a natural country hedgerow but also because officers have worked hard with Bloor to avoid any rear garden fences adjoining the countryside.

A1.5.6 This amended report offers the opportunity to explain in more detail the relationship between houses on the countryside edge of the development and the countryside beyond as well as identifying how the turning heads are set back behind planting. There may have been some misunderstanding that the turning heads actually extended to the site boundary. This was not the case. That has not changed.



figures 16: **Beyond the turning heads**





figures 17: **beyond the turning heads**



Materials

A1.6.1 The materials palette includes the use of some clay tiles and artificial slates as required in this sensitive location. The final selection of types will be a matter for condition

A2.0.0 The proposed ‘mix’ of accommodation

A2.1.1 Changes to the proposed mix

Long Melford SCHEDULE OF ACCOMMODATION			
PRIVATE			
Housetype	Beds	Sqft	No. of Units
Boon	2	1110	6
Buxton	2	919	18
Tanham	2	940	1
Lyford	3	940	4
Kane	3	924	8
Huxley	3	963	5
Welford	3	1331	8
Wotner	3	1240	5
Hulton	3	1216	2
Hudson	4	1241	9
Wynyard	4	1311	6
Gwynn	4	1410	11
Plomer	4	1553	9
Lister	4	1706	5
TOTALS		116441	97

A2.1.2 This means that the open market mix now proposed is:

25 x 2 bed	25.8%
32 x 3 bed	33.0%
40 x 4 bed	41.2%
97	100.0%

A2.1.3 Previously [14 July] the open market mix was:

Beds	Previous Amount	Proposed Amount	Unit Change
2 Beds	18	25	+7
3 Beds	28	32	+4
4 Beds	51	40	-11

A2.1.4 This clearly represents a positive response to the claim from the Parish Council and the Committee that the amount of 4 bed units was too high. The reduction from 51 units to 40 units represents a 27.5% reduction. This is a significant adjustment.

A2.1.5 **There was no concern previously with the overall proposed affordable mix.**

A2.1.6 Looking at the total mix of accommodation across the site the mix is:

- 4 x 1 bed
- 65 x 2 bed
- 41 x 3 bed
- 40 x 4 bed

A2.1.7 This means that smaller units predominate 46% [1 & 2 bed]. Medium size units account for a further 27.3% leaving just 26.7% of the total as 4 bed units. [no 5 bed units].

A2.1.8 The SHMA currently suggests the mix below [open market units].

Table 4.4c Size of new owner-occupied accommodation required in Babergh over the next 18 years

<i>Size of home</i>	<i>Current size profile</i>	<i>Size profile 2036</i>	<i>Change required</i>	<i>% of change required</i>
One bedroom	598	1,183	585	12.2%
Two bedrooms	5,037	6,765	1,729	36.1%
Three bedrooms	12,327	13,774	1,447	30.2%
Four or more bedrooms	10,065	11,098	1,033	21.5%
Total	28,026	32,820	4,794	100.0%

- A2.1.9 This means that the revised mix is now closer to the SHMA levels but not fully in accordance with them in terms of the open market units but the level of 2 and 3 beds is now very close. 58.8% of all the open market units. [SHMA 66.3%].
- A2.1.10 Having made the important changes they have and as the affordable housing mix is as required by the Council the fact that the number of 2 and 3 bed open market units is now much closer to the SHMA officers are satisfied that Bloor Homes has made a significant concession in response to the Committee's request for more medium sized units and less 4 bed units.
- A2.1.11 Bloor has indicated that its market research supports the fact that the mix of units now proposed will sell and that they know the present market .
- A2.1.12 Officers recommend the proposed mix to the Committee.

A3.0.0 Energy and sustainability

A3.1.0 Current Adopted Core Strategy [2014] policy CS13 requires that:

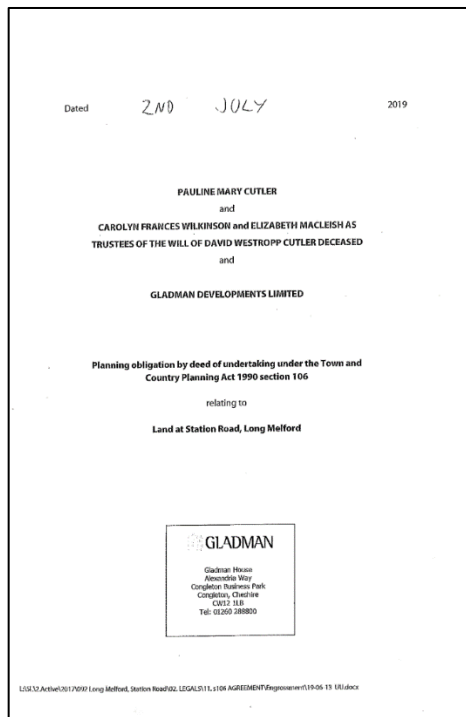
“.....Development within the Strategic Allocations and Broad Location for growth and other large-scale development proposals will be required to use on-site renewable, decentralised, or low carbon energy sources with the aim of achieving a 10% reduction in the predicted carbon dioxide emissions of the development.....”

- A3.2.0 The reserved matters as originally submitted committed to meeting that target and therefore complying with the policy.
- A3.3.0 Since the meeting of 14 July Bloor Homes has reflected on the comments of the Parish Council and the Planning Committee in respect of doing better than the Council's own adopted policy. In response they have come back with a commitment to achieve a 19% reduction in the predicted carbon dioxide emissions from the development.
- A3.4.0 Members will be aware that the figure of 19% is the target being set in the emerging Joint Local Plan which is currently at Examination. Whilst it is a material planning consideration that attracts some weight it is CS13 that currently provides the decision taker with the target.
- A3.5.0 Effectively Bloor is agreeing to increase their commitment to reducing carbon dioxide substantially beyond that which the Council can currently insist upon.
- A3.6.0 Whilst some Parish Councillors and possibly Committee Members may wish to force that level even higher the advice must be given that it is unreasonable to expect any higher reduction beyond 19% when that is likely to be the Council's target going forward.

- A3.7.0 Bloor Homes has shown considerable sensitivity to the both the Parish and the District Councils' position in respect of responding to the Climate Emergency by enhancing their commitment to reductions beyond that currently required by the Council's own policy.
- A3.8.0 Bloor has also indicated that it will expand its use of pv on the site.
- A3.9.0 This is in itself a significant step forward in terms of raising the bar for other developers. It provides the Council with the opportunity to push other developers to up their game ahead of the Adoption of the Joint Local Plan.
- A3.10.0 Members are therefore recommended to accept the 19% offered for the reasons set out above.

A4.0.0 Open Space

- A4.1.0 Some Members of the Parish Council have expressed concern that the extensive areas of open space included within the scheme may not be fully accessible to all the people of Long Melford.
- A4.4.0 The open space within the development will effectively be public open space because it will be permanently available to everyone. The play facilities and everything that goes with that space will also be available to all.
- A4.5.0 What guarantees exist that “this will always be the case” you may ask?
- A4.5.1 The S106 Unilateral Agreement that runs with the land and development includes legally binding safeguards. Please note clause 1.1.35 of the Undertaking as reproduced below



1.1.35 'the Open Space' means the informal open space and landscaping including the Play Area for use by the general public to be provided on the Site in accordance with the Planning Permission and the Open Space Works Specification

A4.5.2 Schedule 2 of the Unilateral Agreement describes how the obligation will be triggered.

Extracts from the Undertaking follow....

The Owner's Covenants to the Council

1. Progress of development

The Owner shall notify the Council:

- 1.1 upon the Commencement of Development, and
- 1.2 upon first Occupation of any part of the Development, and
- 1.3 upon first Occupation of 35% of the Dwellings, and
- 1.4 upon first Occupation of 50% of the Market Housing Units, and
- 1.5 upon first Occupation of 75% of the Dwellings, and
- 1.6 upon first Occupation of 80% of the Market Housing Units, and
- 1.7 upon first Occupation of the final Dwelling.

2. Open space transfer and works

- 2.1 Prior to Commencement of Development to submit to the Council for approval the Open Space Works Specification and the Management Plan.
- 2.2 Not to permit or allow the Commencement of Development until the Council has approved the Open Space Works Specification and the Management Plan in writing.
- 2.3 Prior to Commencement of Development to submit to the Council for approval evidence of the formation of a Management Company for the purpose of managing and maintaining the Open Space and the SUDS.
- 2.4 Not to permit or allow the Commencement of Development until the Council has approved the Management Company in writing.

- 2.5 Not to permit or allow the Occupation of more than 50% of the Dwellings until any Open Space to be located has been provided and/or constructed (as appropriate) in complete accordance with the approved Open Space Works Specification.
- 2.6 Upon completion of the laying out of the Open Space in accordance with the approved Open Space Works Specification to notify the Council of completion and to request that the Council inspects the Open Space within thirty (30) working days of such notification.
- 2.7 If upon inspection of the Open Space the Council identifies any works which are necessary to bring the Open Space up to the standard required by the approved Open Space Works Specification to complete such works as soon as reasonably practicable.
- 2.8 To maintain the Open Space at the Owner's expense in accordance with the approved Management Plan until the date upon which the transfer described in paragraph 2.9 below has been completed.
- 2.9 Not to permit the Occupation of more than 75% of the Dwellings that form part of the Development until the Open Space has been transferred to the Management Company in accordance with the details approved by the Council under the approved Management Plan and on the terms set out in Schedule 4.
- 2.10 To procure that the buyer of each Dwelling comprised in the Development enters into the following covenants direct with the approved Management Company:
- (i) to pay to the Management Company a fair and reasonable proportion of the costs and expenses incurred by the Management Company in respect of its administration and of insuring and maintaining repairing and as necessary renewing the Open Space in accordance with the approved Management Plan; and
 - (ii) that upon any subsequent sale of such Dwelling he will procure that the incoming buyer shall enter into direct covenants with the Management Company in the form of paragraphs 2.10 (i) and 2.10 (ii) of Schedule 2.
- 2.11 Not to amend the approved Management Plan without the Council's written consent.

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- 2.12 Not to wind up the approved Management Company or alter its constitution without the prior written consent of the Council unless the whole of the Development shall have been demolished or unless the Council have otherwise first agreed in writing.

A4.6.0 Officers can therefore confirm that open space within the development and the play area will be accessible to all in perpetuity as provided for in the legally binding unilateral undertaking. This it is hoped will now allay the understandable fears of some Parish Councillors. These clauses will ensure that the development does not and cannot create an “us and them” situation. The aim is to integrate the new community and the existing community. Hence the location of the pre-school facility as required by Suffolk County Council is another mechanism by which integration will spontaneously evolve.

A5.0.0 Pre-School facility location

A5.1.0 Whilst the Parish Council may prefer an alternative location for this facility one that combines it with existing facilities in the village Suffolk County has sanctioned the location of the site and is looking to ensure delivery. The Planning Committee is therefore advised that it is not reasonable to refuse the Reserved Matters application on the basis that the Parish Council wishes to see the pre-school facility located elsewhere as it is located where the County Council as education authority has asked it to be.

A6.0.0 Connectivity and the crossing issue

A6.1.0 The Parish Council has indicated that it wishes to secure a Deed of Variation of the original Unilateral Agreement to secure a new obligation and the removal of a current one.

A6.2.0 They hope to persuade the Council to secure the replacement the existing commitment to deliver a bus stop with a commitment from the developer to deliver a new crossing over the B1064.

A6.3.0 Unfortunately such a request is unreasonable within the ambit of this reserved matters application on several grounds.

A6.3.1 The Agreement is a unilateral undertaking provided by the then applicant [at outline stage] to the Planning Inspector who considered the appeal following refusal of the application. In taking the decision to allow the appeal the Inspector had regard to the content of that Undertaking and it was accepted by the Secretary of State in granting planning permission. It now forms part of the permission.

A6.3.2 As a unilateral undertaking neither Babergh District Council or Suffolk County Council were signatories to that undertaking.

A6.3.3 A bus stop was provided by Suffolk County Council and that stop included a raised ramp designed to enable ‘kneeling’ buses to use it. [a bus that can lower its body or entrance door to facilitate boarding by the elderly or people with disabilities].

- A6.3.4 Buses serving that route were not of the 'lowering' type.
- A6.3.5 The stop was constructed immediately outside of listed building which led to complaints. The County Council subsequently removed the bus stop.
- A6.3.6 The County Council as local highway authority has not required a crossing.
- A6.3.7 Long Melford Parish Council has been advised that the appropriate route to pursue in their quest for a new crossing is to approach their County Councillor and Suffolk County Council Highways. It is not appropriate or reasonable to now try and require the developer seeking to undertake the development to pay retrospectively an additional significant financial contribution for a crossing.
- A6.3.8 Long Melford Parish Council will however receive its own 15% element of any C.I.L. receipts relating to this development and as such could, subject to the approval of the principle of a crossing by Suffolk County Council, fund the work itself if that was what the village wanted. These are ultimately matters to be pursued outwith the determination process of this reserved matters application where planning permission already exists and the scheme of mitigation for the development is fixed, and was fixed by the SoS.

