

## **Committee Report**

**Item No: 6B**

**Reference: DC/20/05137**

**Case Officer: Jamie Martin-Edwards**

**Ward: Hadleigh South.**

**Ward Member/s: Cllr Kathryn Grandon. Cllr Mick Fraser.**

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## **RECOMMENDATION – REFUSE PLANNING PERMISSION**

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### **Description of Development**

Outline Planning Application. (Access and Landscaping to be considered) Employment land for use as Class E Business buildings up to 1900m<sup>2</sup> and Classes B2 and B8 buildings up to 4200m<sup>2</sup>

Note:

Whilst the applicant has described the total level of floorspace being proposed as 6,100sq.m. Members are advised that if they are minded to grant planning permission and they have considered the merits of the proposed development based on a ceiling of 6,100sq.m. then the floorspace ceiling should be conditioned. This will ensure that there is no confusion later and that the implications of additional floorspace and the principle can be properly addressed via a new application.

### **Location**

Land At Cobbolds Farm, Ipswich Road, Hadleigh, Ipswich Suffolk IP7 6BG

**Expiry Date: 31/08/2021**

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

**Development Type: Major Large Scale - Manu/Ind/Storg/Wareh**

**Applicant: Mr Philip Munson**

**Agent: Mr L Short**

**Parish: Hadleigh**

**Site Area: 2.33 hectares**

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

Has the application been subject to Pre-Application Advice: Yes DC/20/03006

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE, PREVIOUS COMMITTEE AND APPLICATION HISTORY**

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The application is referred to committee for the following reason:

The application is contrary to policy.

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CLASSIFICATION: Official

## **Background**

DC/20/05137 was initially presented at committee on the on 16<sup>th</sup> of June 2021. The application was deferred in order for the Chief Planning Officer to arrange a Member site visit. A Member site visit was subsequently carried out on Wednesday 4<sup>th</sup> August 2021 and the application brought back to Committee on 11<sup>th</sup> August 2021.

The application was initially linked to a land swap Planning application (DC/20/04615) which was seeking housing on an employment site at Lady Lane, Hadleigh.

Application DC/20/04615 was refused at the Planning Committee of 11<sup>th</sup> August 2021. No appeal is shown as being lodged against this refusal. Therefore, any argument regarding “replacing lost employment land” is null and void.

The official minutes of the meeting of 11<sup>th</sup> August 2021 with regard to DC/20/05137 (this application) record: ‘That the application be DEFERRED. That Members are minded to grant Planning Permission subject to Officers reviewing and advising on policy CS2 issues and any risk issues arising together with any conditions and reasons that may be recommended’.

The below report has an updated Principle of Development section dealing with the planning policy context in greater detail and incorporating a section relating to risk.

It is explained that the proposal is against policy, that there is no compelling case to approve it against policy and that the risk of granting approval would be to undermine the Development Plan. There is also a danger of inconsistency in the context of a recently refused application with many similarities.

The recommendation, therefore, remains one of refusal.

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

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### **Summary of Policies**

Relevant to the assessment of this application the adopted Development Plan for Babergh District Council comprises the Babergh Local Plan (Alteration no. 2) 2006 and the Babergh Core Strategy 2014.

Note, Hadleigh has had a Neighbourhood Development Plan in progress since 2015. This is given no weight.

The following are considered the most relevant to the determination of this proposal:

#### **Babergh Local Plan (Alteration No.2) 2006:**

CN01 - Design Standards  
CN04 - Design & Crime Prevention  
EN22 - Light Pollution - Outdoor Lighting  
CR07 - Landscaping Schemes  
CR08 - Hedgerows  
TP15 - Parking Standards - New Development

EM01 - General Employment  
EM02 - General Employment Areas  
EM08 - Warehousing, Storage and Distribution  
EM20 - Expansion/Extension of Existing Employment Uses  
EM24 - Retention of Existing Employment Sites

#### Babergh Core Strategy 2014

CS1 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS2 - Settlement Pattern Policy  
CS3 - Strategy for Growth and Development  
CS15 - Implementing Sustainable Development  
CS16 - Town, Village and Local Centres  
CS17 – The Rural Economy  
CS21 – Infrastructure Provision

#### Draft Joint Local Plan Submission Document. 2021 [Reg 22]

The examination of the JLP has progressed, with an Exploratory Meeting with the Planning Inspectorate on 16th December 2021 considering progressing with the plan in two parts. Part 1 would set the housing requirement for the districts and provide an up-to-date development plan, but specific sites would be allocated in Part 2. For the avoidance of doubt Members are advised to place no determinative weight on the JLP, particularly given the consideration of site allocations now in Part 2 of the plan.

Therefore, The starting point for the determination of the application remains the current development plan, in accordance with the S38(6) duty under the Planning and Compulsory Purchase Act 2006, and material planning considerations including the National Planning Policy Framework (NPPF)

The NPPF contains the Government's planning policies for England and sets out how these are expected to be applied.

Particularly relevant chapters of the NPPF include:

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision Making

Chapter 6: Building a Strong, Competitive Economy

Chapter 12: Achieving Well-Designed Places

Chapter 15: Conserving and Enhancing the Natural Environment

#### The Planning Practice Guidance (PPG)

The national Planning Practice Guidance (PPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

#### Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan for Hadleigh is currently at Stage 1: Designated neighbourhood area.

Accordingly, the Neighbourhood Plan has no weight as no draft policies or plan have been released publicly.

### Other Considerations

BMSDC 'Open for Business' Economic Strategy 2018

Suffolk County Council- Suffolk's Guidance for Parking (2014 updated 2019)

### Consultations and Representations

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

#### A: Summary of Consultations

##### Town/Parish Council

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

Concerns with; drainage, lighting, ribbon development in countryside, poor transport links, visually intrusive. Contrary to CS15. Support the comments of Hadleigh Society.

###### **Chattisham and Hintlesham Parish Council**

Chattisham & Hintlesham Parish Council Object to this planning application on the following grounds:-  
- Increased traffic levels on an already busy road A1071 - Environmental impact - noise & light pollution -  
- Industrialisation of a rural setting - Increase in class to B2 from B1 and Class E retail.

