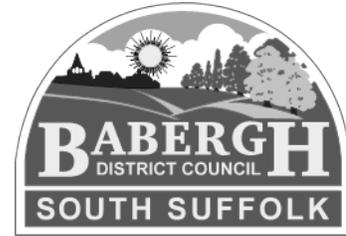


Philip Isbell – Chief Planning Officer
Sustainable Communities

Babergh District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.babergh.gov.uk



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr Paul Sutton
Strutt And Parker
66-68 Hills Road
Cambridge
CB2 1LA

Applicant:

Hopkins Homes
C/o Paul Sutton

Date Application Received: 05-May-18

Application Reference: DC/18/02010

Date Registered: 08-May-18

Proposal & Location of Development:

Full Planning Application. Residential development of 49 dwellings with new vehicular access from Bramford Road (B1113), associated parking, landscaping and open space.

Land On The East Side Of, Bramford Road, Sproughton, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled Site Location Plan (received 05/05/2018) as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Proposed Site Plan Storey Heights Layout SPR3 005 C - Received 24/03/2020
Proposed Site Plan External Works Layout SPR3 001 F - Received 24/03/2020
Proposed Site Plan Planning Layout SPR3 002 F - Received 24/03/2020
Site Location Plan - Received 05/05/2018

Section B:

Babergh District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. The circumstances of the application and the proposed development are not exceptional and are without a proven justifiable need, contrary to policies CS2 and CS11.

The proposed development is considered to lead to a medium level of less than substantial harm to the settings of the Grade II listed buildings of Sproughton Hall, Root Barn and Tithe Barn and the Grade II* listed All Saints Church in Sproughton, and is not considered to respect the features that contribute positively to the setting and significance of these listed buildings, conflicting with Babergh Local Plan (2006) policy CN06, not respecting these heritage assets, the heritage characteristics of the village or historic views of heritage assets contrary to Babergh Core Strategy and Policies (2014) policies CS11 and CS15. Further to this, the public benefits of the scheme, chiefly the market housing, affordable housing, and net gains for biodiversity on the site, are not considered to outweigh this harm, making the proposal contrary to the heritage policies of the NPPF.

The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS12 - Design and Construction Standards
CS13 - Renewable / Low Carbon Energy
CS14 - Green Infrastructure
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes
CS21 - Infrastructure Provision
HS31 - Public Open Space (1.5 ha and above)
CR04 - Special Landscape Areas
CR07 - Landscaping Schemes
CR08 - Hedgerows
CN01 - Design Standards
CN04 - Design & Crime Prevention
CN06 - Listed Buildings - Alteration/Ext/COU
TP15 - Parking Standards - New Development
NPPF - National Planning Policy Framework

This relates to document reference: DC/18/02010

Signed: Philip Isbell

Dated: 4th May 2020

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.