A8.0.0 The Neighbourhood Plan

- A8.1.0 The draft Long Melford Neighbourhood Plan is present at Reg16 Submission Consultation Stage with consultation running from 20 September 2021 to 5 November 2021.
- A8.2.0 Policy LM1: Growth and Sustainable Development acknowledges that the site of this Reserved Matters submission will contribute to new housing in the village. The Plan provides for 'around' 444 dwellings to be built over the period 2018-2037.

POLICY LM 1: GROWTH AND SUSTAINABLE DEVELOPMENT

The Neighbourhood Plan area will accommodate development commensurate with Long Melford's designation as a Core Village in the Babergh and Mid-Suffolk districts' adopted settlement hierarchy.

The focus for any new development will be within the Settlement Boundary as defined on the Policies Map. This Plan itself provides for around 444 dwellings to be built over the period 2018 to 2037. This growth will be met through:

- i) the implementation of outstanding planning permission not completed at 1st April 2018 (217 dwellings) and the allocation at Station Road set out in the Joint Local Plan (150 dwellings);
- ii) the site allocations identified in policies LM2 to LM7 of this Plan, and on the Policies Map (which will provide for around 77 dwellings):

LM 2: Land at Spicers Lane (G1, 1 dwelling)	LM 5: Land at Borley Road (D1, 10 dwellings)
LM 3: Land at Cordell Road (L1, 3 dwellings)	LM 6: Land west of High Street (K1, 30 dwellings)
LM 4: Land rear of Bull Hotel (A1, 3 dwellings)	LM 7: Land east of Rodbridge Hill (F1, 30 dwellings)

- A8.2.1 The affordable housing content was agreed at outline stage and comprises the full 35%. The split between affordable rented and shared ownership was also established at that stage and is endorsed by Strategic Housing.
- A8.2.2 Policy LM9 Affordable Housing is relevant and the proposed details meet the 35% requirement.

POLICY LM 9: AFFORDABLE HOUSING

On all qualifying sites, the expectation is that 35% of the dwellings shall be affordable unless it is clearly demonstrated to the satisfaction of the local planning authority that this would make the scheme unviable. In such cases, alternative on-site provision and/or an off-site financial contribution may still be required.

Subject to the latest evidence of need, the affordable homes should be split 50:25:25 between Affordable Rented: Shared Ownership and Other Affordable Routes to Homeownership: Starter Homes.

- A8.2.3 At the meeting of 14 July a Member of the Committee suggested it may be appropriate to reduce the number of affordable homes as a way of funding the crossing sought by the Parish Council. That is not appropriate as the 35% is written into the associated legal undertaking and is binding. Furthermore, delivery of affordable housing is a Council priority. It is highly likely that one of the impacts of covid-19 will be increasing demand for homes from those in housing need. The Council already has a challenging annual delivery target for affordable homes just to meet the present need. The issue of a crossing is also explored in detail elsewhere in this report and reasons provided why the signed undertaking cannot be varied. It will be noted that the local highway authority did not require a crossing at outline stage and has not sought one here with the Reserved Matters.
- A8.3.0 As the application is a Reserved Matters Submission this quick review of the Draft Neighbourhood Plan will only look at policies that are directly relevant to appearance, layout, scale and landscaping.
- A8.4.0 Whilst The Plan does not have a specific generic policy on Design paragraph 4.10 of the Sustainable Growth and Housing |Section [Section 4] makes it clear that one of the intentions underpinning the policies of the Plan is:

“To ensure a high quality of design in future housing development.” [extract paragraph 4.10]

“The first three issues are addressed in this Plan. An initial policy on design is then included in this Plan and further proposals on design will be addressed once the Plan has been made, either in Supplementary Planning Guidance or by means of a review of the Plan” [paragraph 4.11]

A8.5.0 The proposed details do encourage biodiversity and they comply with policy LM13.

POLICY LM 13: ENCOURAGING BIODIVERSITY

Within development proposals, design features which provide net gains in biodiversity will be encouraged. Landscaping and planting should support wildlife, connect to and enhance wider ecological networks, and include nectar rich planting for a variety of pollinating insects. Divisions between gardens, such as walls and fences, should enable movement of species, such as hedgehogs, between gardens and green spaces. Existing ecological networks should be retained. The provision of bird and bat breeding boxes and of ponds will be encouraged, in particular boxes suitable for swifts which need to be at least 5m. above the ground. Lighting which may disrupt wildlife will be discouraged.

The Parish Council also endorses the hierarchical approach set out in Policy LP18, paragraph 1 of the Joint Local Plan.

A8.6.0 The details comply with Policy LM17: Parking Guidelines

POLICY LM 17: PARKING GUIDELINES

Proposals for all new development in Long Melford must comply with and preferably exceed current or any superseding SCC Parking Guidance when calculating the minimum number and size of off-street parking spaces. Layout designs must demonstrate that street widths are sufficient to accommodate on-street parking within the design, to deter parking on or across foot and cycleways. A Transport Assessment or Statement (Policy LM 16) must show how the proposed development would accommodate vehicles, cyclists and pedestrians safely and efficiently.

A8.7.0 The details do not include 100% electric charging capability and therefore the details do not comply with LM18: Charging points in new developments

POLICY LM 18: CHARGING POINTS IN NEW DEVELOPMENTS

Electric vehicle charging points should be made available by developers at every new residential dwelling as set out in SCC's Parking Guidance

A8.7.1 The Reserved Matters relate to an extant outline planning permission. Electric vehicle charging is a matter for discharge by condition. Bloor Homes has committed to providing ev charging wherever physically feasible. This is welcome.

“we will be looking to provide electric charging point infrastructure and blanking plates to the side of properties where the plot has on-plot parking. Where the plot doesn't have

on-plot parking Bloor will provide EV charging point infrastructure to the front of the properties, with a blanking plate. Currently, only the private plots are shown on the attached EV Charging Plan, but Bloor has committed to doing this on the affordable housing as well, and will update the drawing accordingly. For common parking areas, such as those opposite plots 11-24, ducting and draw string will be installed from the plots to the spaces to allow for future installation, should the affordable housing require, again this will be shown on the updated drawing.” 22 September 2021 [email from agent James Bailey]

- A8.8.0 The details include extensive green spaces available to the public and therefore policy LM20: Provision on new green spaces is met. An outdoor play area is also included and so LM21: provision of outdoor play equipment is also met.

POLICY LM 20: PROVISION OF NEW GREEN SPACES

All residential development applications comprising ten or more units or with a site area of 0.5 hectares or more should provide appropriate multi-use green space within the site and this should be retained for the life of the development. The green space should extend to 10% of the total site area as a minimum. Applicants should assess the potential for supporting biodiversity within the planned green space and set out their proposals for supporting biodiversity in their application. Applicants should set out how their proposals will contribute to reducing climate change and mitigating the effects of climate change.

POLICY LM 21: PROVISION OF OUTDOOR PLAY EQUIPMENT

All planning applications comprising ten or more residential units or with a site area of 0.5 hectares or more should provide appropriate outdoor play equipment, unless the development is to be occupied exclusively by people over the age of 55. The choice and details will depend on the scale, nature and location of the proposed development and must be agreed with the planning authority and the Parish Council prior to the determination of the application.

- A8.9.0 The proposed details include some enhancement to footpaths and so LM22: Protection and Enhancement of Public Rights of Way is met.

POLICY LM 22: PROTECTION AND ENHANCEMENT OF PUBLIC RIGHTS OF WAY

The Public Rights of Way network will be protected and enhanced. Where possible developers should take the opportunity to expand and improve pedestrian and cycle links.

A9.0.0 Conclusion

- A7.1.0 Members will of course be aware that the Government expects local planning authorities not to unreasonably delay the development process as the economy has yet to recover from the 2008 financial crisis and the Covid-19 outbreak.
- A7.1.2 Officers believe the significant amendments now before the Committee mean the quality of the proposal is significantly enhanced and achieves a level that exceeds that previously presented. The majority of issues raised have been satisfactorily resolved and Bloor is commended for its positive approach to continuing to work with the Council and Parish Council. Officers accept that the latest details vindicate the decision of the Committee to defer the item at the meeting of 14 July and to push for further amendments.
- A2.1.3 The proposal as it now stands better reflects the fine and distinctive character of Long Melford. The submitted details comply with the development plan as a whole.

A10.0.0 Recommendation

- A10.1.0 Unchanged from 14 July Report except it now refers to the amended details**

the report as presented to Committee on 14 July now follows:

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- Major application over 15 dwellings

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

Relevant saved policies of the Babergh Local Plan (Alteration No.2) 2006:

- HS31 Public Open Space (Sites of 1.5ha and above)
- CN01 Design Standards • CN06 Listed Buildings – Alteration/Extensions/Change of use
- CR07 Landscaping Schemes
- TP15 Parking Standards – New Development

Relevant Supplementary Planning Document:

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Core Strategy Policy CS11 Supplementary Planning Document, 2014

NPPF - National Planning Policy Framework

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Plan is in an early preparatory stage and is afforded no statutory weight in the assessment of this application.

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

Town/Parish Council

Long Melford Parish Council Comments Received - 13/05/2021

Bloor Homes (BH) consulted LMPC prior to the submission of the details and so far LMPC have met with BH on three occasions. LMPC recognise that outline consent (for 150 homes and access to Station Road) has already been granted subject to 24 conditions and to a number of s.106 obligations. LMPC expressed a willingness to support the detailed application if BH would take seriously some of the concerns and ambitions of the parish. The meetings have been open and for the most part collaborative.

LMPC recognise that in deciding applications for planning consent “the authority shall have regard to (a)the provisions of the development plan, so far as material to the application, (aza)a post-examination draft neighbourhood development plan, so far as material to the application,” (section 70(2) of the Town and Country Planning Act 1990), and “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” (section 38(6) of the Planning and Compulsory Purchase Act 2004)

In the light of the above LMPC has considered the BH proposals against the provisions of:

1. Core Strategy, Babergh DC, 2014 and the Saved Policies of the Local Plan 2006 (CS)
2. The Draft of the Babergh and Mid Suffolk Joint Local Plan which has been submitted for Examination (Regulation 22), (JLP)and
3. The Long Melford Neighbourhood Plan, Regulation 15, Submission Draft (LMNP); whilst the LMNP has not been through examination, it has been through local consultations and a Strategic Environmental Assessment; it should be accorded some weight as a source of local evidence and views.

This representation is divided into three parts:

1. Proposals by BH which we support and on which we are seeking re-assurance that they will be covered in the approved details.
2. Issues which we hold to be important for a sustainable scheme, but to which BH have yet to agree.
3. Items in the s.106 agreement and/or the conditions, which we would like to see varied, but to which other authorities, Suffolk CC and Babergh DC, would need to agree.

1. Proposals by BH which we support and on which we are seeking re-assurance that they will be covered in the approved details.

Landscaping and Ecology

The proposed landscaping for the site will include a wildflower meadow and new trees. On the western side there are attenuation basins, lots of trees, shrubs and hedging (but not at the boundary with the Melford Walk). All trees will be native and sourced locally. There will be a reptile fence and a post and rail fence at the edge of the Melford Walk. All the attenuation basins will be shallow, usually not full of water and accessible to residents.

A management company (funded by the residents) will be appointed to maintain the communal areas and will work to a plan issued by BH. Robert Eburne (Regional Planning Manager of BH) said the management company would be appointed in conjunction with Babergh DC.

The play area is now planned to be towards the north-west of the site and will be fenced off and have play equipment suitable for older children as well as toddlers.

Ecology: there will be bat boxes, bird boxes, swift boxes, four plots for skylarks and a hedgehog highway.

2. Issues which we hold to be important for a sustainable scheme, but to which BH have yet to agree.

The plan is to build the development with 10% less CO2 emissions than is required in the current version of Building Regulations, including fitting a special type of gas boilers that produce fewer emissions. The condition attached to the outline consent requires a reduction of **at least** 10%. A 10% reduction falls short of at least 10% and LMPC consider that BH's proposal is not ambitious enough and that Bloor should take measures to reduce CO2 emissions further. This view is supported by the JLP.

Policy LP25 of the JLP provides: "All new residential development is required to: Achieve reductions in CO2 emissions of 19% below for the Target Emissions Rate of the 2013 Edition of 2010 Building Regulations (Part L)"

BH should build a system for grey water recycling into their plan. Policy LP28 of the JLP supports this view: "Development will be supported where it:

1. Conforms to the principle of Holistic Water Management including the use of appropriate water efficiency and re-use measures, together with surface water drainage which provides community and environmental benefits;"

The plan for the development shows a number of dead-end roads, which appear to be designed to facilitate further development to the east of the site. Whilst BH say they have no interest in additional development, the landowner has already shown their interest in development of their land (the current proposal). LMPC suggest that, subject to a very limited provision to allow the farmer to access the land to the east, all the roads leading to the site boundary should be designed to allow only turning and access to the adjacent housing.

LMPC is developing a network of defibrillators throughout the village and requests that BH provide one of an approved type at the entrance to the site.

Layout and Contribution to Local Character

LMPC is acutely conscious that the health of Long Melford (economically and socially) depends, among other things, on an amazing heritage of buildings, mainly housing:

- A pre-C19th historic stock which is varied but harmonious.
- C19th terraces such as Station Road and St Catherine's Road.
- Distinctive and enduring private developments at Harefield and Roman Way.
- An example of Radburn layout in Shaw Road.
- Attractive garden village, arts and crafts housing in Cordell Road.
- More recent developments, such as Orchard Brook and Elms Croft have sought to provide variety in form and materials and in layout.