###### **Aldham Parish Council**

Concerns with light pollution and ribbon development in countryside along the A1071. Opposite Wolves Wood RSPB reserve.

##### National Consultee

###### **Natural England**

Potential significant effects on Hintlesham Woods Site of Special Scientific Interest. Further information required in order to determine the significance of these impacts and the scope for mitigation. This includes:

- Initial screening for air quality impacts prior to determination, the conclusion of which may require further surveys.
- Wildlife Sensitive Lighting Design Scheme
- A construction Sensitive Management Plan (CEMP)

###### **Natural England – updated as of 22/04/2022**

No objection, subject to appropriate mitigation being secure

We consider that without appropriate mitigation the application would damage or destroy the interest features for which Hintlesham Woods Site of Special Scientific Interest has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- A Wildlife Sensitive Lighting Design Scheme
- A Construction Environmental Management Plan (CEMP)
- A condition which limits the hours, volume and nature of noise following construction

## **RSPB**

Subject to securing the recommend mitigation and compensation measure within the submitted Ecology report there will be 'no measurable ecological impact'. Support for the proposed biodiversity enhancements to achieve net gains. All mitigation, compensation, and enhancements to be conditioned. Additional suggestions include:

- Suitable nesting and feeding habitat for Turtle Dove
- Native hedgerow planning to include a high proportion of thorny species and mixture of clematis and honeysuckle at regular intervals.
- Where possible hedgerows should grow and maintained to 3m tall and 4m wide.

## **Suffolk Wildlife Trust**

Request that the recommendations made within the ecology report are implemented in full, via a condition of planning consent, should permission be granted. We also note that the Ecology Report states that a Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Scheme are required for this development. We recommend that these are secured as a condition of planning consent, should permission be granted

## **Water Management Alliance**

No comments to make.

## **County Council Responses**

### **SCC Archaeology**

In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. No objection to the development and do not believe any archaeological mitigation is required.

### **SCC Travel Plan**

Comments included within Suffolk highways response.

### **SCC Public Rights of Way**

The proposed site does contain a public right of way (PROW): FP25 Hadleigh. We object to this proposal on the basis that, while FP25 is shown on the Applicant's Structural Landscaping Masterplan, unfortunately it is not depicted on the legally definitive route.

### **SCC Police**

As the proposed development area comprises open land, historically it is a low crime area. However, a number of criminal offences have been recorded around the surrounding area, (see para 10). It is noted that an established right of way will go through the main site, so it would be preferred to know more about how that will integrate with the site from a security point of view? It is good to see that the perimeter between the two sites will comprise defensive vegetation, which is always recommended by police to deter the risk of unauthorised intrusion. It would be preferred if the whole perimeter could comprise defensive vegetation, backed up with good quality fencing.

### **Highways**

It is unclear from the information provided, what the applicant's plans are for Public Rights of Way Footpath 25 which is within the site.

The Travel Plan (dated October 2020) that was submitted as part of the planning application does identify some suitable measures to encourage sustainable and active travel to the site, like the provision of showers, lockers and changing facilities to encourage walking and cycling, and a minibus to transport staff from Hadleigh to the site. However, due to the location of the development encouraging travel by

sustainable modes of transport through a Travel Plan will be difficult for the occupier, as there are currently no surfaced walking and cycling links linking Hadleigh to the site and the times and frequencies of the existing bus services may not be suitable for all employees.

There have been 3 injury accidents in the past 5 years on A1071 in the immediate area of the site. The accident data supplied within the Transport Assessment confirms that there are no significant highway safety concerns. Taking all the above into account, it is our opinion that this development achieve would not necessarily provide safe and suitable access to the site for all users (NPPF Para 108). However, it would not have a severe impact on the road network (NPPF para 109) therefore we do not object to the proposal. Subject to conditions.

### **SCC Flood and Water Management**

The reason why we are recommending a holding objection is because whilst the applicant has evaluated the predicted flood risk and has presented a viable strategy for the disposal of surface water, the LLFA need assurance that the applicant has the right of has acquired the rights to discharge surface water in perpetuity.

### **SCC Flood and Water Management**

In providing detail that the applicant owns the land which the water will discharge into, no objection, subject to conditions.

### **Suffolk Fire and Rescue Service**

Recommends sprinkler system. Fire Hydrant conditions required.

## **Internal Consultee Responses**

### **Economic Development**

Supports new business units. Whilst recognising that this is an outline application only, it may be helpful if further clarity on the proposed use, occupancy and anticipated employment levels could be provided, addressing any concerns regarding surety of delivery and clarifying the level of speculative development included in this application.

### **The Hadleigh Society**

The proposal is contrary to policy CS15 as it demonstrates ;-

1. That the scale of built development proposed represents an overdevelopment of the site resulting in detriment to the local landscape and countryside character.
2. It creates a cramped unpleasant built environment not conducive to promoting healthy living and working conditions.
3. It fails to minimise the need to travel by car thus adversely affecting sustainability, the local air quality and is not accessible to people of all abilities including those with mobility impairments.
4. There is a lack of detailed information demonstrating satisfactory and safe disposal of surface and foul water.

Overall the proposed scheme completely fails to make a positive contribution to the local character of the area, and although the applicant pleads exceptional reasons for approval the scheme as submitted fails to

demonstrate provision of a quality development deserving for an exceptional approval in this rural area of Hadleigh.

### **Public Realm**

No comments as there is only landscaping associated with this business park and no publicly accessible open space.

### **Place Services – Ecology**

No objection subject to securing ecological mitigation and enhancement measures.

### **Environmental Health – Sustainability**

No Objection subject to conditions.

### **Environmental Health Land Contamination**

No objection.

### **Environmental Health Air Quality**

No objection

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

Unknown harm to residential dwelling adjacent to site. Conditions relating to construction hours, lighting, Construction management plan and no burning on site.

### **Heritage Team**

The Heritage Team have no comments to make on the above application.

### **B: Representations**

At the time of writing this report no letters/emails/online comments have been received. A verbal update shall be provided as necessary.

