

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

Babergh District Council

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Mr Richard Shiel
Shiel Architecture Ltd
The Estate Office
Harkstead Hall Barns
Harkstead
Ipswich
IP9 1DB

Please ask for: Mark Brands
Your reference:
Our reference: DC/18/04287
E-mail: planninggreen@baberghmidsuffolk.gov.uk
Date: 12th December 2018

Dear Mr Shiel

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

Proposal: Discharge of Conditions Application for DC/17/05704- Condition 4 (Archaeological Works) and Condition 8 (Mitigation)

Location: Hill House Farm, Wades Lane, Shotley, Ipswich Suffolk IP9 1EW

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):

4. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No development shall take place on 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. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

LPA Decision:

Details as specified in the Written Scheme of Investigation for Historic Building Recording received on 25 September 2018 have been considered by this Authority in consultation with Suffolk County Council's Archaeological Officer and are acceptable. This is because the details provided are sufficient to discharge this condition. This condition has been satisfied subject to implementation in accordance with the wording of the above condition.

REFUSED CONDITION(S):

8. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED

No development shall be carried out until proposals for the mitigation of the impact of the development on protected Suffolk European Sites have been submitted to and approved in writing by the Local Planning Authority, and the Local Planning Authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must provide for mitigation in accordance with the emerging joint (Draft) Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy, or for mitigation to at least an equivalent effect. Provide details of the manner in which the proposed mitigation is to be secured.

The development shall be carried out in accordance with and subject to the proposals as may be approved.

Note:

You will need to secure the provision of appropriate habitat mitigation measures before the condition can be discharged. There are two ways in which you will be able to do this. You can either;

i) contribute to funding the Council's suite of mitigation projects and secure such provision prior to occupation through a legal agreement between the Council and Developer/Applicant and site owners, or

ii) provide your own mitigation project to mitigate the impact of the proposal prior to occupation.

You are advised to discuss this matter with the Local Planning Authority prior to submission of details to discharge this condition.

Reason - In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. This condition is required to be agreed prior to the commencement of any development as any construction process to ensure adequate time for any agreement to be secured and be implemented prior to occupation.

LPA Decision:

Details as specified in the Skilled Ecology Further Bat Surveys and Drawing 317.610 received on 25 September 2018 in addition to the Skilled Ecology letter received 07 December 2018 have been considered by this Authority in consultation with Suffolk Wildlife Trust and are not acceptable. This is because there is not sufficient detail to discharge this condition. This condition has been refused.

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