The site in Station Road is very conspicuous at the important southern entry to the village and LMPC is disappointed that the proposals do not represent a high-quality addition to the scene. Whilst the open space at the entrance is welcome, it has the air of being leftover space. LMPC have proposed to BH, and BH agreed to consider it, that a square or other structured space be provided at the entrance, a space that would be soft not hard landscaping. This would connect the development with the village and provide a facility for the residents of the development and of the village – an important link which is currently lacking.

Policy CS15 of the CS has a sharp focus on sustainable development, which is expressly endorsed at para 7 of NPPF ("The purpose of the planning system is to contribute to the achievement of sustainable development"):

Policy CS15: Implementing Sustainable Development in Babergh

"Proposals for development must respect the local context and character of the different parts of the district,..... All new development within the district, will be required to demonstrate the principles of sustainable development..... and in particular, and where appropriate to the scale and nature of the proposal, should:

- i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;
- ii) make a positive contribution to the local character, shape and scale of the area;

LMPC have been shown no evidence, in spite of having asked BH for it, that these important features of local character, landscape, streetscape have been considered or have influenced the layout and design of the proposals. This is a major development in a village that is renowned for its attractive heritage, streetscape and landscape features; it should be making “a positive contribution to the local character, scale and shape of the area.”

Policy LP19 of the JLP reinforces the need for proposals to integrate positively with the landscape, to respect local distinctiveness and the identity of individual settlements.

Policy LM8 of the LMNP states:

Major (more than ten residential units or more than 0.5 hectares) development proposals should be accompanied by an assessment, which takes into account firstly any cumulative impact taken with other existing commitments in the village, secondly the cumulative impact of different aspects of the proposal and which demonstrates:

- That the scale and character of the proposal respects the landscape, landscape features, streetscape/town scape, heritage assets, important spaces, entry points to the village and historic views into and out of the village;
- The proposal will make a positive contribution to the local character, shape and scale of the area.....

The consistency of the message in these policies quoted from the three plans indicates that their provisions should be respected, regardless of whether two of the plans are not yet adopted or made. BH confirmed to the LMPC that they have read the LMNP. The submitted documents do not demonstrate that BH have respected or contributed to the local setting.

Housing Mix

BH say in their Design and Access Statement, para 3.2 that “The majority of the development is two-storey in height with pockets of single-storey bungalows.” But only six single-storey properties are shown in 3.3 Accommodation Schedule.

The housing mix proposed by BH does not respond at all to the housing needs identified in the LMNP; in Long Melford there is (Census 2011) a significantly higher proportion of people aged 65 or over: 26.8% compared with 21.4% in Babergh and 16.3% in England. Households in Long Melford are skewed towards single-person households aged 65 and over: 19.5% in the parish, 14.1% in Babergh and 12.4% in England. The Residents Survey conducted for the LMNP recorded preferences for different types of housing; the following types attracted more than 50% of respondents saying they were needed or very much needed:

- Bungalows 58%
- Two-bedroom houses 70%
- Three-bedroom houses 58%
- Sheltered housing 56%

Over 70% said that four-bedroom houses were not needed or not much needed.

This all indicates a need for smaller dwellings in locations accessible to village services (the accessibility of this site was agreed at the appeal). And yet BH is proposing that over half (51 out of 97) the houses for open market sale will be 4-bedroom properties. This proportion should be significantly reduced, with more bungalows and two- and three-bedroom houses.

The LMNP has allocated two highly accessible sites for smaller housing for older residents but they are small; there is still an outstanding need. Policy LM11 provides for the inclusion of smaller market housing within proposed schemes, such as this one. These locally identified needs and Policy LM11 should be taken into account in the housing mix that is required in Condition 5.

At our 12 April meeting BH agreed that the example houses shown on their consultation brochure and website were not what they intended to build on the main road through the development. They said they would provide much more variety including bungalows and varied facades and treatments. But their Design and Access statement doesn't show much variety and we think it is important that there should be more.

3. Items in the s.106 agreement and/or Conditions, which we would like to see varied, but to which other authorities, Suffolk CC and Babergh DC, would need to agree.

Condition 19 of the outline consent requires BH to provide **improved bus stops and shelters** with real time bus movement information. LMPC consider this to be an expensive requirement given the low level of passenger ridership on buses through Long Melford; it is also an unpopular proposal with local residents. Of much greater value to the community would be a zebra pedestrian crossing: in spite of the 30-mph speed limit, the traffic moves quickly on this stretch of the B1064 (1), which carries a large volume of through traffic travelling from the south to Cavendish, other villages west

((1) Surveys carried out by LMPC and recorded the Draft Neighbourhood Plan, Appendix 5, show average daily volumes on the B1064 of 6373 vehicles southbound and 6495 northbound. 50% of northbound traffic exceeded the speed limit by more than 5 mph, and 86% of southbound traffic exceeded the speed limit by more than 5 mph)

of Long Melford, Haverhill and Cambridge. Furthermore the volume of pedestrian movement at the southern end of the village has increased with the development of Elms Croft (77 dwellings) and the volume will increase further with the proposed development on the Station Road site (150 dwellings) and with two proposals in the Draft Neighbourhood Plan: in Borley Road (10 dwellings) and on Rodbridge Hill (30 dwellings). Going north to the village centre there is no crossing or refuge until you reach the Conservation Area in Little St Mary's. Policy LM7 of the Draft Neighbourhood Plan requires the developer to submit proposals for ensuring safe crossing for pedestrians. LMPC ask that SCC hold off implementation of the bus shelter requirement, whilst the case for a pedestrian crossing to serve the southern end of the village is examined; if the case is made, the funds due to be used for shelters could be applied to a new crossing. LMPC is prepared to assist with traffic counts and other surveys in order to facilitate examination of the case.

BH is required to make a site available for **Early Years provision** and a site has been identified by BH on the layout plan. BH are also required to provide about £180,000 for the same facility. LMPC believe this to be an inappropriate provision on two main grounds:

- This would be an isolated site with no existing facilities (office, staff room, WC's, security); it is likely to be expensive to build and to maintain, given the need to create all the overhead facilities for a small group of children.
- There is land available at Long Melford Primary School, which offers a number of advantages for increasing early years provision for Long Melford:
 - The site is available.
 - The new facility would be accessible to the existing infrastructure of the school.
 - The Head of the school, which already has nursery facilities, is keen integrate new early years provision with the school – the transition to upper parts of the school is easier if the children are already familiar with the school and the staff.
 - The school is in a very accessible location next to the middle of the village and the school is a well-known facility in the community: it is where you go as a young child to start your education.

LMPC urge SCC and BDC to consider relocating this facility to the existing school, where land is available and the facility would benefit from the established infrastructure of staff and facilities.

The outline planning consent requires BH to put hoggin on the surface of certain footpaths adjacent to the site. LMPC consider this a poor and unnecessary investment. LMPC suggest that the funds be applied to another amenity.

Officer Comments: Following from these comments, Bloor Homes have had further meetings and engagement with Long Melford Parish Council (LMPC) to address as many of their concerns as reasonably practicable.

The below summarises the actions that have been taken by Bloor to address the comments received either from direct meetings or from the Parish Council's formal response

“Table of Meetings with Long Melford Parish Council

Date	Time	Meeting
Wednesday 31 st March	4pm	Introduction meeting
Monday 12 th April	10am	Working Group 1
Friday 23 rd April	4pm	Working Group 2
Tuesday 15 th June	2pm	Update meeting/Working Group 3

Addressing LMPC Comments:

Landscaping

- Soft landscaping enhanced to create entrance space which include: focal trees; seasonal shrub planting; and ‘historic’ resting place with the refurbishment of the existing Spigot Mortar area to include hard standing, landscaping, bench and plaque/information board.
- Row of silver birch also added to give reference to POS spaces within the village.
- Some additional trees added to western edge, however mainly left open as Parish initially requested.
- Planting added to higher slopes of SUDs basins to provide habitat and interest.
- Post and rail fence added around the whole scheme, as shown on boundary treatment plan.
- Play Area equipment confirmed to be usable for all age groups.
- Note added to plan to dictate that contractors will source native trees locally, all POS trees confirmed to be native species.
- Species used which reflect local character.
- An additional access into the entrance feature area has been sketched following the latest meeting with the Parish Council.

Ecology

- Confirmed to Parish that Bloor are providing Skylark Plots, Swift Bricks, Bat Boxes, Hibernacula and Hedgehog Holes as per the submitted Ecological Enhancement Plan and Ecology reports.
- Confirmed to Parish that Bloor will install a reptile fence along railway boundary for protection during Construction.
- Parish expressed concerns about Badger setts on site – the latest reports and Ecologist have confirmed no evidence of setts; however, Bloor will instruct a pre-commencement Badger survey prior to any construction works starting on site.

Sustainability

- The Parish have asked for additional measures; however our proposals are in line with current Building Regulations and current adopted policies.

- We are providing 10% carbon reduction that includes the provision of Photovoltaic Collectors (PV).

S106 Items

- As the S106 is a legal document of which that has been signed it is not our position to agree any amendments to the document. SCC have also confirmed they are willing to take the Early Years in its current location.

Housing Mix

- The Parish had concerns we weren't providing enough bungalows. There would be 14 bungalows on site with a variety of other houses and sizes on the development.

Other

- We will be providing a defibrillator.
- A Management Company will be appointed for the POS and communal areas that don't fall into private or Housing Association ownership, which in time could then be managed by residents."

National Consultee

East Suffolk Inland Drainage Board Comments Received - 22/04/2021

Having screened the application, the site in question lies outside the Internal Drainage District of the East Suffolk Internal Drainage Board as well as the Board's wider watershed catchment, therefore the Board has no comments to make.

East Suffolk Inland Drainage Board Comments Received - 14/06/2021

Thank you for consulting the WMA on the below application. The site lies outside the East Suffolk IDB's district; therefore we have no comments.

Natural England Comments Received - 23/04/2021

Natural England has no comments to make on this Reserved Matters Application and Discharge of Conditions 5, 7, 9, 10, 11, 13, 16, 21, 22 and 24.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision-making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

British Horse Society Comments Received - 23/04/2021

I am responding to this consultation on behalf of The British Horse Society, an equestrian Charity with over **118,000** members representing the UK's **3 million** regular riders and carriage drivers. Nationally equestrians have just 22% of the rights of way network. In Suffolk, they have just **18%** of the rights of way network, increasingly disjointed by roads which were once quiet and are now heavily used by traffic resulting from development within the County. It is therefore important that these public rights are protected.

Increasing pressure for development of houses and industry is making even fewer of those bridleways and byways available. Ancient 'green lane' bridleways, byways and unsurfaced roads are being tarmacked as access roads or cycle tracks and engulfed by new development spreading into the countryside. Traffic increases with new development or change of use so roads become even less safe for riders and carriage drivers (equestrians) to use to access any traffic-free routes there may be. Riders are also increasingly excluded from verges by creation of foot-cycleways – segregated provision for other vulnerable nonmotorized users but equestrians are excluded and forced into the carriageway. Historically verges have provided a refuge and could, if mown, provide a segregated route.

Road Safety is a particular concern to equestrians, who are among the most vulnerable road users. Between November 2010 and February 2021, the BHS received reports of 5,784 road incidents, in which **441 horses and 44 people were killed**. Research indicates however that only 1 in 10 incidents are being reported to the BHS; in 2016-17 alone, **3,863** horse riders and carriage drivers in England and Wales were admitted to hospital after being injured in transport accidents. (NHS Hospital Episodes Statistics).

The BHS actively campaigns to improve road safety by making motorists aware of what to do when they encounter horses on the road (see <https://www.bhs.org.uk/our-work/safety/dead-slow> – we recommend taking a few minutes to watch the 'Dead Slow' virtual reality film for an impression of how vulnerable equestrians are in proximity to cars and lorries).

Because of the difficulties that equestrians encounter on roads, they avoid using them wherever possible. Road use is often unavoidable; however it is simply because people have nowhere else to exercise their horses. The main off-road access available to them is the network of Rights of Way (RoW). England and Wales have over 140,000 miles of RoW, but only 22% of this network is available for horse riders (who may only use routes designated as Bridleways and Byways) and a mere 5% to carriage drivers (who only have access to Byways). An additional factor is that the network is fragmented, and roads are often the only available links between one RoW and the next.

The demand for safe access to the countryside for the health and wellbeing of local residents who have been subjected to Covid 19 lockdown restrictions has increased tenfold. It is acknowledged that it is highly likely that the post Covid new 'norm' will see significant changes in the work / home lifestyle balance resulting in increased pressure on the rights of way network. During the pandemic, the value of horses has increased substantially with people spending more time at home looking to find enjoyable ways to exercise, they are able and want to own horses. It is highly likely that the need and demand for improved equestrian access is likely to rise.

Failure to accommodate the needs of these users would be contrary to National and Local Policies such as:

- **Highways England Accessibility Strategy** states:

‘Our vision focuses on supporting our road users’ journeys, pedestrians, cyclists, equestrians, those with disabilities (such as users with mobility or sensory impairments) and other vulnerable users – while delivering longer-term benefits for communities and users alike.