### **PLANNING HISTORY**

**REF:** DC/20/03712

Screening Opinion - Proposed development for the use of 2.33ha of developable land for a business park comprising uses within class B1, B2 and B8 of the Use Classes Order 1987 (as amended), (Class E for the B1 elements after September 1 2020)

**DECISION:** EAN  
23.09.2020

**It is worth noting the relevant planning history of the adjacent site to the west, currently occupied by Beeston's.**

<p>Ref: B/04/01260</p>	<p>Change of use of agricultural land to coach depot. Erection of associated workshop and offices with vehicle parking areas. Construction of new vehicular access and internal access road. Retention of dwelling approved under planning permission S/69/440/H without compliance with Condition 04 (agricultural occupancy) to permit its occupation by staff employed at the coach depot.</p>	<p>Decision: GTD 11.01.2005</p> <p><b>NB:</b> The workshop and offices have not been erected.</p> <p>Conditions restricting use to Coach Depot only imposed, no B2 or B8 use.</p>
<p>Ref: B/11/00428</p>	<p>Erection of double garage with adjoining workshop. As amended by Drawing No. SK01A, received on 5th September 2011, and Drawing No. 4510 10A,</p>	<p>Decision: GTD 16.08.2011</p> <p><b>NB:</b> The workshop and offices were not erected.</p> <p>Conditions restricting use to Coach Depot only imposed, no B2 or B8 use.</p>
<p>Ref: B/12/01492</p>	<p>Change of use of agricultural land for extension of existing coach park (inc. spaces for staff and overnight parking for lorries) (Retention of)</p>	<p>Decision: GTD 30.04.2014</p> <p><b>NB:</b> Conditions restricting use to Coach Depot with <b><u>overnight parking for lorries</u></b>, no B2 or B8 use.</p>
<p>Ref: B/15/00981</p>	<p>Erection of extension to existing Coach Depot building; and erection of Coach wash enclosure (following removal of an existing building).</p>	<p>Decision: GTD 14.10.2015</p> <p><b>NB:</b> part implemented. Extension for coach building not implemented, coach was put in its place.</p>

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

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### **1.0 The Site and Surroundings**

- 1.1. The application site consists of a parcel of agricultural land situated approximately 1.9 miles from the centre of Hadleigh and less than a mile from the urban edge of the town. It is in the Countryside for planning purposes and is far removed from the settlement proper, unrelated to the town.
- 1.2. The site is accessed off the A1071, which lies to the north. To the west lies the Beeston's Coaches depot which includes an area for overnight lorry parking, which Kersey Freight currently utilises. The land occupied by Beeston's and Kersey Freight is conditioned for a coach depot only with overnight lorry park and no B2 or B8 use. There is no Class E use on the adjacent site.
- 1.3. The surrounding area is predominantly rural countryside with a large woodland known as Wolves Wood to the north and north east on the opposite side of the A1071.
- 1.4. The site is not the subject of any landscape designations and is not within the setting of listed buildings or a Conservation Area and is relatively unconstrained; however, there is a Public Footpath that runs along the northern boundary of the site.

### **2.0 The Proposal**

- 2.1 Outline planning permission is sought, with all matters reserved - save for access and structural landscaping, for the change of use of land to employment use Class B2, B8 and Class E business. Note the structural landscaping, bunds, have been developed and therefore are retrospective in this proposal.
- 2.2 It is believed to be a speculative application, as the applicant did not initially identify any possible occupiers and has not associated the proposal with adjacent haulage activity. The applicant has subsequently provided email correspondence from two prospective tenants. The first is an MOT business and the second an events company looking for storage space. Both enquiries are dated from the Spring of 2021 and do not contain much in the way of detail. 2.3 The proposal seeks to provide up to 1,900 square metres of Class E (formerly B1) business space and up to 4,200 square metres of Class B2 and B8 buildings (a total of 6,100 square metres).
- 2.4 This leaves layout, scale, appearance and detailed landscaping for resolution at Reserved Matters stage should Outline planning permission be granted. Illustrative plans have been provided to indicate how the development might be brought forward/uses apportioned.
- 2.5 The existing access off the A1071 would be used and would be the singular vehicle access to the site.

**2.6 Land Swap Proposal:** This committee report discards the proposal for a land swap presented at previous committees at the site at Lady Lane. This was an application (DC/20/04615) for residential use on allocated employment land which was refused at Planning Committee for the following reasons:

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

1. The application site is currently allocated employment land in both the Adopted Development Plan and the Emerging Draft Joint Local Plan and has therefore been given strategic employment importance. Whilst the proposal is located in the BUAB and therefore housing could be acceptable in principle there is at present time no overriding need to allow residential dwellings here in order to make up any shortfall in numbers given that Babergh District Council can currently easily demonstrate that it has a 5-year housing land supply.

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

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

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

2.7 Therefore, the proposal to replace the employment land at Lady Lane with the land at Cobbold Farm is no longer an option for justification.

2.8 Notwithstanding this, the report below sets out the material considerations for the Cobbold Farm application, assessed on its own merits, as new employment land.

### **3.0 Principle of Development**

3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the Adopted Development Plan unless material considerations indicate otherwise.

3.2 Relevant to the assessment of this application the Council’s adopted Development Plan comprises the Babergh Core Strategy (2014) and Babergh Local Plan Alteration No.2 (June 2006).

3.3 Despite the planning application describing the site’s existing use as ‘horse grazing’, no equestrian use on the site has been granted. Therefore, the site is currently considered agricultural land.

