

**BABERGH DISTRICT COUNCIL  
DEVELOPMENT COMMITTEE**

**8 APRIL 2009**

**ADDENDUM TO PAPER H223**

**SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE  
PUBLICATION OF THE AGENDA BUT BEFORE 12 NOON ON THE WORKING DAY  
BEFORE THE MEETING AND ERRATA**

<b>Item No</b>	<b>Page</b>	<b>Summary</b>
3	14-16	<u>J Hatfield and V Woodbridge</u> Additional comments pointing out that the companies occupying the units are already ignoring existing planning conditions and working beyond the agreed hours.
4	17-21	<b>WITHDRAWN</b> by the applicant.
5	22-31	<u>Agent</u> Additional correspondence pointing out that the owners of the adjoining land are not prepared to grant access to the Mill over their land. Comments also made in connection with the observations made by the Environment Agency in relation to the need for the exception and sequential tests to be undertaken for proposals involving a change of use as correctly highlighted in paragraph 46  <u>Sproughton Parish Council</u> Consider the proposed scheme to be unimaginative. A mixed use development incorporating a housing and community use would be more appropriate. Have a number of concerns in relation to the access arrangements. Point out that vehicular access was available via Mill Cottages and consider the District Council should compulsorily reacquire the access. Do not consider the footbridge will meet the requirements for people with mobility problems and that it will affect the amenities of the landscape. Suggest the existing public footpath should be diverted to allow the construction of a lower footbridge. The new footbridge would be about 0.9 metres higher than the parapet of the existing bridge. Concern also expressed that the area proposed for parking is prone to flooding and no provision appears to be made for the storage of dustbins. Enclosure of the meadow to the east of the Mill would be inappropriate. Support the comments made by Mr Levett in his letter of representation and consider the District Council's financial interest in the Mill may fetter its position.  <u>Environment Agency</u> Object. The site is in Flood Zone 3 and the proposal should pass the Sequential and Exception Tests. The proposed development including the new footbridge cannot satisfy the requirements for safe access. While the soffit of the new bridge would be above the flood levels of a 1 in 100 year event the access steps would be flooded even in low return events. They note that the occupants of the building would have a safe/dry refuge within the building during a 1 in 100 or 1 in 1000 year event and that the building would be suitably flood proofed. Suggest the imposition of a planning condition to address the possible presence of contamination and note that an ecological report has accompanied the application.

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		<p>The Environment Agency has requested that they be advised if the District Council is minded to approve the application contrary to their advice in line with the provisions of PPS25, paragraph 26.</p> <p><u>Natural England</u> No objection. Bats are unlikely to be affected by the proposal but recommend that the ecologists recommendations and followed to avoid disturbance to protected species.</p> <p><u>Fire and Rescue Service</u> Points out that access to the building must comply with the requirements of the Building Regulations.</p> <p><u>Head of Contract and Asset Management: Open Spaces Team</u> Suggests the provision of hedgerow planting to the roadside boundary and that the meadow is largely retained in its present form via a suitable management scheme.</p> <p><u>Chief Planning Control Officer</u> In the light of the observations made by the Environment Agency it is necessary to amend the reasons for approval by deleting reference to Local Plan Policy EN11 in Paragraph 78 and include an additional reason as follows:</p> <p>“Notwithstanding the issues raised by the Environment Agency in relation to flood risk, having taken into account the provisions of PPS25: ‘Development and Flood Risk’ the provisions of the Development Plan in relation to flooding as expressed in Policy EN11 of the Babergh Local Plan Alteration No. 2 (2006) and the other material considerations the proposal is acceptable and would provide for the beneficial re-use of a redundant building”.</p> <p>The recommendation is also amended as follows:</p> <ol style="list-style-type: none"> <li>(1) Subject to there being no further representations from the Environment Agency on being notified that the District Council is minded to approve the application the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Planning Act, 1990, to provide: [as before]</li> <li>(2) That in the event that further representations are received from the Environment Agency the application be referred to the Secretary of State to check compliance with PPS25.</li> </ol>