We want to address the barriers our roads can sometimes create, help expand people’s travel choices, enhance and improve network facilities, and make everyday journeys as easy as possible. This will be achieved by ensuring our network supports and contributes to accessible, inclusive and integrated journeys which are safe, secure, comfortable and attractive.’

- **NPPF policy 58 Requiring Good design**

Create safe and accessible environments.

- **Paragraphs 73 and 81 of the NPPF** require Local Authorities to plan positively for access to high quality open spaces for sport and recreation which can make important contributions to the health and wellbeing of communities and to plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.

- **NPPF Section 8**

Promoting healthy communities

Policy 73 access to high quality open spaces for sport and recreation and can make important contribution to the health and wellbeing of communities.

Policy 75 Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users. For example by adding links to existing rights of way networks.

Policy 81 local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation.

- **The Suffolk Rights of Way Improvement Plan** – ‘2.3 Connectivity – 2.3.1 Take a whole highways approach when considering the journeys of vulnerable users.’

- **The British Horse Society’s report Making Ways for Horses** – off-road Equestrian Access in England – Equestrian Access Forum August 2012, highlights the importance of horse riding for health and well-being. Access for horse riders, which inevitably involves crossing roads, is central to riding activities without which the level of participation is likely to decline which will have a negative impact on the local economy (Making Ways for Horses – off-road Equestrian Access in England – Equestrian Access Forum August 2012).

Mitigation must therefore be considered for the equestrian community; The British Horse Society believes that this development provides great opportunities to provide safe off-road routes for all vulnerable road users including equestrians and we would welcome the opportunity to discuss these opportunities at the earliest stage. In order to maximise opportunities within Suffolk to help provide more off-road links for equestrians they should support the automatic inclusion of horse riders on shared off-road routes, unless there are specific reasons why this is not possible.

Conflict with cyclists is sometimes given as a reason for excluding horses from shared routes, but this rarely has anything to do with either the horse or the bicycle, simply the inconsiderate person who happens to be riding one or the other. Horse riders and cyclists as two vulnerable road user groups have more in common with each other than differences. This is illustrated by the work that the BHS are doing in partnership with Cycling UK in the current ‘Be Nice, Say Hi!’ campaign and with Sustrans in their ‘Paths for Everyone’ initiative.

The key to a successful shared route is the design: for example, rather than positioning a cycle path down the centre of a route with verges either side, the cycle path should be positioned to one side and the two verges combined to provide a soft surface for walkers, runners and horses on the other. (This also

addresses the issue of horse droppings which, as research has confirmed, represent no danger to health and disperse quickly, particularly on unsurfaced paths.)

Historically, pedestrians and cyclists have been considered as the main vulnerable road users. Equestrians are however increasingly recognised as being part of this group: during the Parliamentary Debate on Road Safety in November 2018 Jesse Norman, Under Secretary of State for Transport, stated that:

“We should be clear that the cycling and walking strategy may have that name but is absolutely targeted at vulnerable road users, including horse-riders.”

It is essential that in projects such as this, every opportunity is taken to benefit as many people as possible including those least active in the population (NHS, 2019). Therapeutic and physical benefits of horse riding and carriage driving have been proven for people with disabilities (Favali and Milton, 2010). According to Church et al (2010) over 90% of equestrians are women and 37% of these are over 45 years of age and over a third would pursue no other physical activity. ‘Horse riding induces physiologically positive effects such as muscle strength, balance...and psychologically positive changes’ (Sung et al, 2015). In the current climate mental health is hugely important and horse riding and carriage driving play a large part in enhancing physical and psychological health therefore should be included in improving quality of life and wellbeing through an inclusive transport system accessible to all which emphasises sustainable and active travel.

Horse riding is a year-round activity which (along with associated activities such as mucking out and pasture maintenance) expends sufficient energy to be classed as moderate intensity exercise. The majority of those who ride regularly are women, and a significant proportion of riders are over 45. For some older or disabled people, being on horseback or in a horse-drawn carriage gives them access to the countryside and a freedom of movement that they would not otherwise be able to achieve. Most riders and carriage-drivers wish to take their horses out on bridleways and byways, away from motor traffic, for the physical and mental health benefits to animal and human, in exactly the same way as most walkers (with and without dogs) and cyclists. Many are unable to do so because the traffic on tarmac roads is too dangerous for such vulnerable road users, and there are generally so few traffic free routes available to equestrians. There are also considerable psychological and social benefits from equestrian activities, as the BHS is demonstrating through the *Changing Lives through Horses* initiative.

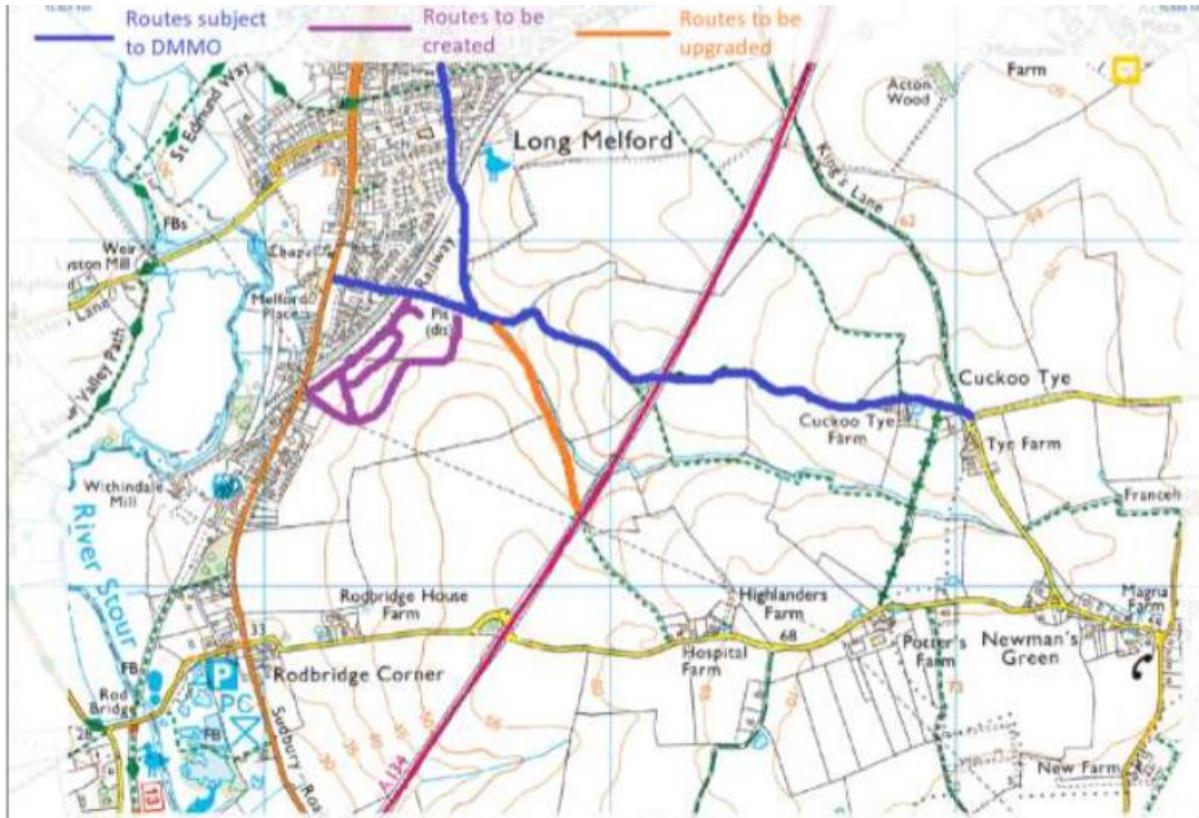
Equestrianism is a popular activity in this part of Suffolk, and one which contributes significantly to the local economy. The equestrian community in Suffolk currently has many difficulties in finding safe access within the area, as identified in Suffolk’s policies. Many of these issues could be addressed and resolved through good planning of future routes. We hope therefore that the applicant will support this, and local equestrians affected by this development, and would be happy to support and facilitate consultation with the local equestrian community.

The British Horse Society has no objection to this application in principle but believes for this application to be compliant with National and Local Policies the proposals for proposed pedestrian routes throughout the site should be multi-user routes for all Non-Motorised Users including equestrians.

Equestrians have not been included within any part of this application. Exclusion of equestrians from any safe access provision for cyclists is not only discriminatory and contrary to the ethos of the Equality Act 2010, but it also actually puts equestrians in increased danger. It is to be avoided. Safe access must be available all vulnerable road users.

The BHS believes that historical evidence indicates that a number of routes surrounding the site are unrecorded, these routes can be reasonably alleged to subsist at a minimum of bridleway

status. These public rights should be asserted and not be allowed to be subsumed within this development or anything beyond it. An application to the County Council to have them recorded as such is likely to be forwarded in due course. The routes shown on the map below as 'routes subject to DMMO' should be upgraded to at least Bridleway status if not Restricted Byway status as a condition of the permission being granted. With regards to this development the BHS believe the below improvements would adequately include equestrian access through the site by correctly recording routes and creating routes within and around the development site to improve connectivity and upgrading the 1 route shown in orange. These planning proposals should take into account connectivity for all vulnerable road users.



Anglian Water Comments Received - 27/04/2021

We have reviewed Surface and foul water drainage strategy_1 of 2_long melford and Surface and foul water drainage strategy_2 of 2_long melford and can confirm that the strategy for surface water discharge now falls out of our jurisdiction to make comment. We would wish to be re-consulted if the proposal changes to interact with our network.

Historic England Comments Received - 05/05/2021

Thank you for your letter of 21 April 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

NHS England (50+ Dwellings/C2/Care Or Nursing Homes) Comments Received - 10/05/2021

Although the CCG last responded to this planning application back in 2018, it has been decided that this is still up to date with the current situation in the area. The CCG is also working hard with BMSDC Infrastructure Team to make sure that the IDP is updated regularly for the purpose of CIL.

Suffolk Wildlife Trust Comments Received - 11/05/2021

Thank you for sending us details of this application, we wish to make a **holding objection** for the following reasons:

We are concerned that there is no consideration of the adjacent The Railway Walks Local Nature Reserve (LNR) and Long Melford Disused Railway Line County Wildlife Site (CWS) within the Construction Environmental Management Plan (CEMP). Such sites, described as Locally Designated Sites in the NPPF 2019, have a known county or regional importance for wildlife. They play a key role in the conservation of Suffolk's biodiversity by supporting UK Priority Habitats and Species. They complement the statutory protected areas and nature reserves by helping to buffer and maintain habitat links between these sites. This site is an important feature for maintaining connectivity throughout Long Melford and beyond and also contains a number of species found on chalky soil, such as blue fleabane, as well as lesser calamint, which is scarce in Suffolk. Therefore, mitigation measures to limit the impact of construction on The Railway Walks LNR and Long Melford Disused Railway Line CWS should be included within the CEMP, as outlined within the Preliminary Ecological Appraisal (SES, April 2021).

Further assessment is required to assess the impact of potential recreational disturbance upon The Railway Walks LNR and Long Melford Disused Railway Line CWS. This should then inform whether further landscaping measures are required to mitigate any recreational impacts. A development of this size is likely to have a recreational pressure impact on the CWS, which must be assessed.

We have read the Biodiversity Enhancement Strategy (SES, April 2021) and are concerned with the maintenance proposed for the Wildflower Grassland. It is stated; 'Annual weeds will therefore be managed through regular mowing to a height of 40-60mm in the first year, removing cuttings if dense.' We request that the words 'if dense' should be removed. Whilst the regular mowing prescribed in the first year is appropriate for establishing flower rich grassland on former arable land, if the arisings are not removed this will not deplete the nutrient status of the soil. Consequently, this will favour more aggressive plant species and not allow the desired species rich wildflower grassland to fully establish. The removal of all cuttings should also be included in the following years as well.

Whilst we welcome the provision of hedgehog permeable boundaries within the development, we are concerned that Appendix 3 appears to show some are placed between gardens with no access into them. Therefore, it should be ensured that the location of the hedgehog highways is designed to ensure that hedgehogs have access to the gardens.

The Preliminary Ecological Appraisal recommends that 'the latest biodiversity net gain metric is used to ascertain whether proposals can deliver biodiversity net gain' however, this has not been included within the application. In accordance with NPPF para 175d, proposals should demonstrate a 'measurable' net gain in biodiversity. This is transposed to the emerging Environment Bill which is expected to put a requirement for all proposals to achieve a 10% net gain in biodiversity; whilst not yet formally released, this level is already being implemented as good practice across the country. Therefore, we believe this development should seek a minimum of 10% biodiversity net gain.

We would also expect bat activity surveys to be undertaken so that impacts upon foraging and commuting bats can also be assessed and this inform the lighting design for the site. It is important that there is no light spill from external lighting and that dark corridors are retained around the site for the foraging and

commuting bats. Therefore, a lighting strategy in accordance with current guidelines¹ should be designed to accompany the site layout.