- 3.4 The site has not been allocated for development purposes for employment use within the current Development Plan (nor the emerging Joint Local Plan). As such, the site is not considered to be appropriate or necessary for development purposes in the context of the planned allocations.
- 3.5 As required by paragraph 219 of the NPPF, the weight attributed to development plan policies should be according to their degree of consistency with the NPPF. According to their degree of consistency with the NPPF, the greater the weight that can be attributed to them.
- 3.6 *Wavendon Properties Ltd v SSHCLG* [2019] EWHC 1524 (Admin) has made it clear that the most important policies should be viewed together and an overall judgement made whether the policies as a whole are out of date.
- 3.7 Taken as a whole, the most important policies in determining this application are CS1, CS2, CS15, CS16, CS17 and CS21 of the Core Strategy and Policies CN01, EM02, EM08 and EM20 of the Local Plan.
- 3.8 The following paragraphs will therefore look at relevant Development Plan policies as its starting point, their consistency with the NPPF and then move on to the Joint Local Plan which currently has limited weight as a material planning consideration.
- 3.9 Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11 of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight.
- 3.10 Policy CS1 states that the Council shall take a positive approach for applications that are sustainable and accord with the policies within the Local Plan.
- 3.11 Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need.
- 3.12 The proposed site falls outside the Built-Up Area Boundary for Hadleigh and is therefore considered a countryside location under Policy CS2. In that case, the policy states that development will only be permitted in exceptional circumstances subject to a proven justifiable need.
- 3.13 The site adjacent contains the Beeston's coach depot site that was granted permission in 2004 under reference B/04/01260. Here, it is recognised that the development exists adjacent to the application site but that development was permitted under a different policy context that pre-dated the current Development Plan. Furthermore, and crucially, the reasons to grant permission are understood to have been an exception at the time.
- 3.14 The unique circumstances in that instance were that the use of Cobbolds Farm as employment land was contrary to policy and was unsustainable, but the proposal would provide an alternative site for Beeston's, who had failed to find a suitable alternative site as a result of permission being granted for residential use at their original site at Long Bessels. The Council took the view at that time that there was a justifiable need to provide an alternative site "thereby safeguarding jobs and an important public transport service should override land and planning use considerations" (B/04/01260).
- 3.15 Clearly, such circumstances do not pertain to the current proposal.

- 3.16 The proposal before us was initially offered as a replacement of allocated employment land at Lady Lane, Hadleigh, in the event that application DC/20/04615 be approved. However, this justification is redundant because DC/20/04615 was refused at Planning Committee on the 11/08/21. Even in the scenario that DC/20/04615 was approved, it is unlikely that an exceptional circumstance and justifiable need can be evidenced for this site because Lady Lane site is vacant and as such there are no existing jobs that would be lost, but rather the loss of future jobs because of the loss of allocated employment land.
- 3.17 A sequential test is a requirement of paragraph 87 of the NPPF when main town uses (Class E, including office) are proposed outside of town centres or edge of centre locations. No specific sequential test has been offered as part of the application submission. That said, the undeveloped land that is an allocated site within the current and emerging Local Plan, at Lady Lane, is within the settlement boundary of Hadleigh and is in a far more sustainable location for accessibility and thus provides evidence that there are other more desirable sites for employment use in Hadleigh. Paragraph 91 of the NPPF is absolutely clear that where an application fails to comply with the sequential test it should be refused.
- 3.18 Policy CS2 has previously been found to be consistent with national policy, forming part of the Core Strategy as a post-2012 NPPF development plan document. It provides a strategy for the distribution of development that is appropriate in recognising local circumstances and its overall strategy remains sound. However, in the absence of an up to date allocations document and settlement boundaries review (which has been absent for several years but has in practice been overtaken by the preparation of the emerging Joint Local Plan) it should be afforded less than full, but still significant weight. That said, the overall strategy of CS2 is appropriate in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity, generally directing new development to sustainable locations. These elements are considered to be consistent with the NPPF and therefore the policy should be given significant weight. Such a consideration is reinforced in this case because the application site is poorly related to the town of Hadleigh and is effectively detached from it.
- 3.19 Paragraphs 84 and 85 of the NPPF look to support a prosperous rural economy. The NPPF does not define 'rural economy'. In the broadest of terms, it shall be considered to mean any business within a rural area. As the application site is outside of (and in effect far removed from) the Hadleigh settlement boundary, the site is considered as countryside. Therefore, as the site is for employment land in the countryside, we can be satisfied that paragraph 84 and 85 of the NPPF do apply.
- 3.20 These paragraphs do not hold the same 'exceptional circumstances' test that CS2 does. They do however offer a list of scenarios in which decision should enable rural economies.
- 3.21 Paragraph 84 states that:
- Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
  - b) the development and diversification of agricultural and other land-based rural businesses

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 3.22 It is noted here that between 2017 and 2019 a stable and equestrian arena was developed, between the site and the A1071. Additionally, Google Maps shows that 'Knowles Equestrian Collection' selling an array of equestrian paraphernalia online, is located within the blue line of the wider site. Again, no planning permission has been granted for this use.
- 3.23 The agent claimed that there is potential interest in the sites proposed B2 and B8 use from Kersey Freight if the scheme were to gain planning permission. There is some evidence of interest in the site from an MOT company and a small events business looking for storage space, both were over a year ago with no evidence of renewed or new enquiries. Such interest does not justify the countryside location proposed in this case.
- 3.24 Kersey Freight currently utilises a conditioned use on the adjacent Beeston's site for overnight lorry parking. There is no permission in place for daytime lorry parking, B2 or B8 use of the site or any other haulage type use. Furthermore, Kersey Freight has an established site on an existing Lady Lane industrial estate in Hadleigh Town. No detail has been submitted to suggest that the Lady Lane site is inadequate or that it cannot be regenerated for growth or expansion for Kersey Freight.
- 3.25 Moreover, Kersey Freight is not the applicant and if, in the scenario that the application was approved, there is no way guaranteeing that Kersey Freight would be the occupiers of the site given the varied nature of uses applied for here.
- 3.26 The proposal is not for the expansion or growth of Beeston's Coach depot or any other business currently using the Beeston's site that may or may not have planning permission. It is a submission by the landowner for a speculative development and therefore the outline application is not for the sustainable growth or expansion of an existing rural business.
- 3.27 Therefore, the Local Planning Authority is satisfied that the proposal does not meet criteria point 84.a) of the NPPF because the proposal does not offer the expansion or growth of a rural business.
- 3.28 Members are reminded of application DC/20/03116 at Cockfield, which was before them on 27<sup>th</sup> April 2022. Whilst each application should be treated on its own merits, this had similarities with the case here. It was in a countryside location, did not seek to "expand" an existing business, but rather was seen as a new development for employment in an unsuitable location. In that instance, the proposed user was known and the application was full.
- 3.29 Members are reminded that the scenario before them now is in outline only and the end-user is not confirmed. This gives no surety and could take some time to occur given the outline nature of the case. It would, therefore, appear inconsistent to approve the proposal at hand in the context of the Cockfield decision.
- 3.30 The application does not seek to develop or diversify agricultural or a land-based business. Nor does it offer rural tourism nor is it the retention and development of **accessible** local services and

community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Therefore, the proposal is contrary to paragraph 84 b), c), and d).

