

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

Babergh District Council

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Mr Karl Elliott
Clague
62 Burgate
Canterbury
CT1 2BH

Please ask for: Gemma Pannell
Your reference:
Our reference: DC/18/01391
E-mail: planninggreen@baberghmidsuffolk.gov.uk
Date: 8th January 2019

Dear Mr Elliot

DISCHARGE OF CONDITION(S)
TOWN AND COUNTRY PLANNING ACT 1990

Proposal: Discharge of Conditions Application for B/12/00500 - Condition 2 (Construction Management Plan), 9 (Ecology), 10 (Roads), 18 (Levels), 19 (Contamination), 23 (Street Lighting).

Location: Former HMS Ganges Site, Shotley Gate, Shotley, Suffolk

Babergh District Council hereby gives notice that the details submitted in pursuance to the conditions referred to above have been determined as summarised below in relation to each relevant condition together with any appropriate comments, limitations or advice.

APPROVED CONDITION(S):

2. No development works shall commence until a finalised Construction Management Plan, that builds upon the principles set out in the Construction Environmental Management Plan dated January 2013 (received 22 May 2013), is submitted to and approved in writing by the Local Planning Authority. The construction of the development shall be implemented/undertaken in accordance with the approved plan.

Reason: In the interests of safeguarding residential amenity during construction as supported by the NPPF.

LPA Decision:

Details as specified on drawing 23426A_1000 and 23426A-CMP received on 30th March 2018 have been considered by this Authority's Environmental Health/Place Services Ecology officers and are acceptable. This is because the Habitats Regulations Assessment (HRA) for the development (Broad & Hooton, Oct 2013) requires mitigation for potential impacts on the Stour & Orwell Estuaries SPA & Ramsar site (as described in Table 3) by implementing the 'Construction Environmental Management Plan' January 2013. This includes Works traffic or building materials/waste dumped on the intertidal mudflats of the foreshore; discharges to the estuary during construction, particularly fuel and oil associated with plant, from accidents, or accidental seepage; air quality during construction; noise and vibration during construction and drainage. I am satisfied that the final Construction Management Plan

as submitted in support of this discharge of conditions application will be sufficient to avoid any Likely Significant Effects on the Stour & Orwell Estuaries SPA & Ramsar site. This condition has been satisfied subject to implementation in accordance with the wording of the above condition.

9. The development shall be implemented in accordance with the details of ecological mitigation set out in Appendix 8.10 (10.1 - 10.12) of the Environmental Statement (including the integrated Ecology, Heritage and Landscape Management Plan) all received 31/05/12. A timetable for providing evidence of this shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development with the evidence submitted in accordance with the timetable.

Reason: In the interests of safeguarding ecology as supported By Policy CS15 of the Babergh Core Strategy and the NPPF.

LPA Decision:

Details as specified in the Integrated Ecology, Heritage and Landscape Management Plan (Jones & Sons Environmental Sciences Ltd, March 2012 with revisions, August 2018) and Proposed Lighting and Installation Design Layout (Harttron, April 2018) have been considered by this Authority's Ecology Consultant and are acceptable. This is because the amendments provided within the Heritage and Landscape Management Plan (Jones & Sons Environmental Sciences Ltd, March 2012 with revisions, August 2018) do not raise any additional ecological issues for this application. Subject to full implementation of the measures identified in the updated Integrated Ecology, Heritage and Landscape Management Plan, the final Construction Management Plan and Proposed Lighting and Installation Design Layout, this condition has been satisfied subject to implementation in accordance with the wording of the above condition.

10. No estate roads or footpaths shall be commenced until details of that estate road or footpath, (including layout, levels, gradients, surfacing and means of surface water drainage), has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To ensure that roads/footways are constructed to an acceptable standard in the interests of highway safety.

LPA Decision:

Details as specified in the Agent's letter received on 30th March 2018 have been considered by SCC Highways consultant and are acceptable. This is because the submitted plans are satisfactory to allow discharge of the condition regarding phase 1 only. This condition has been satisfied subject to implementation in accordance with the wording of the above condition.

18. Prior to the commencement of development in connection with the erection of a building, the precise site levels, proposed site levels, proposed slab levels and finished floor levels concerning that building shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of safeguarding the character and appearance of the site and area and residential amenity as supported by Policies CN01, CR02, HS02, CN06 and CN08 of the Babergh Local Plan

LPA Decision:

Details as specified on drawing no.s 23426A_500 and 23426A_501 received on 30th March 2018 have been considered by this Authority and are acceptable in relation to PHASE 1 ONLY. This condition

has been satisfied (in relation to PHASE 1 ONLY) subject to implementation in accordance with the wording of the above condition. Further submissions will be required for subsequent phases.

19. No development shall commence until:
- i) A written report has been submitted to and approved in writing by the Local Planning Authority, detailing a Remediation Scheme for contamination (including asbestos) identified in the Environmental Statement. The written report can include details for the phasing of remediation.
 - ii) Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
- Reason: In the interests of safeguarding future residents from unacceptable risks associated with land contamination as supported by the NPPF.

LPA Decision:

Details as specified in the report GB453-DSGI-P1-MAR-2018, Condition 7 Rev 2 received on 30th March 2018 have been considered by this Authority's Senior Environmental Protection Officer and are acceptable in part. This is because discharge of condition 19 at the above development pertains to land contamination. Having reviewed the reports that accompany the application to discharge condition they can confirm that they have no objection to the full discharge of the condition but only in area 1 of the development as the current submission only relates to this small area of the development. We will be in a position to consider the remainder of the site at such time as documents relating to these areas are submitted. This condition has been satisfied (in relation to PHASE 1 ONLY) subject to implementation in accordance with the wording of the above condition.

23. The development shall be implemented in accordance with the Site Lighting Strategy Report received 31/05/12. Any other external lighting, including street lighting, not covered by this strategy shall only be installed/erected following the written approval of the Local Planning Authority following the submission of written details.
- Reason: To safeguard residential amenity and the character and appearance of the development as supported Policies CN01 CR02 of the Babergh Local Plan

LPA Decision:

Details as specified in the Lighting Layout received on 9th April 2018 have been considered by SCC Highways and Place Services Ecologist consultant and are acceptable. This is because the street lighting proposals for the adoptable highway are indicative only. There is no objection to the indicative proposals provided they does not prevent changes as required by the highway authority, to allow adoption of the estate roads. Any changes will require a further submission to discharge this condition again. Subject to full implementation of the measures identified in the updated Integrated Ecology, Heritage and Landscape Management Plan, the final Construction Management Plan and Proposed Lighting and Installation Design Layout, this condition has been satisfied subject to implementation in accordance with the wording of the above condition.

You should note that this letter does not waive or exempt you from complying with the specific terms of the conditions on your original planning permission. Please also refer to the wording of all the conditions on your consent regularly during your development to ensure it continues to comply with any ongoing requirements. Should you have any further queries please do not hesitate to contact the case officer named at the top of this letter.

Yours sincerely

Philip Isbell

Acting Chief Planning Officer – Growth & Sustainable Planning