We believe the proposed number of integral swift nest bricks is below the required level as suggested in guidance from organisations such as the Chartered Institute of Ecological and Environmental Management 2. The incorporation of swift bricks is an established way to enhance biodiversity within a development and provide net gain. Therefore, we request that the total number is increased in order to help this Suffolk Priority Species, whose numbers have seen a dramatic decline in recent years.

Please do not hesitate to contact us should you require anything further.

The Environment Agency Comments Received - 11/05/2021

There are no constraints in our remit and we did not request conditions. Therefore, we have no comment.

Dedham Vale Society Comments Received - 13/05/2021

The AONB team will not be submitting a response to the above application.

Historic England Comments Received - 11/06/2021

Thank you for your letter of 11 June 2021 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

County Council Responses

Comments regarding Reserved Matters

SCC - Rights Of Way Department Comments Received - 22/04/2021

The proposed site does contain public rights of way (PROW): Footpath 2 and Footpath 42 Long Melford. The Definitive Map for Long Melford can be seen at <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Long-Melford.pdf>. A more detailed plot of public rights of way can be provided. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We are pleased to see that FP42 has been depicted on the Applicant's plans following our previous objection. We do not object to this application, however we couldn't see any details of what the Applicant plans to do with the surface of the PROWs affected by the development. The Applicant MUST note that it is unlawful to carry out any works on a PROW without our consent, regardless of whether planning permission is granted. If the Applicant is planning to carry out any works to the surface (or otherwise) of FP42 or FP2, they MUST contact the Area Rights of Way Officer (James.Pickerin@suffolk.gov.uk) to discuss their plans and apply for permission. The Applicant MUST also take the following into account:

1. PROW are divided into the following classifications:
 - Public Footpath – only for use on foot or with a mobility vehicle
 - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
 - Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage

- Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

2. **PROW MUST remain open, unobstructed and safe for the public to use at all times**, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed as per point 4 below.

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

4. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It **DOES NOT** give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. **PLEASE NOTE** that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
- To discuss applying for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.

5. **To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible** to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> **PLEASE NOTE** that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.

6. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the

discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.

7. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roadsand-transport/public-rights-of-way-in-suffolk/.

Thank you for taking the time to consider this response.

SCC - Development Contributions Manager, Comments Received - 23/04/2021

This planning permission has a S106A dated 2nd July 2019 which contains planning obligations in favour of the county council including Rights of Way improvements, pre-school contributions and a serviced site for a pre-school. As per the S106 obligation, notification that SCC requires the site was sent on 17 August 2020, and the early years land shall be transferred to SCC within 6 months of the commencement of the development. The reserved matters application will need to be linked with the existing S106A. Additional infrastructure mitigation for this scheme is also covered by the District's Community Infrastructure Levy (CIL). Therefore SCC intends on making a bid for CIL funds once further information is understood about the development build out rate and infrastructure delivery.

Kelly Smith (SCC, Early Years) to liaise with Bloor Homes regarding the pre-school site. **It is essential that this reserved matter application includes access & services for the new Early Years setting. Location of services must be agreed by SCC.**

I have no additional comments to make on the reserved matters application but I have copied this letter to colleagues who respectively deal with highways, drainage, Early years, and archaeology who may wish to comment.

SCC - Development Contributions Manager, Comments Received - 24/06/2021

The comments made in our previous response dated 21 April 2021 still stand in relation to the Section 106A agreement dated 2 July 2019 and future CIL bids.

With regard to the proposed early years site, subject of the legal agreement and which is to be transferred to SCC, we sought further clarification from the applicant. We received a response from James Bailey dated 16 June 2021 concerning the servicing of the site and a plan showing the site dimensions was forwarded to us from Ruby Lord of Bloor Homes in an email dated 22 June 2021. You were copied into both these emails.

Subject to the early years site fully complying with the details set out in the submitted application plans and details together with the information provided in both these emails, the early years site will be acceptable regarding its location, dimensions and servicing.

Other colleagues within highways, drainage and archaeology may comment separately but we have no further comments to make on this application.

SCC - Fire & Rescue Comments Received - 23/04/2021

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 – Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of outbuildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

Water Supplies

Suffolk Fire and Rescue Services recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

SCC - Travel Plan Co-ordinator Comments Received - 23/04/2021

Thank you for consulting me about the reserved matters application for the residential development at Land to the East of Station Road in Long Melford. On reviewing the application I have noticed that a Travel Plan has been submitted. However, the Travel Plan is a requirement of the Unilateral Undertaking which I will respond to separately.

SCC - Travel Plan Co-ordinator Comments Received - 14/06/2021

Thank you for notifying me about the re-consultation. On reviewing the documents, I have no further comment to make following on from my previous response dated 23rd April 2021.

SCC - Highways Comments Received - 23/06/2021

Notice is hereby given that the County Council as Highway Authority make the following comments:

- The footways adjacent to the carriageway should be 2.0m wide as Manual for Streets
- Shared footways have not been included in the design to accommodate cycling.
- The triple parking on the adopted roads is for 3-bedroomed dwellings so acceptable

- The developer is reminded that planting of hedging adjacent to the highway is to be offset from the edge to ensure growth does not overhang the highway causing obstruction.

We can recommend conditions once the above points have been addressed. We look forward to receiving further information.

Officer Note: Following discussions between SCC Highways and the Developer, it has been agreed that the footways along the adoptable access road will be 2m wide and they will provide a 3m wide link to the PROW network to the north.

The following condition shall therefore be added:

Estate Roads Design Condition: Before the development is commenced, details of the estate roads and footways shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

Comments re: Discharge of Conditions

SCC - Archaeological Service Comments Received - 22/04/2021

SCCAS would advise that archaeological condition 22 can be discharged on the basis of the archaeological excavation WSI submitted by the applicant on your website.

SCC - Archaeological Service Comments Received - 13/05/2021

I have approved the WSI for an archaeological excavation at this site (as required by the first condition) and would recommend the full discharge of condition 22.

Condition 23 should not be discharged until the final report has been completed.

SCC - Flood & Water Management Comments Received - 04/05/2021

We have reviewed the following submitted documents and we recommend a **holding objection** for the reserved matter application and **refusal** to discharge conditions 11 & 16.

- Location Plan Ref 20-3086-sk02
- Site Layout Plan Ref 20-3086-sk02 Rev F
- Site Landscaping Ref EA171-LS-001
- Construction Management Plan Ref EA171-SL-200A
- Site Landscaping Specification & Schedule Ref EA171-LS-007
- Construction Surface Water Management Plan 422533
- Surface & Foul Water Drainage Strategy Ref

A holding objection is necessary because the applicant needs to demonstrate how the SuDS features will be established for the first 5 years and the design of basin 1 has a significant drop (2m) from the new grown level to the we/dry bench

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide

at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

The points below detail the action required in order to overcome our current objection:-

1. Submit a landscaping management plan that including an establishment plan for the first five years for the SuDs feature
2. Amend the design of basin 1 to remove the significant drop from ground level to wet/dry bench

Condition 11

No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems;
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses;
- iii. Measures for managing any on or offsite flood risk associated with construction.

Condition 16

Concurrent with the first reserved matters application submitted, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA (Flood Risk Assessment & Outline Surface Water Drainage Strategy ref: 881308-R2(02)-FRA) and include:

- i. Dimensioned plans and drawings of the surface water drainage scheme;
- ii. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- iii. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100-year rainfall events including climate change as specified in the FRA;
- iv. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100-year rainfall event including climate change;
- v. Modelling of the surface water conveyance network in the 1 in 30-year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100-year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- vi. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- vii. details of the implementation, maintenance and management of the surface water drainage.

Development shall be carried out in accordance with the approved details.

The points below detail the action required in order to overcome our current refusal:-

1. Condition 11

- a. CSWMP shall be endorsed by principal contractor
- b. 3.3 Consent, Land Drainage Act consent s23 working affecting a watercourse need to be added
- c. Note added to say "No materials to be stored within 8 of any watercourse or waterbody"

2. Condition 16

- a. Submit a topographical plan depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system

SCC - Flood & Water Management Comments Received - 15/06/2021

We have reviewed the following submitted documents and we recommend **approval** for the reserved matter application and **refusal** to discharge conditions 11 & 16.

- Location Plan Ref 20-3086-sk02
- Site Layout Plan Ref 20-3086-sk02 Rev F
- Site Landscaping Ref EA171-LS-001
- Construction Management Plan Ref EA171-SL-200A
- Site Landscaping Specification & Schedule Ref EA171-LS-007
- Construction Surface Water Management Plan 422533 FINAL
- Surface & Foul Water Drainage Strategy Ref 66202580-MLM-ZZ-XX-RP-C-0001 Rev 02

We would like to make the applicant aware of the following informatives.

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- Any works to a main river may require an environmental permit

Discharge of Conditions

Conditions 11

No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- i. Temporary drainage systems;
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses;
- iii. Measures for managing any on or offsite flood risk associated with construction.

Condition 16

Concurrent with the first reserved matters application submitted, a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA (Flood Risk Assessment & Outline Surface Water Drainage Strategy ref: 881308-R2(02)-FRA) and include:

- i. Dimensioned plans and drawings of the surface water drainage scheme;
- ii. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- iii. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100-year rainfall events including climate change as specified in the FRA;
- iv. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100-year rainfall event including climate change;
- v. Modelling of the surface water conveyance network in the 1 in 30-year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100-year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- vi. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- vii. Details of the implementation, maintenance and management of the surface water drainage.

Development shall be carried out in accordance with the approved details.

The points below detail the action required in order to overcome our current refusal:-

1. Condition 11

- a. 3.3 Consent, Land Drainage Act consent s23 working affecting a watercourse need to be added
- b. Note added to say "No materials to be stored within 8 of any watercourse or waterbody"

2. Condition 16

- a. Submit a topographical plan depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system

SCC - Highways Comments Received - 06/05/2021

Conditions for outline planning permission (on Appeal) relating to highways are as follows:

Condition 1 - Details of Access

Condition 9 - Construction Management Plan

Condition 17 - Station Road Footway Improvements

Condition 18 - Provision of Visibility Splays

Condition 19 - Upgrade Bus Stops

Comments on the Layout

- Dimensions of the proposed roads and footways have not been supplied. By scaling, the widths are to Suffolk Design Guide. However, we recommend the footway widths are increased to 2.0m (as

outlined in Manual for Streets). Also, Department for Transport Local Transport Note 1/20 (LTN1/20) was published in July 2020 where 'cycling will play a far bigger part in our transport system from now on'. This national guidance aims to help cycling become a form of mass transit. Shared footways are to be included in the design to accommodate cycling.

- Footways and permissive footpaths all link to the PROW network and existing highway. Recommend permissive paths are suitable surface for all weathers.
- The shared surface roads are to have a maintenance strip 1m wide each side of the carriageway which allows the highway to be maintained and erection of street lighting. If these strips are to be considered for utility services plant, the strips need to be widened to 2m.

Comments on Parking

- Some 4 bedroomed houses have triple parking (tandem parking in front of garage) on the major and minor access roads which is not acceptable as shown in Suffolk Guidance for Parking. The developer has provided additional parking places for the dwellings on private drives giving sufficient parking.
- For house types without garages, garden sheds or similar storage facilities will be required to accommodate secure cycle storage.

We can recommend conditions once the above points have been addressed. We look forward to receiving further information.

NOTE – these matters have now been resolved (see main Reserved Matters section of this report).

Internal Consultee Responses

Comments re: Reserved Matters

Strategic Housing Comments Received - 11/05/2021

1. Background Information

This is a development proposal for up to 150 residential dwellings (mixture of affordable and open market homes).

Based on 150 dwellings the affordable contribution of 35% equates to 52 dwellings to be policy compliant.

2 Housing Need Information

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Babergh there is a need for **110** new affordable homes per annum.

2.3 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

2.4 This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need.

3. Preferred Mix for Open Market homes.

3.1 The open market needs to address the growing demand for smaller homes for sale, both for younger people who may be newly forming households, but also for older people who are already in the property-owning market and require appropriate housing enabling them to downsize.

3.2 With an ageing population, both nationally and locally new homes should, wherever possible, be built to Building Regulation Part M (4) Category 2 standards and this can include houses, apartments and bungalows. Built to this standard will help our ageing population to remain in their homes for longer.

3.3 There is strong demand for one and two-bedroom flats/apartments and houses. Developers should consider flats/apartments that are well specified with good size rooms to encourage downsizing amongst older people, provided these are in the right location for easy access to facilities. Older people have also expressed their desire for chalet bungalows of one and a half storey. There is also a demand for smaller terraced and semi-detached houses suitable for all age groups.

3.4 Broadband and satellite facilities as part of the design for all tenures should be standard to support.

3.5 All new properties need to have high levels of energy efficiency.

3.6 The open market mix has been provided in any detail, but the applicant is expected to have due regard to table 4.4c in terms of the proportion of 1,2, 3, 4 bed + homes for the open market sale homes.

Table 4.4c Size of new owner-occupied accommodation required in Babergh over the next 18 years

<i>Size of home</i>	<i>Current size profile</i>	<i>Size profile 2036</i>	<i>Change required</i>	<i>% of change required</i>
One bedroom	598	1,183	585	12.2%
Two bedrooms	5,037	6,765	1,729	36.1%
Three bedrooms	12,327	13,774	1,447	30.2%
Four or more bedrooms	10,065	11,098	1,033	21.5%
Total	28,026	32,820	4,794	100.0%

4 Preferred mix for Affordable Housing

4.1 52 of the dwellings on the proposed development should be for affordable housing. - We have received a detailed plan of the site and the type, tenure, size of the dwellings (see attached) that we agree is the mix we required.