3.31 The site offers none of these and is **not** accessible by any means of transport other than a private car. (The site's accessibility is further assessed in the section 4 below (Sustainability)).

3.32 Paragraph 85 goes on to state that:

*'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.*

3.31 The site is not on previously developed land; it is considered greenfield. The proposal does not seek to meet any robustly identified business or community need. However, even if the proposal did seek to meet the need of a rural business or community, the proposal lacks opportunities for improving the scope for sustainable modes of transport. This is detailed further in the Sustainability section below.

3.32 Therefore, and returning to policy CS2, whilst the NPPF does not offer an exceptional circumstances test for development in the countryside, it does clearly offer criteria for supporting rural business growth and expansion in areas that are either accessible or offer improved accessibility and meet a local business or community need. The proposal does not meet any of these tests and as such is contrary to paragraphs 84 and 85 of the NPPF. This reaffirms that CS2 should be given substantial weight as taking a responsible approach to spatial distribution and requiring the scale and location of new development to take into account local circumstances and infrastructure capacity are traits that is consistent with the NPPF.

3.33 When taking the Development Plan as a whole, these requirements are found more broadly in policies, CS15, CS16, CS17 and CS21 of the Core Strategy and EM02, EM08 and EM20 of the Local Plan and thus consistent with the NPPF and can be afforded full weighting.

3.34 CS11 is not included in this 'basket of policies' as the site is in the countryside and is not for either a Core or Hinterland village.

3.35 Core Strategy Policy CS15 sets out implementing sustainable development, amongst other things, requirements include:

- *respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;*
- *creating jobs and sites to strengthen or diversify the local economy particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes.*

- ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development; and
- seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars) thus improving air quality.

- 3.36 Whilst the proposal would potentially create jobs, there is no guarantee the application, if approved, would be implemented and inadequate justification has been provided for the countryside location proposed. It appears to be a purely speculative proposal.
- 3.37 Furthermore, whilst the Council's Economic Development team are in support of new employment land due to a district need for additional workspace, they also recognise that the speculative nature of the application, with no guarantee of occupancy and anticipated employment levels, would undermine permission for other deliverable sites.
- 3.38 The proposal does not seek to prioritise the use of brownfield land and as such does not make a positive contribution to the local character or existing landscape by way of development of a parcel of agricultural land. The proposal is in the countryside and not well connected as it lacks infrastructure to support active means of travel (cycling and walking). lacks cycles or pedestrian infrastructure.
- 3.39 The application fails to meet important criteria set out under policy CS15 for implementing sustainable development.
- 3.40 Similarly, policy CS16 states that retail, leisure, tourism, cultural and office development, uses captured under Class E, will continue to be focused in Sudbury and Hadleigh. The site is physically disconnected from Hadleigh and is therefore contrary to CS16, and again would undermine the towns vitality contrary to EM02. This would apply even if the application were conditioned to limit the Class E use to office only and it would be completely unacceptable to allow any other town centre use, such as retail, in this location.
- 3.41 Additionally, policy CS17 sets out measures in encouraging and supporting the rural economy. As previously stated, the proposal is for new employment land in the countryside and therefore does not support existing businesses. Furthermore, the proposal does not offer farm diversification, the re-use of redundant buildings, sustainable tourism or leisure-based business, business in renewable energy, community business hub that shares facilities and other innovative rural enterprise, or farm shops. Therefore, the proposal is contrary to policy CS17.
- 3.42 Within the adopted Development Plan, Policy EM02 states:
- “On the sites identified as General Employment Areas and new employment allocations, [...] planning permission will be granted for employment related development in principle. This will include the relocation of existing businesses from residential areas where these would be better located alongside other employment generating activities. Exceptions to this policy will include proposals likely to have an adverse impact on town (or village) centre vitality and viability. Proposals able to demonstrate a positive effect on town (or village) centre vitality and viability will be permitted.”*

- 3.43 The application site does not fall within a defined general employment area as set out within policy EM02 therefore the application cannot benefit from any support from this policy and is assessed in the context of other policies.
- 3.44 It is also important to recognise here that putting Class E use on the proposed site would take a use that is synonymous with town centres (i.e. office use, were the permission to be so conditioned), out of Hadleigh. This would have an adverse impact on the town centre vitality and viability contrary to EM02.
- 3.45 Local Plan Policy EM08 states:
- “Proposals for warehousing, storage and distribution will be permitted at General Employment Areas and new employment allocations, subject to the acceptability of the location and characteristics of these sites. Proposals that take up an excessive amount of land, or are more appropriately located elsewhere, for example at ports or closer to trunk roads, will be refused.”*
- 3.46 Local Plan Policy EM20 states:
- “Proposals for the expansion/extension of an existing employment use, site or premises will be permitted, provided there is no material conflict with residential and environmental amenity or highway safety”.*
- 3.47 These is the same tests required by paragraph of 84a) of the NPPF and as stated above, this is not for the expansion of growth of a specific business but rather new employment land speculatively in the countryside.
- 3.48 Policies EM02, EM08 and EM20 are specific around supporting employment uses within designated employment areas or extension of existing employment uses. As assessed the proposal is neither, as it is new development land in the countryside.
- 3.49 Therefore, taking the Development Plan as whole, Officers consider that the “basket of policies” to determine this application are up to date and consistent with the NPPF and that the tilted balance outlined in paragraph 11(d) of the NPPF, it is not engaged.
- 3.50 Other material considerations within the NPPF relating to the principle of development are as follows.
- 3.51 Paragraph 81 of the NPPF states that:
- “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*
- 3.52 This application is in outline form, would appear to be speculative and was originally intended to assist with the facilitation of a new residential use elsewhere within Hadleigh which was recently refused by Members, on a site which currently benefits from existing employment use rights. Any

rationale for approving this proposal, contrary to land use policy appears, thin in terms of paragraph 81.

