

Committee Report

Item No: 1

Reference: DC/18/04966

Case Officer: Gemma Pannell

Ward: Hadleigh North

Ward Member: Cllr Tina Campbell and Cllr Siân Dawson

RECOMMENDATION – GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Description of Development

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

Location

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

Parish: Hadleigh

Expiry Date: 31.05.2019

Application Type: Full Planning Permission

Development Type: Major

Applicant: Babergh District Council

Agent: Lawson Planning Partnership Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

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

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework 2019

Babergh Core Strategy 2014:

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

Saved Policies in the Babergh Local Plan (2006):

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

Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2015)

Planning History

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

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

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

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

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

Amended Plans

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

Arup Building – Listing Application

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

Consultations and Representations

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

A: Summary of Consultations

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

Place Services – Heritage

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

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

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

Designated Heritage Assets relevant to this application include:

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

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

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

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

The Hadleigh Conservation Area

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

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

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

Areas which require consideration include:

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

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

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

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

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

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

All new windows, doors in existing buildings.

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

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

All materials/fixtures to new build elements.

Further details pertaining to landscaping and public realm.

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

Historic England

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

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

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

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

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

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

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

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

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

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

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

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

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

Recommendation

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

Hadleigh Society

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

Suffolk Preservation Society

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

Twentieth Century Society

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

SCC Strategic Development

Contributions required as follows:

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

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

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

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

Environment Agency – Contamination

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

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

Phase 2 Site Investigation

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

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

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

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

Detailed Quantitative Risk Assessment

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

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

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

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

Remediation Strategy

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

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

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

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

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

Surface Water Management

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

Anglian Water

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

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

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

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

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

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

SCC - PROW Officer

No objection.

SCC Archaeology

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

SCC Fire Officer

No objection.

Place Services - Ecology

No objection subject to securing:

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

Place Services – Landscape

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

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

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

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

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

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

BMSDC Arboricultural Officer

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

BMSDC Environmental Health - Land Contamination

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

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

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

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

BMSDC Environmental Health – Air Quality

No objection.

BMSDC Environmental Health – Noise/Odour/Light

No objection.

BMSDC Economic Development

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

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

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

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

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

BMSDC Sustainability

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

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

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

Sport England

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

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

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

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

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

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

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

Ball Strike Mitigation

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

Management and Maintenance Plan

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

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

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

- reduce the size of any playing pitch

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

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

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

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

NHS

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

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

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

Viability Consultant

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

(ii) February 2019 proposal: AS AMENDED

Hadleigh Town Council

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

Elmsett Parish Council

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

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

SCC Highways

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

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

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

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

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

S106 Contributions

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

Place Services – Heritage

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

Historic England

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

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

Hadleigh Society

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

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

SCC Strategic Development - As per original response.

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

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

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

Environment Agency – Contamination -As per original response.

Anglian Water – comments awaited.

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

SCC - PROW Officer - No objection.

SCC Archaeology - No objection.

SCC Fire Officer - As per original response.

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

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

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

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

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

BMSDC Economic Development - No objection.

BMSDC Sustainability – comments awaited

Sport England - comments awaited

NHS - As per original response.

B: Representations

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

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

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

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

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

2. The Proposal

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

2.2 The 57 dwellings are provided for as follows:

Corks Lane Site:

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

Bridge Street Site:

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

2.3 Additional proposal details include:

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

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

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

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

3. Sustainability of the Proposal

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

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

4. Economic Dimension

Alternative Employment Uses

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

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

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

5. Social Dimension

Affordable Housing

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

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

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

Housing Mix

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

Community Contributions

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

6. Environmental Dimension

Heritage Character

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

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

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

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

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

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

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

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

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

Demolition – Bridge House

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

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

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

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

Demolition – Arup Building

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

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

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

Contemporary Additions

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

Corks Lane Bin Store

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

Greensward Car Parking

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

New Build Terrace Blocks

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

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

Landscape Character

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

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

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

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

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

Arboricultural Impacts

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

Hadleigh Cricket Ground Interface

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

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

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

Vehicle Access and Parking Provision

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

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

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

Residential Amenity

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

Biodiversity

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

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

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

Flood Risk and Drainage

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

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

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

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

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

Sequential Test

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

Exception Test

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

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

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

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

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

Contamination

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

Sustainable Construction Measures

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

Delivery considerations and relationship to land supply aspects

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

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

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

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

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

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

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

and:

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

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

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

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

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

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

and:

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

Thirdly, factors that should be considered when assessing achievability:

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

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

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

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

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

Assessment – Deliverability:

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

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

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

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

Conclusion – Delivery and housing land supply:

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

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

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

PART FOUR – CONCLUSION

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

- 7.1 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
- 7.2 Council Officers have worked with the applicant through the life of the application.

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

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

9. Planning Balance

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

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

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

RECOMMENDATION

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

(a) RAMS ecological contribution;

(b) Demountable sports fencing to mitigate the impact of cricket ball strike on the residential units.

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

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

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

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