QUANTITY OF AFFORDABLE HOUSING ONLY	BEDROOMS 1/2/3/4 and persons. i.e. 3 bed 4 person	TYPE FLAT/HOUSE/ BUNGALOW/ MASONETTE	SIZE (Sqm only)	TENURE A/R S/O Other please specify
2 No.	1B2P	Maisonette (Part M4[2] Ground Floor)	538 49.98sqm	A/R
2 No.	1B2P	Maisonette First Floor	647 60.10sqm	A/R
2 No.	2B4P	Maisonette (Part M4[2] Ground Floor)	754 70.04sqm	A/R
2 No.	2B4P	Maisonette First Floor	827 76.83sqm	A/R
4 No.	2B4P	Bungalow	753 69.95sqm	S/O
4 No.	2B4P	Bungalow (Part M4[2])	753 69.95sqm	A/R
8 No.	2B4P	House	850 78.96sqm	S/O
20 No.	2B4P	House (Part M4[2])	850 78.96sqm	A/R
3 No.	3B5P	House	1001 92.99sqm	S/O
5 No.	3B5P	House (Part M4[2])	1001 92.99sqm	A/R
1 No.	3B6P	House (Part M4[2])	1141 106.00sqm	A/R

4.3 On perusal of the map copied you will see that attempts have been made to spread the affordable and shared ownership dwellings across the site and we accept this plan.

We would like to reiterate however, that we favour that the type, style, design and outlook of these dwellings match those of the 'open market dwellings' as this will inspire mixed and harmonious communities throughout our region.



5 Other requirements for affordable homes

- Properties must be built to current Homes England and Nationally Described Space Standards March 2015.
- The council is granted 100% nomination rights to all the affordable units on initial lets and 100% on subsequent lets.
- The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.
- The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice. On larger sites such as this one, the affordable housing should not be placed in groups of more than 15 units.
- Standard triggers points as set out below to be included in the S106: -

- (a) Not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50%) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and
- Not Occupy or permit Occupation of more than eight per cent (80%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider
 - Adequate parking and cycle storage provision is made for the affordable housing units adjacent to the dwellings.
 - It is preferred that the affordable units are transferred freehold to one of Babergh's partner Registered Providers and for the avoidance of doubt this could include the Council itself.

Heritage Team Comments Received - 23/06/2021

The Heritage Team has no comments to provide on the above application.

Landscape - Place Services Comments Received - 23/06/2021

This response relates to the reserved matters application.

Reserved Matters

We note the amendments to the tree planting along the south and east boundaries, amendments to the planting schedule and the addition of trim trail equipment within the POS. The changes are welcome.

We still consider that the biodiversity and amenity elements of the attenuation basins can be improved by combining a range of vegetation types on top of the proposed meadow mixture and marginal mix planting. Additional planting can include grasses of various heights, trees and shrubs that are tolerant of wide range of conditions, wet or dry.

Comments re: Discharge of Conditions

Public Realm Comments Received - 07/05/2021

Public Realm Officers support the provision of the LEAP within this development and note the significant areas of open space on the western boundary. There are some concerns over the dominance of the proposed attenuation basins within this open space - especially if holding water as it is noted that there are significant steep sides to attenuation basin 1. Should a decision be made that this needs fencing to prevent public access (especially children) during period when the attenuation basin is holding water then this area must not be counted as open space.

The details provided are however enough to discharge conditions relating to open space provision.

Environmental Health - Sustainability Issues Comments Received - 10/05/2021

Many thanks for your request to comment on the potential discharge of Condition 21 relating to Condition 21 of the Appeal Decision on the original application.

I have studied the applicant's documents, notably the Planning Statement, Design and Access Statements and the Energy Strategy.

The information contained in the documents committing to a predicted 10.08% reduction over Part L 2013 of the Building Regulations in the predicted Carbon emission of the development just complies with Planning Inspector's requirement within Condition 21 of at least a 10% reduction. Therefore the condition is discharged.

However I would like to take this opportunity to raise the following issue that the Applicant may wish to take into account.

Babergh and Mid Suffolk Councils declared a Climate Emergency in 2019 and have an aspiration to be Carbon Neutral by 2030, this will include encouraging activities, developments and organisations in the district to adopt a similar policy. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability, taking into account the requirements to mitigate and adapt to future climate change.

With developments constructed with levels of insulation, fabric measures and low carbon building services just equal or slightly better the current building regulations' Part L requirements it is likely that they will need to be retrofitted within a few years. This is to meet; the National milestones, the Future Homes Standard, meaning dwellings are at least zero-carbon ready, and targets leading up to zero carbon emissions by 2050. The other issue is that the properties will be more expensive to heat than properties built to these higher standards.

With all future Sustainability and Energy Strategies the Council is requiring the applicant to indicate the retrofit measures required and to include an estimate of the retrofit costs for the properties on the development to achieve net Zero Carbon emissions by 2050. It is also to include the percentage uplift to building cost if those measures are included now at the initial building stage. The applicant may wish to do this to inform prospective and future owners of the properties.

Environmental Health – Sustainability Issues Comments Received – 21/06/2021

The energy statement provided predicts a 10.08% Carbon reduction using the construction, Flue Gas Heat Recovery and PV panels over Part L1A Building Regulations.

This is just sufficient to comply with the requirements of Condition 22 that requested a 10% reduction and therefore it is discharged.

It is disappointing that the performance is not better considering the Government has declared a National Climate Emergency and it is likely that the properties will have to be retrofitted at the future occupier's expense within a few years to meet future Zero Carbon standards.

Environmental Health - Noise/Odour/Light/Smoke Comments Received - 24/06/2021

With regards to the above application, it is noted that the proposed construction hours in section 4 of the CEMP remain the same. I therefore refer back to my comments regarding audible works dated 11th May 2021 (i.e. *Due to proximity of the site to existing residential on a quiet edge of a rural settlement our recommended start times for audible works are 08:00 hours Monday to Friday with the same finished times as stated in the CMP.*)

The author of the CEMP has referenced the Relaxations to hours permitted by the government for where impacts of Covid 19 have significantly impacted works. This was not a blanket relaxation and was a

measure to mitigate effects and requires an application to be made. It was not a direction for applying conditions to future applications where works may not begin for some time after the agreement is made.

Environmental Health - Air Quality Comments Received - 11/05/2021

Many thanks for your request for comments in relation to the above submission. I can confirm that I have no comments to make with respect to the above conditions and comments regarding LAQM were provided at the 2018 permission.

Environmental Health - Air Quality Comments Received - 22/06/2021

I have no objections with regard to air quality.

Environmental Health - Land Contamination Comments Received - 24/06/2021

Many thanks for your request for comments in relation to the above submission. I can confirm that my comments made earlier in the consultation period remain unchanged (i.e. no comments).

Ecology - Place Services Comments Received - 25/06/2021

Thank you for re-consulting Place Services on the above reserved matters and discharge of conditions application. This response considers the Submission of Details at Reserved Matters, as well as Conditions 7 and 10, as shown in the Appeal Decision APP/D3505/W/18/3214377.

Summary

We have reviewed the Biodiversity Enhancement Strategy (Southern Ecological Solutions, April 2021), relating to the requirements of condition 7, as well as the revised Construction Environmental Management Plan (RSK Environment Ltd., June 2021), relating to requirements of condition 10.

Furthermore, we have reassessed the Preliminary Ecological Appraisal (Southern Ecological Solutions, April 2021), the Skylark Mitigation Strategy (Southern Ecological Solutions, February 2021), as well as the soft landscaping plans (Bloor Homes Ltd, March 2021).

In addition, we have reviewed the amended soft landscaping drawings and documents submitted on 11th June 2021. This includes amendments to the tree planting along the south and east boundaries, as well as amendments to the planting schedule.

It is indicated that we support the submitted soft landscaping. This includes appropriate planting specification and schedules, as well suitable details of implementation to ensure that plants will establish successfully. Furthermore, we support the proposed reasonable enhancement measures outlined within the Biodiversity Enhancement Strategy (Southern Ecological Solutions, April 2021). However, it is indicated that we still recommend that the site landscaping plans should be supported by the Defra Biodiversity Metrics 2.0 (or any successor), as recommended by the applicant's ecologist within the submitted Preliminary Ecological Appraisal. This is necessary to ensure that the application can demonstrate measurable biodiversity net gains, in line with paragraph 170d of the NPPF 2019. Therefore, a Biodiversity Net Gain Assessment should be provided prior to discharge of condition 7, which should preferably demonstrate that a 10% measurable biodiversity net gain will be demonstrated, in line with emerging Environmental Bill. However, it is accepted that this percentage is not mandatory until the Environmental Bill is adopted. The content of the Biodiversity Net Gain Assessment should preferably include the following:

- Baseline data collection and assessment of current conditions on site.

- A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity.
- Provision of the full BNG calculations, with detailed justifications for the choice of habitat types, distinctiveness, condition and ecological functionality.

The management measures for the soft landscape measures should then be secured via Landscape Ecological Management Plan (condition 14), with the aims of the Biodiversity Net Gain Assessment included within the management recommendations. In addition, the Landscape and Ecological Management Plan should reference the Railway Walks LNR and Long Melford Disused Railway Line CWS and outline measures to ensure impacts during the operation phase will be avoided to these protected and locally designated sites. Alternatively, a bespoke condition of any consent should be secured prior to occupation, to outline a strategy to promote good practice measures to manage increased public pressure at the sites (e.g. monitoring strategies, remedial strategies and noticeboards).

In terms of condition 10, it is indicated that we support the details contained within the updated Construction Environmental Management Plan, which includes measures to avoid impacts to protected and priority species during the construction phase. However, we still note that Railway Walks LNR and Long Melford Disused Railway Line CWS has not but included within the Mitigation and Control Measures if the Ecology & Nature Conservation section (Table 6). Therefore, we still recommend that this included within the CEMP to ensure that operatives are aware of the adjacent protected and locally designated sites and that this area will be a construction exclusion zone throughout the duration of the construction phase of the proposed development.

However, it is indicated that we still approve of the details and ongoing maintenance for the proposed four Skylark plots, located to the south of the development within blue line boundary land. Therefore, sufficient information has still been provided to demonstrate that an effective mitigation strategy will be undertaken for this Priority Species, which will meet the requirements of condition 6 of outline stage.

Furthermore, it is still highlighted that a wildlife friendly lighting scheme must be provided prior to occupation for this development, as required under condition 8 of the outline consent. This should follow ILP Guidance 1 and a professional ecologist should be consulted to advise the lighting strategy for this scheme. In addition, the following measures should preferably be indicated to avoid impacts to foraging and commuting bats:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Environmentally Sensitive Zones should be established within the development, where lighting could potentially impact important foraging and commuting routes for bats.
- Lux levels and horizontal lighting should be directed away from boundary edges and Environmentally Sensitive Zones and kept as low as possible. This should preferably demonstrate that the boundary features and Environmentally Sensitive Zones are not exposed to lighting levels of approximately 1 lux. This is necessary to ensure that light sensitive bat species, will not be affected by the development.
- Warm White lights should be used preferably at <3000k within Environmentally Sensitive Zones. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Light columns should be as short as possible as light at a low level reduces the ecological impact.
- The use of cowls, hoods, reflector skirts or shields could be used to prevent horizontal spill in Environmentally Sensitive Zones.

Recommendations for listed conditions

A Biodiversity Net Gain Assessment using the Defra Biodiversity Metrics 2.0 (or any successor) should be undertaken by the applicant's ecologist prior to the discharge of condition 7 and inform the soft landscaping plans.

Further information is required to be outlined within the Construction Environmental Management Plan (RSK Environment Ltd., April 2021), prior to the discharge of condition 10.

Landscape - Place Services Comments Received - 26/05/2021

This response relates to the reserved matters application / condition 1.

Reserved Matters / Condition 1

Details of the access (with the exception of details of accessibility to/from the site as hereby approved), appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

The proposed planting palette will deliver good variety of species to provide interest all year around and to enhance biodiversity, in particular the mixed native hedgerows and hedgerow trees proposed to the site boundaries. The planting plans include a specification with brief notes on planting operations and management.

The following recommendations should be addressed before we can recommend discharged of condition 1:

1) We would like to see a multi-functional approach to the proposed attenuation basins with additional tree planting, as well as shrub and herbaceous planting. SuDS features should have gentle slopes to avoid the need for fencing. Additional tree planting should be included along Railway Walk boundary although avoiding linear patterns.

2) We welcome the use of post and rail fencing along the south and eastern boundaries. A mixed native hedge has been proposed along the south boundary and this should be extended to the eastern boundary. Hedgerow planting should be position on the outside of the fence to reduce visual impact of the development edge from the countryside.

3) Hedgerow trees are proposed along the southern and eastern boundaries and these should reflect the landscape character of the site, therefore the number of oak and field maple as hedgerow trees should be increased in the tree palette.