3.53 It is also noted that within the existing Local Plan, Core Strategy and the emerging Joint Local Plan there are several designated employment land areas, some of which are already coming forward for development along the eastern edge of Hadleigh. Therefore, there is no justifiable need for this proposal.

3.54 Paragraph 82 of the NPPF states:

*“Planning policies should:*

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”*

3.55 As the application site is unallocated land, the proposal conflicts with subsections (a) and (b) above in so far as the proposal undermines the economic strategy of the Council. In addition, there is no evidence to suggest that the proposal would facilitate employment opportunities of a type envisaged by subsection (d) above. With regards to subsection (c), the application does not seek to address any potential barriers to investment. The proposal is submitted as a speculative application with little to no details as to deliverability in terms of the demand for these premises in this location.

3.56 It is evident that there is no justification for this site to come forward as a departure from the adopted Development Plan

3.57 The proposal is considered contrary to the Council's employment policies and the unjustified departure from Local Plan policy required to permit it is likely to undermine the overall effectiveness of the Council's stated Employment Strategy, which is to safeguard existing employment land and to direct employment to allocated sites/sustainable locations, of which there are a number in Hadleigh and elsewhere in the wider locality. The proposal is unacceptable and represents unnecessary and undesirable development in the countryside, the principle of which is harmful to the character of the countryside around Hadleigh.

3.58 The proposal fails against relevant Development Plan Policies and the NPPF. In Officers' opinion there are no material considerations that would indicate that there should be a departure from the development plan.

#### **4.0 Assessment of Risk**

4.1 Officers are aware of Members' debate at the committee on the 11/08/21 whereby it was held that the increase of jobs and 'taking lorries out of Hadleigh' could be seen as benefits.

- 4.2 However, Officers would point out the following:
- 4.3 It is unclear how the scheme would “take lorries out of Hadleigh” given that the initial offer was based on a land swap. That option is no longer available. The development would simply be bringing lorries and traffic *in* to Cobbolds Farm
- 4.4 There is no indication of how many jobs this proposal would create as it is speculative. Our Economic Development and Policy teams are undertaking a review of employment land and it is not at all clear that simply providing new employment land is a significant benefit that would justify such an obvious departure from the Development Plan, especially in a location that is so unsustainable and remote from the town.
- 4.5 There is no indication that the proposed B2 and B8 uses would be occupied by an existing haulage company, or any other business that uses lorries, which are located in Hadleigh. Therefore, there is no way of predicting or safeguarding that this proposal would reduce the number of lorry movements in Hadleigh.
- 4.6 Whilst CS2 may hold significant (as opposed to full) weight, approval of this application would undermine the other policies within the Development Plan that hold full weight, as well as the Council’s overall growth and employment strategies.
- 4.7 In this case, the development is for land far removed from that boundary, in a location so detached from the town that, notwithstanding the “exceptional circumstances” test, the application is inimical to the spatial strategy of the Plan. A strategy that has been found to be sound repeatedly in major planning appeals, including the Secretary of State-recovered Long Melford appeal.
- 4.8 Members are also reminded of the potential for being viewed as inconsistent in light of the recent refusal at Cockfield where very similar policy issues were at play.
- 4.9 In conclusion to this section, an approval of this application does carry severe risk as described above.

## **5.0 Sustainability**

- 5.1 The site is located outside of the Built-Up Area Boundary (BUAB) for Hadleigh, approximately 1.9 miles away from the town centre. There are no footpaths to the town centre from the site, and the A1071 is within the national speed limit (60mph).
- 5.2 The nearest bus stop is described within the submitted Travel Plan as being within 1.25km of the site. However, the route would be along the A1071 with no street lighting or safe pedestrian footway to access this. The site is not considered to be well connected to the services and facilities offered, particularly for pedestrians or cyclists.
- 5.3 The travel plan submitted suggests that 14% of the work force will walk to work based on the fact that 2011 census found that 14% of people walked to work in the Hadleigh ward. However, this percentage cannot be transferable to this site, as the vast majority of people within the census lived in Hadleigh town where walking to work would be reasonable and accessible.
- 5.4 Additionally, it would not be considered safe to have a scenario whereby 15% of a workforce for approximately 6000sqm of employment space would walk along the A1071, particularly in the winter months, along an unlit main road.

- 5.5 Furthermore, within the Travel Plan, a minibus service is proposed that would ferry employees and public to and from Hadleigh Town centre. The council considers this to be compelling evidence of the site's inherently unsustainable characteristics is so far as it requires its own bespoke public transport. Moreover, whilst Planning has the mechanisms to secure a budget for a minibus service via s106, this would be of limited utility and could not cater for all employees accounting for location and personal choice, and limited detail is given as to frequency of operation and the likely differing operating times of various operators within the use classes sought. As such it offers limited weighting in the decision making because of that limited utility and because even if treated as a sustainable transport option the likely reality would be employees driving to work or seeking to undertake an obviously risky foot/cycle journey.
- 5.6 Class E is not conducive to an inaccessible site such as this. Uses defined within Class E, even if restricted only to office, would entail not only employees but potentially visitors and guests. All of which would have to travel to the site by private car. This is not sustainable and is contrary to policy CS15, specifically point Xviii).

## **6.0 Site Access, Parking And Highway Safety Considerations**

- 6.1 The existing access off the A1071, which currently serves both Beeston's and Kersey Freight, would be used and forms part of this Outline Planning application before Members.
- 6.2 The NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. There is no evidence before Officers to indicate that the effect on the local transport network by traffic generated from the development would be severe.
- 6.3 The SCC Highway Authority has been consulted and it is noted that, due to the location of the development, encouraging travel by sustainable modes through a Travel Plan will be difficult for any future occupier because of the lack of surfaced walking and cycling links from the site to Hadleigh. Moreover, if future employees are not discouraged to walk to the site, the travel plan suggests that 14% of the work force would walk to work. The Local Planning Authority would have grave concerns of 14% of a work force commuting on foot along the A1071 that lacks any pedestrian infrastructure and is an unlit busy main road for at least 1.5km. This would pose a significant highways safety risk and officers cannot responsibly recommend that such a proposal be supported; the risks are too great.
- 6.4 Despite the concerns raised by Hadleigh Town Council, Aldham Parish Council and Chattisham and Hintlesham Parish Council, the Local Highway Authority does not raise any concern with regards to the impact of the proposal on the highway, nor in respect to increased traffic levels, more generally stating that they consider the proposal would not have an impact on the public highway with regard to congestion, safety or parking.
- 6.5 Therefore and overall, whilst the proposal would not have a severe impact on the road network as per paragraph 111 of the NPPF, it cannot provide safe and suitable access to the site for all users as per paragraph 110 of the NPPF and it is therefore wholly unacceptable for this reason alone.

