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Babergh District Council
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PLANNING PERMISSION

Town and Country Planning Act 1990

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MSC Planning Ltd
Beech House 259 Amersham Road
Hazelmere
HIGH WYCOMBE
Buckinghamshire
HP15 7QW

Applicant: Lady Getty

Part 1 - Particulars of Application

Date of application: 15 October 2012
Date Received: 17 October 2012

Application No: B/12/01253/FUL/JD

Particulars and location of development:

**Erection of 1 no. dwelling and 1 no. grooms cottage; (following demolition of 2 no. existing dwellings); Erection of 6 no. stables, tack room, hay barn and feed store.
Hammonds Holt, Church Road, Little Waldingfield, SUDBURY, CO10 5PN**

Part 2 - Particulars of decision

The **Babergh District Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Before it is first occupied, the approved external facing and roofing materials shall be fully applied to the development and shall thereafter be retained.
3. No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall also accurately identify the spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards institute publication 'BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations'.
4. All planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October – March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

5. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under this condition and the provision made for analysis, publication and dissemination of results and archive deposition.

6. No development shall take place until;
 - (i) A strategy for investigating any contamination present on site has been submitted for approval by the Local Planning Authority;
 - (ii) Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
 - (iii) A written report shall be submitted detailing the findings of the investigation referred to in (ii) above, and an assessment of the risk posed to receptors by the contamination, for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.
 - (iv) Any remediation work shall be carried out in accordance with the approved Remediation Scheme.

Following remediation, evidence shall be provided to the Local Planning authority verifying that remediation has been carried out in accordance with the approved Remediation scheme.

7. No floodlighting or other means of external lighting shall be installed at the site except in accordance with details (to include position, height, aiming points, lighting levels and a polar luminance diagram) which shall have previously been submitted to and agreed in writing by the Local Planning Authority.

8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide details as to how impacts arising from the following will be mitigated for:
 1. Parking for site operatives, visitors, neighbouring residents and users of The Swan
 2. Loading and unloading of plant and materials
 3. Storage of plant and materials used in constructing the development
 4. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 5. Keeping the public highway clean and free from mud i.e. vehicle/wheel washing facilities
 6. Measures to control the emission of dust and dirt during construction
 7. A scheme for recycling/disposing of waste resulting from demolition, excavation and construction works

The operating hours of the site.

9. The stable building hereby permitted shall be used solely for the stabling of horses and storage of associated equipment and foodstuffs in connection with domestic use only. No commercial uses including a livery, riding school, industrial or other storage uses shall take place whatsoever.
10. Prior to the occupation of either of the approved dwellings both existing dwellings and all the caravans shall be completely removed from the site.
11. No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with Suffolk County Council Access layout DC101a at a width of 4.5 metres. Thereafter the access shall be retained in the specified form.
12. Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.
13. The vehicular access hereby permitted shall be a minimum width of 4.5 metres for a distance of 10 metres measured from the nearby edge of the carriageway.
14. The use shall not commence until the area within the site shown on the approved plan for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.
15. The access gates shall be set back a minimum distance of five metres from the edge of the carriageway and shall open only into the site and not over any area of highway.
16. Prior to any works commencing on site including demolition further ecological surveys of the land and buildings on the site as recommended in the Ecological Assessment report shall be carried out and the results shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out fully in accordance with the recommendations in the approved reports.
17. No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Notes to Applicant:

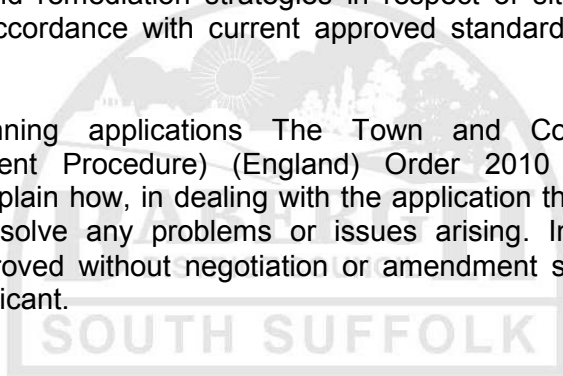
1. This permission contains conditions that have to be discharged before the development or use commences. If you do not comply with the condition precedent you could invalidate this permission. A condition precedent cannot legally be complied with retrospectively and a new application could be required. There is normally a charge applicable per request to discharge a condition of a planning permission. The applicant/developer is therefore advised to submit relevant details for all conditions in a single request.
2. The applicant is advised that the development should be carried out in accordance with the approved drawings. Any proposed alteration to the drawings hereby approved should be discussed with the Council first. For the avoidance of doubt, the approved plans are site location plans and drawings titled Site Plan; Hay barn plans and elevations; Roof plans; Groom's Cottage plan and elevations; House plan; and garage plans and house elevations received on the 17 October 2012 .
3. There is a suspicion that the site may be contaminated. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following bodies:

- Local Planning Authority
- Environmental Services
- Building Inspector
- Environment Agency
- Statutory Water Undertakers

Any site investigations and remediation strategies in respect of site contamination shall be carried out in accordance with current approved standards and codes of practice.

4. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2010 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. In this case the application could be approved without negotiation or amendment so there was no need to work with the applicant.



The reason(s) for the imposition of the said condition(s) is/are:

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. In order to ensure that the facing materials are satisfactory having regard to saved policy CN01 and HS05 of the Babergh Local Plan Alteration No.2 (2006).
3. -4 In order to ensure that existing trees and vegetation on the site are protected in the interests of safeguarding landscape character and ecology.
5. The proposal lies in an area of archaeological interest and investigation and recording of any heritage assets is required in accordance with archaeological policies within the National Planning Policy Framework..

6. To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.
7. In the interests of safeguarding residential amenity and the character of the countryside.
8. In the interests of safeguarding the amenity of neighbours.
9. Use of the stable building other than on a domestic basis would be likely to generated excessive amounts of traffic which would be harmful to residential amenity.
10. The existing dwellings and caravans are required to be removed from the site in order to justify the provision of the replacement dwellings and in accordance with saved policy HS05 of the Babergh Local Plan Alteration No.2.
11. In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.
12. To secure appropriate improvements to the vehicular access in the interests of highway safety.
13. To ensure vehicles can enter and leave the site in a safe manner.
14. To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on site space for the parking and manoeuvring of vehicles where on street parking and manoeuvring would be detrimental to highway safety to users of the highway.
15. In the interests of road safety.
16. In order to appropriately safeguard any protected species and their habitats on the site.
17. In order to ensure satisfactory means of enclosure having regard to the location of the site within the countryside.

Summary of Reasons for Approval:

1. The proposed development has been assessed against saved policies CR01 and HS05 of the Babergh Local Plan Alteration No2 (2006), which deal with development in the countryside and replacement dwellings respectively. It is considered that having regard to the existing lawful dwellings on the site and other buildings, which presently are in poor condition and detract from the character and appearance of the area although given the secluded location their impact is limited. The proposed development would remove all the existing buildings and replace them with an attractively designed dwelling and a range of small scale, appropriately designed stable, hay barn and groom's dwelling.



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Corporate Manager - Development Management

Date: 30 January 2013