4) An area with play equipment has been proposed to the north-west of the development in between the two large attenuation basins. The size of the play area appears to be small for the size of the development. To increase play provision, it is considered that additional areas offer in informal/natural play are needed throughout the rest of the development.

5) We recommend that *Viburnum tinus* spp. is removed from the planting schedule. The species can be severely damaged by *Viburnum* beetle and often produces an unpleasant smell particularly when the foliage is wet.

B: Representations

At the time of writing this report at least 3 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, 0 support and 0 general comment. A verbal update shall be provided, as necessary.

Views are summarised below:-

- Highway Safety Concerns:
 - o Increased traffic
 - o Hall Street and Cordell Road noted specifically as location of concern
 - o Roads supposedly already note adequate for existing traffic, let alone increase volumes
- Long Melford School does not have sufficient infrastructure (both building size and increased staff) to cope with increased population
- As above but with Long Melford GP
- Flood Issues (the site is supposedly prone to flooding)
- Impact on ecology (specific mention of skylarks, foxes, hedgehogs, deer and pheasants that are supposedly prominent on the site).
- Belief that the village does not require further expansion.
- Not enough shops or facilities in the village

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

DC/18/00606 Appeal made by Gladman Developments Appeal Reference:/D3505/W/18/3214377 – Appeal Granted on 1 April 20202

REF: DC/18/00606 Outline Planning Application (Means of access to be considered) - Erection of up to 150 dwellings with public open space, landscaping, sustainable drainage system and a vehicular access point. **DECISION:** FTD (Failed to determine in timescale) 13.11.2018

REF: DC/17/06230 Change of use of land for the keeping of horses. Erection of a stable building and field shelter. Creation of hard standing area, informal gravelled parking area, timber post and rail fencing and access track. **DECISION:** WDN 20.03.2018

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

1.1 The application site comprises 8.23ha of (Grade 2) agricultural land located to the southeast of Long Melford. The subject land adjoins the existing built-up area of the village. Long Melford is

designated as a Core Village in the Babergh Core Strategy 2008 and remains designated as a Core Village going forward in the Emerging Draft Joint Local Plan.

- 1.2 Melford Walk Local Nature Reserve is located immediately to the west connecting to Water Lane to the north. Agricultural land is located to the north, south and east. Existing residential properties bound the south-western corner of the site.
- 1.3 The site is not in a Conservation Area, Special Area of Conservation or Special Landscape Area. The Stour Valley Special Landscape Area is located opposite the site, on the western side of Station Road. The Long Melford Conservation Area is located north of the application site, in the body of the village. South of the site is the Scheduled Monument Roman Villa north-east of Rodbridge House and the Grade II Listed Buildings Rodbridge House and associated barns, accessed via Mills Lane.
- 1.4 A small section of the site's western boundary fronts Station Road. The site is approximately 1200 metres from the centre of the village. A footpath on the western side of Station Road provides pedestrian connectivity to the village centre. The nearest pair of bus stops to the site are located to the south on Station Road, approximately five minutes' walk, with a third bus stop further to the south.
- 1.5 The site is located in Flood Zone 1 which is designated by the Environment Agency as land having a chance of flooding of less than 1 in 1,000.

2.0 Outline and Appeal History

- 2.1 The original Outline application (ref: DC/18/00606) was submitted by Gladman Developments Limited on 8th February 2018, following a limited period of consultation.
- 2.2 A large volume of objections were submitted to the application, including from local residents, action groups, and Long Melford Parish Council.
- 2.3 Following various additional reports, revisions, and further information being provided, an appeal against non-determination was lodged by Gladman, which formally started on 13th November 2018.
- 2.4 A Committee Report from 12th December 2018 confirmed that Members would have refused the application due to: the proposed significant harm to the open countryside and the rural setting of Long Melford; failure to demonstrate how the proposal responds to a locally identified housing need; and the adverse impact on protected and/or priority species.
- 2.5 Gladman sought to challenge Babergh District Council via the appeal process (ref: APP/D3505/W/18/3214377).
- 2.6 Significant work was undertaken by both the appellant and the Council, with there being considerable 3rd Party involvement throughout the appeal. Unusually, the appeal process also included 2x Rule 6 Parties, notably Long Melford Parish Council, and Save Our Skylark Fields.
- 2.7 On 25th June 2019, the Secretary of State advised all parties that he had 'recovered' the appeal, directing that he was to determine the appeal instead of an Inspector. In this instance, instead of writing a decision, the Inspector will prepare a report and recommendation, which would then be forwarded to the Secretary of State.

- 2.8 A public inquiry was held between 25 June and 2 July 2019, which was led by the Inspector Kenneth Stone. Landscape considerations were a main issue at the appeal.
- 2.9 On 26th September 2019, the Inspector issued a report to the Secretary of State recommending that the appeal be allowed.
- 2.10 On 1st April 2020, the Secretary of State for the Ministry of Housing, Communities, and Local Government granted Outline Planning Permission for '*The erection of up to 150 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Station Road. All matters reserved except means of access.*'
- 2.11 Although the proposed development did not accord with the development plan as a whole, the Secretary of State considered that other material considerations indicated that planning permission should nevertheless be granted, subject to conditions.
- 2.12 It is, therefore, worth noting that although both the appeal Inspector and Secretary of State agreed that changing an agricultural field to a housing development would be an adverse change to the site itself, they both found that, given the site context, the benefits of the proposals outweighed any harms identified.
- 2.13 The end result is an Outline Planning Permission for the site with 24 associated planning conditions and a legal agreement securing matters such as open space, and affordable housing.

3.0 The Proposal (Reserved Matters - appearance, landscaping, layout and scale)

- 3.1 The site comprises approximately 8 hectares of predominantly agricultural land set across two field parcels adjacent to and east of Station Road.
- 3.2 Outline planning permission was established under reference DC/18/0060 and therefore the Reserved Matters seek approval of the appearance, landscaping, layout and scale of the 150 dwellings (including 53 affordable) together with associated public open space, landscaping and SuDS provision.
- 3.3 The proposal would provide a mixture of one and four-bedroom houses. The proposed dwellings are predominantly two-storey in height; however, 14 bungalows are also proposed as part of the housing mix.
- 3.4 The proposed dwellings would all meet Nationally Described Space Standards (NDSS) as set out within the submitted House Type Booklet (Parts 1 and 2). The detailed breakdown of unit sizes is as follows:

Accommodation Schedule				
Site: Station Road, Long Melford				
Drawing No.		Rev.	Date: 09.04.21	
DEVELOPMENT BRAND: Bloor Homes				
Open Market Housing				
Ref.		No. Beds	Storey	No.
BAC	BACTON	2B	2	18
BOO	BOOKER	3B	1	6
LYF	LYFORD	3B	2	3
KAN	KANE	3B	2	8
HUX	HUXLEY	3B	2	6
WEL	WELFORD	3B	2	5
HOP	HOPKINS	4B	2	10
HUL	HULFORD	4B	2	4
WYN	WYNYARD	4B	2	15
GWY	GWYNN	4B	2	8
PLO	PLOMER	4B	2	9
LIST	LISTER	4B	2	5
TOTAL:				97

- 3.5 The proposed tenure split would be 72% (38 dwellings) affordable rent and 28% (15 dwellings) for shared ownership.

Affordable Housing		Actual %	35.3	
Ref.		No. Beds	Storey	No.
RENTED ●				
STY GF	STYLES - M4(cat 2)	1B	2	2
STY FF	STYLES - M4(cat 1)	1B	2	2
SQU GF	SQUIRE - M4(cat 2)	2B	2	2
SQU FF	SQUIRE - M4(cat 1)	2B	2	2
TESS	TESSIMOND - M4(cat 2)	2B	1	4
SAN	SANSOM - M4(cat 2)	2B	2	20
SUT	SUTHERLAND - M4(cat 2)	3B	2	5
SOT	SOTHEBY - M4(cat 2)	3B	2	1
SHARED ●				
TESS	TESSIMOND - M4(cat 1)	2B	1	4
SAN	SANSOM - M4(cat 1)	2B	2	8
SUT	SUTHERLAND - M4(cat 1)	3B	2	3
TOTAL:				53

- 3.6 The proposed layout follows the principles set out within the outline with outward facing frontages across both the areas of open space and attenuation areas.
- 3.7 A parcel of land to the west of the site, near the site entrance, is to be allocated for the delivery of an Early Years Facility as per the requirements of Suffolk County Council and the agreed legal undertaking. This education facility is to be delivered by Suffolk County Council and is therefore outside the scope of this Reserved Matters application save for the land being made available as demonstrated on the submitted plans.

4.0 The Principle Of Development

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

- 4.2 It is therefore the starting point for the Council when determining planning applications and so we must first consider the application in the light of relevant Development Plan policies.
- 4.3 Irrespective of this, the principle of development for up to 150 residential dwellings on this site has already been established by the planning permission granted (at appeal) under application reference DC/18/00606.

5.0 Nearby Services and Connections Assessment Of Proposal

- 5.1 Paragraph 79 of the NPPF (2018) seeks to promote sustainable development in rural areas advising that 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.
- 5.2 The site abuts the BUAB and is well linked to existing facilities and services in Long Melford by an established public footpath network. There are nearby bus stops providing access to the primary bus service - Bury St Edmunds to Colchester via Sudbury. It provides two services throughout the morning peak, seven services throughout the afternoon peak and one service per hour throughout the inter peak period. The service also runs every hour on Saturdays.
- 5.3 Long Melford is considered a sustainable location for development. There are numerous amenities within a 10-to-15-minute walk of the site, including Long Melford C of E Primary School, veterinary practice, library, St Catherine’s Church and Co-op food store to name but a few.

6.0 Site Access, Parking And Highway Safety Considerations

- 6.1 Vehicular access would be from Station Road as previously approved under Outline planning permission DC/18/00606. The proposed ‘T’ junction access is designed to meet the highway requirements of the Highway Authority and there will be no detriment to safety and minimal effect on capacity on the highway network, noting the Highway Authority raises no objection to the scheme subject to conditions.

6.2 Parking for the proposed dwellings would be provided to the required Suffolk Parking Guidance, the triple parking on the adopted roads is for the proposed 3-bedroom dwellings and is considered acceptable by the SCC Highway Authority.

6.3 There are two public footpaths (FP2 and FP42) which run through the site; one along the north-western boundary and another that runs across the site close towards the entrance. SCC Public Rights of Way have no objection to the proposal.

7.0 Design And Layout [Impact On Street Scene]

7.1 Paragraph 124 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development. The aforementioned design policies are considered to be consistent with the NPPF.

7.2 The site has been split into three character areas: Main Street, The Squares and Green Edge. Each of these areas differs with its density and building form, materials, boundary treatments and landscaping.

7.3 The Main Street forms the spine of the development, with a more formal arrangement in order to create a continuous built form, predominantly semi-detached units with a few detached units.

7.4 The Squares creates formal focal squares throughout the development and ensures a sense of place is created. These areas are landscaped to create focal points together with hard paved squares with bollards and tree planting to soften the visual impact. The materials in this area would be purely red brick and artificial slate roof in order to define these areas from the surrounding Main Street areas.

7.5 The Green Edge is landscape driven and located on the outskirts of the site, it transitions the outskirts of the proposed development to areas of open space and the wider countryside. The dwellings within these locations are predominantly large, detached units.

7.6 Within the large new open space on the western side of the site, it is proposed to place a drainage basin that will deliver a SuDS drainage solution as well as the potential for habitats.

7.7 The proposed layout is considered to make a positive contribution to the overall village-scape and represents a step forward in the quality of design being achieved within our villages.

7.8 The 150 dwellings are easily accommodated on site and do not represent overdevelopment. The proposed development would have a net density of 30.18 dph which is considered to be acceptable.

7.9 The proposal provides good private amenity space (gardens), adequate parking, generous open space, good urban design and connectivity within the site and to the wider surrounding area. Back-to-back distances across the site range from between 20 metres to approximately 24 metres. The scale of development is acceptable.

7.10 The scheme is delivering 100% NDSS accommodation across the entire development. This is welcomed in terms of delivering a good quality place.

7.11 All properties have their own gardens of a satisfactory size to provide space for sitting out, the drying of clothes, and children's play (notwithstanding the proximity and connectivity to local play space, open space and public footpaths out of the site).

- 7.12 The proposed mix of house types is considered acceptable. The applicant is proposing to provide a mix of materials that include those from a more traditional vernacular palette in visually sensitive locations. The proposed development would use a wide range of materials and each character area would consist of specific sets of materials to create the three main character areas. Within the mix of materials is clay red multi-stock bricks and the artificial slate 'Marley Cedral Blue/Black Rivendale.'
- 7.13 A parcel of land to the west of the site, near the site entrance is to be allocated for the delivery of an Early Year's Facility as per the requirements of Suffolk County Council and the agreed legal undertaking. This education facility is to be delivered by Suffolk County Council and is therefore outside the scope of this Reserved Matters application save for the land being made available as indicated.

8.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 8.1 The NPPF provides that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 8.2 The NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 8.3 The proposal benefits from a number of areas of open space including an attenuation basin and wildflower meadows. A buffer is to be provided around the site to soften the impact of the proposal on the wider countryside, it will also provide for footpath and cycle links around the site.
- 8.4 The proposed planting palette will deliver a good variety of species to provide interest all year round and to enhance biodiversity; in particular, the mixed native hedgerows and hedgerow trees proposed to the site boundaries.
- 8.5 The proposed landscaping elements are considered to soften the overall impact the development would have on the wider countryside.