## **7.0 Design and Layout**

- 7.1 As the proposal is Outline (with only access and structural landscaping to be considered), matters of layout and design are left to the Reserved Matters stage. However, it is beholden on the applicant to demonstrate that the desired quantum of development can be satisfactorily achieved.
- 7.2 The proposal would consist of up to 1,900 square metres of Class E floor space (formerly use class B1) and up to 4,200 square metres of Class B2 and B8 units.
- 7.3 The indicative layout submitted demonstrates that the site could accommodate this amount of development together with the appropriate amount of parking.
- 7.4 However, this layout plan is an industrial estate of high density and would be an obvious urbanisation of the site. Whilst it is acknowledged that the Beeston's site has a large building associate with the coach's business, this is a) a former agricultural building that was repurposed for its current use and b) is a single building in a large site that otherwise maintains an open character. The parking of coaches and lorries is temporary as these vehicles are moved regularly and again maintain the open countryside character. The proposal, on the other hand, would place permanent large buildings in a high-density scheme within open countryside and close to a designated bird reserve, with an increase in light pollution. This is highly out of character with the surrounding area.
- 7.5 Policy CS15 requires that the proposal respects the landscape and makes a positive contribution to the local character, shape and scale of the area. It is considered that by proposing a dense industrial estate such as this in open countryside would not make a positive contribution to the local character and therefore is contrary to policy CS15.
- 7.6 Moreover, CN01 of the Local Plan states that all new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location, and that, proposals must pay particular attention to the scale, form and nature of adjacent development and the environment surrounding the site. The high density of the scheme would heavily urbanise the site in open countryside as well as introduce a significant amount of extra light pollution that would have a further adverse impact on the character of this area.

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

- 8.1 Paragraph 174 of the NPPF states that the planning system should contribute to, and enhance, the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 8.2 The site is not in a designated landscape area but is on flat open countryside. It is also opposite Wolves Wood, which is an ancient woodland, Nature reserve and SSSI. Additionally, the Public Right of Way that runs through the site leads to Hintlesham Woods to the west, which is also an ancient woodland and SSSI.
- 8.3 The proposal seeks to develop a greenfield site. In this instance, given the exposed, elevated, location, this would cause some harm to the character of the area and surrounding landscape, clearly contrary to Policy CS15 (i) and (ii).

- 8.4 The structural landscaping elements that form part of this Outline application are existing on site but do not have planning permission. Therefore, this element is retrospective. The bunds offer an alien feature in what is otherwise a flat landscape.
- 8.5 In any event, the bunds would not screen the development of the proposal altogether. As evident with the existing Beestons building which is clearly visible above the existing bunds when travelling along the A1071. A greater amount of the proposal will be exposed above the bund than that of the existing Beeston's building, as the proposed units will be closer to the bund.
- 8.6 The proposal would seek additional planting along the southern and eastern boundaries. If the planting were significant, over time the proposal might be adequately screened by the proposed landscaping. It is also recognised here that previous landscaping schemes approved (namely drawing number LSDP 11487.01 under reference B/13/01492) on these boundaries have not been implemented in full. Any conditions must ensure that landscaping is carried out in full to secure the mitigation measures.
- 8.7 Suffolk Wildlife Trust, Ecology Place Services, Natural England and RSPB were all consulted on the application. All of which, other than Natural England, offered no objection but recommendations for enhancements and mitigation to be controlled via condition.
- 8.8 The applicant has since submitted a screening for air quality impacts prior to determination. The reason for screening for air quality impacts relate to the potential impacts to the interest features of Hintlesham Woods and Wolves Wood that may be sensitive to aerial pollutants, such as those emitted from increased number of cars, lorries and construction vehicles travelling on Ipswich Rd, entering and operating within this proposed development site both during and post construction.
- 8.9 The submitted Ecological Air Quality Assessment found that the that affects because of atmospheric emissions associated with the proposed development both alone and in-combination are not predicted to be significant at the identified ecological designation.
- 8.10 Natural England was re-consulted and has lifted its holding objection, subject to conditions.

#### **9.0 Land Contamination, Flood Risk, Drainage and Waste**

- 9.1 Environmental Health confirm that there is no objection to the proposal from the perspective of land contamination.
- 9.2 SCC Flood Water Management have lifted their holding objection, as the applicant has demonstrated that they have the rights to discharge surface water in perpetuity.
- 9.3 It is noted that the existing bunds that do not have planning permission lie over the top of where a soakaway was required to deal with surface water for the increase in hardstanding relevant to the overnight lorry park under reference B/13/01492. There is no detail within the application that suggests that these soakaways were delivered and how the existing bunds might affect this.

## **10.0 Impact on Residential Amenity**

- 10.1 The application is outline only, with all matters reserved save for access and structural landscaping. As such, not knowing the exact occupants of the units makes understanding the exact impact on residential amenity unknown at this stage. There is an existing residential dwelling situated to the northwest, which is tied to the use of the Beeston's Coach Depot under permission B/04/01260. The surrounding area is then predominantly agricultural fields with a number of residential properties approximately 800 metres away from the site.
- 10.2 Environmental Health – Noise/Odour/Light/Smoke have been consulted as part of the application. And, whilst it is noted that there is a certain amount of loss of amenity due to noise which already exists at Cobbold's Farm given the existing activities on the site, the proposed use of B2 and/or B8 is likely to result in different noise sources both in terms of the hours of noise as well as the character of the noise. As such, a noise assessment is required prior to commencement of the proposal in order to establish a baseline noise level for the site. This can be dealt with via condition and would be important to include it with any reserved matters submission.