9.0 Land Contamination, Flood Risk, Drainage and Waste

- 9.1 The application is supported by a Land Contamination Assessment. Environmental Health raise no objection.
- 9.2 SCC Floods raise no objection to the Reserved Matter Application.

10.0 Impact On Residential Amenity

- 10.1 Paragraph 127 of the NPPF 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.

- 10.2 The proposed layout is such that the proposed dwellings are well-separated from the existing properties which lie either adjacent or in close proximity.
- 10.3 Given the intervening public spaces, separation distances and the layout, the proposal is not considered to result in harm to residential amenity to consider refusal in this regard.
- 10.4 The proposal is not considered to cause unacceptable harm to existing neighbouring residential amenity, or to result in such unacceptable levels of privacy and amenity to the proposed dwellings as to consider refusal in this respect.
- 10.5 There is potential impact on neighbouring properties during construction, a construction management condition has been imposed (Condition 9 on the Outline permission), to ensure that the working hours, demolition and construction methods, parking storage and so on are controlled to provide protection to residential amenity. This includes phasing of the development to ensure that the impacts of the construction are limited wherever possible.

11.0 Planning Obligations / CIL

- 11.1 This Reserved Matters application does not generate the requirement for a new S106 Agreement because the obligations which have been secured under Outline planning permission (DC/18/00606) are not altered by the approval of this Reserved Matters application.
- 11.2 The proposed early years site is subject to the legal agreement dated 2 July 2019 and is to be transferred to Suffolk County Council. Additional information has been provided with regards to the serving of the site and the proposed dimensions. Subject to the early years site fully complying with the details set out in the submitted application plans and details, together with the information provided in the emails dated 16th June 2021 and 22nd June 2021, the early years site will be acceptable regarding its location, dimensions and servicing.

12.0 Parish Council Comments

- 12.1 The Developer (Bloor Homes) has worked closely with the Parish Council to ensure that the proposed development satisfies as many of the Parish Council's concerns as possible. The Parish Council on the whole supports the proposal.
- 12.2 A number of concerns/requests raised by the Parish Council relate to the previously agreed and completed S106, given the nature of the s106 and the proposal before Members today, whilst their comments are noted, it is not considered prudent to alter the existing S106 Agreement.

13.0 Discharge of Conditions (on outline application DC/18/00606)

13.1 Whilst these are normally a delegated matter the applicant has chosen to submit the details for conditions 5, 7, 9, 10, 11, 13, 16, 21, 22 and 24 with the Reserved Matters application, rather than separately, and so consideration of these is included in this report.

- **Condition 5: Open Market Housing Mix**

The Strategic Housing Team have analysed the submitted plan and tenure mix and consider that the details are acceptable and therefore can be discharged.

Officer recommendation: Discharge the condition

- **Condition 7: Biodiversity Enhancement Strategy for Protected and Priority Species**

Place Services Ecology have been consulted and require a Biodiversity Net Gain Assessment using the Defra Biodiversity Metrics 2.0 (or any successor) to be undertaken by the applicant's ecologist prior to the discharge of condition 7 and inform the soft landscaping plans.

Officer comment: Further information is to be provided prior to discharge

- **Condition 9: Construction Management Plan**

Environmental Health note that applicant has submitted a CMP titled Construction Environmental Management Plan, produced by RSK. Environmental Protection are satisfied that the wider plan to deal with dust, noise and lighting is satisfactory, with the exception of the proposed Start time of 07:30 Monday to Friday for audible works. Due to proximity of the site to existing residential on a quiet edge of a rural settlement our recommended start times for audible works are 08:00 hours Monday to Friday with the same finished times as stated in the CMP. The CMP needs to be amended to reflect this before this condition can be discharged. Further information is required.

Officer comment: Further information is to be provided prior to discharge

- **Condition 10: Construction Environmental Management Plan**

Further information is required to be outlined within the Construction Environmental Management Plan (RSK Environment Ltd., April 2021), prior to the discharge of condition 10.

Officer comment: Further information is to be provided prior to discharge

- **Condition 11: Construction Surface Water Management Plan**

Suffolk County Council as Lead Local Flood Authority have reviewed the information submitted to discharge conditions 11 & 16 and recommend approval to discharge conditions. The details submitted are therefore acceptable and can be discharged.

Officer recommendation: Discharge the condition

- **Condition 13: Noise and Vibration Protection Scheme**

With regards to the above application, it is noted that the proposed construction hours in section 4 of the CEMP remain the same. I therefore refer back to my comments regarding audible works dated 11th May 2021.

Environmental Health note that applicant has submitted a CMP titled Construction Environmental Management Plan, produced by RSK. Environmental Protection are satisfied that the wider plan to deal with dust, noise and lighting is satisfactory, with the exception of the proposed Start time of 07:30 Monday to Friday for audible works. Due to proximity of the site to existing residential on a quiet edge of a rural settlement our recommended start times for audible works are 08:00 hours Monday to Friday with the same finished times as stated in the CMP. The CMP needs to be amended to reflect this before this condition can be discharged. Further information is required.

Officer comment: Further information is to be provided prior to discharge

- **Condition 16: Surface Water Drainage**

Suffolk County Council as Lead Local Flood Authority have reviewed the information submitted to discharge conditions 11 & 16 and recommend approval to discharge conditions. The details submitted are therefore acceptable and can be discharged.

Officer recommendation: Discharge the condition

- **Condition 21: Energy Assessment**

Environmental Health – Sustainability note that the information contained in the documents committing to a predicted 10.08% reduction over Part L 2013 complies with the Planning Inspectors requirement. Therefore this condition is discharged.

Officer recommendation: Discharge the condition

- **Condition 22: Archaeological WSI**

SCC Archaeology Services advise that archaeological condition 22 can be discharged on the basis of the archaeological excavation WSI submitted by the applicant.

Officer recommendation: Discharge the condition

- **Condition 24: Scheme to Direct Existing High Voltage Overhead Lines**

The details shown on Drawing No. PA632/655 are acceptable and can be discharged.

Officer recommendation: Discharge the condition

PART FOUR – CONCLUSION

14.0 Planning Balance and Conclusion

- 14.1 The principle of development has already been established by the existing outline DC/18/00606.
- 14.2 The proposed scheme has been sensitively designed and is considered to be of a scale and character that will sit comfortably within the context of the wider village and is in itself considered sustainable.
- 14.3 It is therefore considered appropriate in planning terms.
- 14.4 The details submitted pursuant to conditions 5, 11, 16, 21, 22 and 24 are acceptable and can be discharged.
- 14.5 The details submitted pursuant to conditions 7, 9, 10 and 13, require further information to be provided prior to their discharge or alternatively a refusal to discharge these conditions should be issued. Given that the additional information required can be readily obtained it is considered reasonable and practicable to seek the additional information and ensure that all statutory consultees are happy with the information provided prior to discharging these. Discharge of these conditions has already been delegated to Officers, so it is advised that Members should allow for the Chief Planning Officer to discharge the aforementioned conditions without the need for these to be presented to Members again once the required information is submitted.
-

RECOMMENDATION

(1) That the Chief Planning Officer be authorised to APPROVE the Reserved Matters as described subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation of scheme)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Level access to enable wheelchair access for all dwellings/buildings.
- Estate Roads Design Condition: Before the development is commenced, details of the estate roads and footways shall be submitted to and approved in writing by the Local Planning Authority.

That the following conditions be discharged on the basis of submitted supporting material (noting that this matter has already been delegated to Officers)

Condition 5: Open Market Housing Mix

Condition 11: Construction Surface Water Management Plan

Condition 16: Surface Water Drainage

Condition 21: Energy Assessment

Condition 22: Archaeological WSI

Condition 24: Scheme to Direct Existing High Voltage Overhead Lines

(3)The Chief Planning Officer be given delegated authority to discharge (individually or collectively) the following conditions ((noting that this matter has already been delegated to Officers)

Condition 7: Biodiversity Enhancement Strategy for Protected and Priority Species

Condition 9: Construction Management Plan

Condition 10: Construction Environmental Management Plan

Condition 13: Noise and Vibration Protection Scheme

Upon the receipt of additional information as required where the Chief Planning Officer is satisfied that the proposed details are appropriate

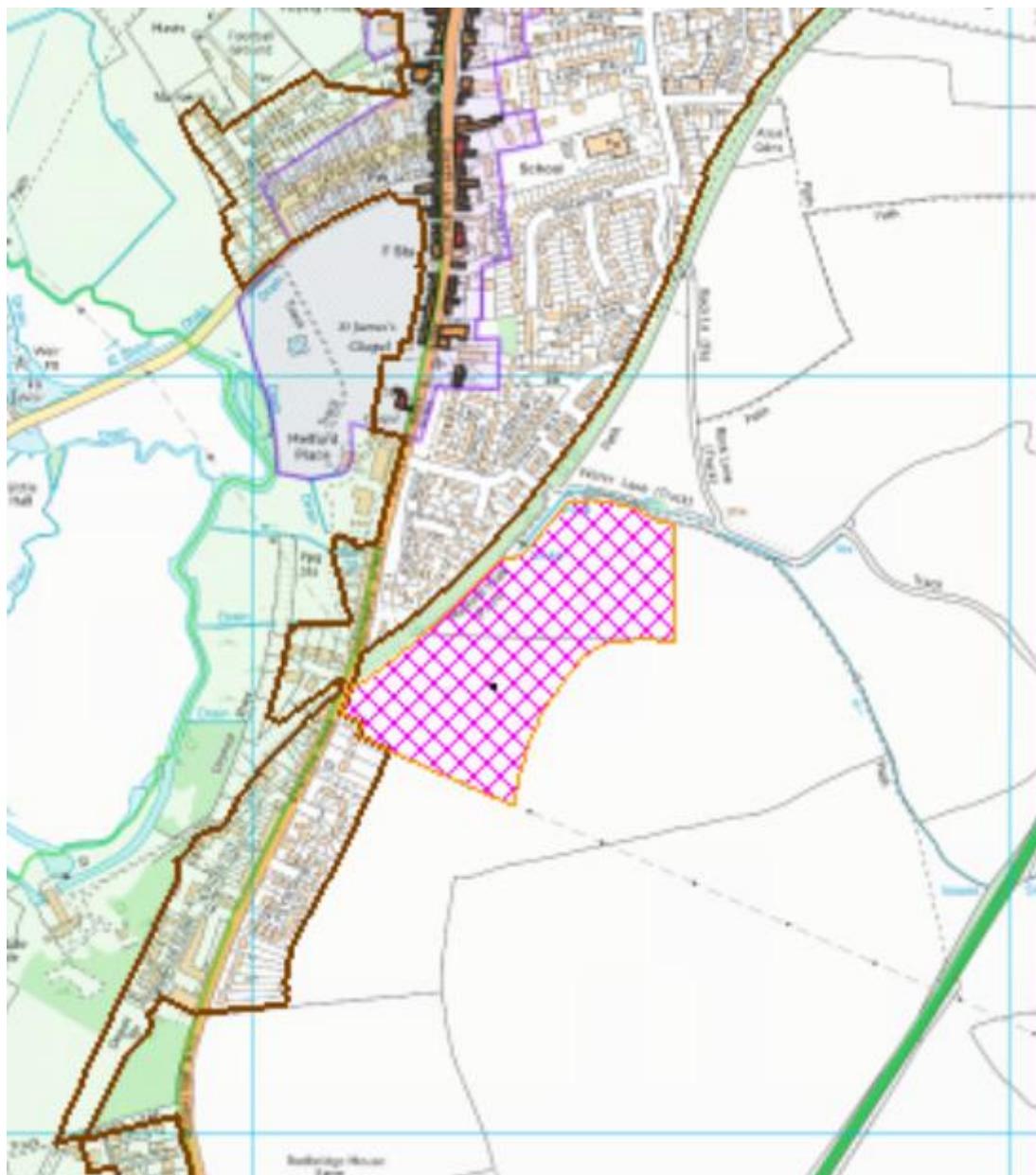
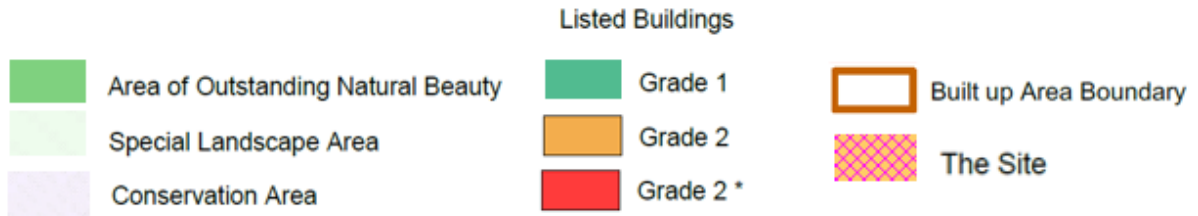
(4) And the following informative notes as summarised and those as may be deemed necessary:

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles.

Application No: DC/21/02319

Parish: Long Melford

Location: Land East of Station Road



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