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## **PART FOUR – CONCLUSION**

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### **11.0 Planning Balance and Conclusion**

- 11.1 On the face of it the application offers the potential for business units and in turn new employment opportunities. This is supported in principle by the Council's Economic Development team, albeit with caveats.
- 11.2 The shortcoming of the scheme, however, including the fact that it fails to comply with the relevant policies and your development plan, do need to be re-iterated.
- 11.2 This proposal is not for the extension or growth of an existing business but rather for new employment land which happens to be adjacent to an existing business. The only connection is that the landowner is the same. The uses are different in so far as the adjacent Beestons site is conditioned to be a Coach depot only (following a permission granted in extraordinary circumstances) excluding any B2 or B8 use. Additionally, the 2015 permission for a lorry and coach park is conditioned that vehicles shall only be parked overnight with no B2 and B8 use to take place. This is confirmation that the proposal site cannot be conceived as an extension or growth of the existing. Those historic permissions very much turned on their own, exceptional facts.
- 11.3 No future occupants have been identified for the proposed development and thus this is considered a speculative development. Even if, at this late stage, the applicant were to produce some evidence of proposed end users, this does not overcome the fundamental shortcomings of this site as detailed above. Therefore, it is reasonable and just to temper the weighting offered to the benefit of the alleged creation of jobs.
- 11.3 The site is only accessible by car via the A1071. There is no cycle or pedestrian infrastructure, and the bus stop is 600 metres away from the site and would require passengers to walk along the A1071. Therefore, the site would have a heavy reliance on private vehicles for both employees and

visitors. The proposal offers no improvements to accessibility. Thus, the site is considered an unsustainable location and contrary to policies CS2 and CS15 of the Core Strategy and paragraphs 84 and 85 of the NPPF.

- 11.4 New employment land outside of the existing employment areas and in the countryside is contrary to policies CS2, CS15 and CS17 of the Core Strategy, EM02, EM08 and EM20 of the Local Plan and paragraphs 84 and 85 of the NPPF.
- 11.5 Moreover, siting Class E uses, even if limited by condition to office use, would contribute to undermining the vitality of Hadleigh by placing this use in an inaccessible location outside of the town. This is contrary to policies EM02, EM08 and the NPPF paragraphs 84, 85 and Chapter 7 (Ensuring the vitality of town centres) of the NPPF.
- 11.6 Whilst the 'exceptional circumstances' test of CS2 is not wholly consistent with the NPPF and therefore attributed less than full but nevertheless significant weighting, the other tests of CS2 that relate to the spatial distribution of development and policies CS15 and CS17 of the Core Strategy and policies EM02, EM08 EM20 of the Local Plan have been found to be consistent with the NPPF paragraphs 82, 84 and 85 as well as Chapter 7. This is because they are supportive of growth of existing business in rural areas which utilise brownfield sites, existing buildings, and ensure that local services (including office uses under Class E) are accessible.
- 11.7 Therefore, the basket of policies most important for determining this application are considered up to date.
- 11.8 It has been assessed that the proposal is contrary to these policies and, as such, the application should be refused as a departure from the development plan unless material considerations indicate otherwise. Overall, application of the policies within the NPPF reinforces the direction to refuse permission. No such compelling considerations have been identified.
- 11.9 As a speculative development if approved it would still count towards the District's employment land. The risk of approving an outline permission for employment land in an unsustainable location, which is speculative and unlikely to be implemented, would undermine the need for other sites that come forward on both allocated land and windfall sites that are accessible and have prospective occupants.
- 11.10 Therefore, there are no material considerations that offer a just reason to depart from the development plan. The application should therefore be refused.

## **RECOMMENDATION**

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

The proposal is outside of any Built-Up Area Boundary and is in a countryside location and in addition the site does not form part of any strategic employment land allocation nor is it considered the growth or extension of an existing rural business. There is no justification for the site to come forward as a departure from the adopted Development Plan for employment purposes. The introduction of new built-form, in the shape of various employment use buildings and associated commercial activity, will introduce alien elements into the landscape with the effect of harming the character of the countryside hereabouts. Furthermore, the introduction of significant development in this location would extend undesirable ribbon development along the A1071, potentially extending the urban area beyond the built-up boundary of Hadleigh very visibly from a main route into and out of the town from and to the countryside. On the east side of Hadleigh.

The Council is of the opinion that the proposed development is not sustainable from an economic and environmental perspective. The development of employment floorspace on this greenfield site outside of Hadleigh will, in the opinion of the Council, [i] undermine the efficacy of the Council's adopted Employment Strategy/strategic planning policies by competing with allocated sites thereby potentially prejudicing them from coming forward or remaining in employment use [ii] result in unnecessary and unjustified harm to the character of the countryside and its ecological value and, [iii] undermining the vitality of Hadleigh Town by locating uses (Class E) that offer community services and facilities in an inaccessible location within the countryside along the A1071 rather than within the centre or edge of town.

As such, the proposal is considered contrary to Local Plan policies CS1, CS2, CS15 EM01, EM02 and EM08, paragraphs 82, 84, 85 and Chapter 7 of the NPPF.

WITHOUT PREJUDICE:

Should Members choose to disagree with this recommendation, then it is suggested that they consider whether the following conditions would be appropriate to manage this development:

- Time limit for Reserved Matters
- Drawing numbers (where appropriate)
- Limitation on floorspace
- “E” Class uses limited to office only
- Structural landscaping
- Lighting
- In line with ecological recommendations
- Fire hydrants
- Action if unexpected ground contamination
- Construction Management Plan
- No burning
- Noise assessment
- Travel Plan conditions
- Footpath
- Parking
- Cycle Parking
- Bins
- Resource efficiency measures (during construction)
- Sustainability and Energy Strategy
- Surface Water Drainage Scheme
- SUDS Verification Report

In relation to any reason for approval, it is recommended that Members may wish to attach significant weight to the need to support economic growth and productivity, taking into account local business needs as expressed in the application and the Councils’ “Open for Business Strategy” which aims to Help to deliver 10,000 new jobs by 2036.

It is requested that, if Members choose to grant permission, that they expressly clarify the material Planning reasons and considerations which have led to that outcome.