

### Introduction

- 1.1 This second review of the Babergh Local Plan has been prepared by Babergh District Council to set out detailed policies and proposals for the control of development in the District up to the year 2016. It builds on the First Alteration of the Local Plan (adopted in 1995), which provided guidance up to the year 2001. Much of the content of this second review is not, therefore, new. Many of those policies and proposals which are new result from changes to strategic planning policies and changes in Government planning guidance to District Councils. In recent years guidance has given greater emphasis to protecting the built and natural environment, and to promoting and contributing to sustainable development, i.e.:

“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.

Source: The World Commission on Environment and Development – *“Our Common Future” (The Brundtland Report) 1987*

- 1.2 The Plan is a statutory local plan prepared under the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) and the Town and Country Planning (Development Plan) (England) Regulations 1999. The amended Local Plan is known as the Babergh Local Plan Alteration No. 2 (2006) and will be referred to as “the Plan” throughout this document.
- 1.3 The Plan, together with the Suffolk Structure Plan 2001, the Waste Local Plan (February 2006) and the Minerals Local Plan, May 1999 (all of which are prepared by Suffolk County Council), form the Development Plan for the Babergh District. It supersedes the previous Local Plans.
- 1.4 With the exception of minor development such as small household extensions and some statutory services (“Permitted Development” as defined in Article 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 – as amended), all development in the UK requires planning permission. Planning permission is obtained by submitting a planning application to the local planning authority – normally the District Council – which must examine all relevant planning considerations before reaching a decision to grant or refuse planning permission for the development.

### Status of The Plan

- 1.5 Parliament has attached prime importance to the Development Plan as a way of guiding local planning authorities and Planning Inspectors in determining development proposals. Section 54A of the 1990 Act makes clear that “Where, in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be in accordance with the plan unless material considerations indicate otherwise”. The starting point is therefore whether or not a development proposal conforms to the Development Plan, including the Structure Plan, Waste Plan, Minerals Plan and the Babergh Local Plan.

## Departures from the Plan

- 1.6 During the lifetime of the Plan, development proposals may arise for which the District Council would wish to grant planning permission but which do not accord with the Plan. Planning legislation allows such proposals to be granted if the District Council can demonstrate that there are good planning reasons why planning policy should be set aside. To protect the public interest, these proposals must be notified to the First Secretary of State as a departure from the Development Plan. In addition, the District Council must also advertise locally its intention to depart from the Development Plan in reaching its decision. This will give members of the public an opportunity to make representations to the District Council and it must take these into account before making any final decision on the application.

## Functions of the Plan

- 1.7 The functions of the Plan are:
- to apply the strategy of the Suffolk Structure Plan 2001, developing its policies and proposals in detail, to show the changes proposed in the development and use of land in the Babergh District;
  - to incorporate, where appropriate, the District Council’s informal policies which are already adopted;
  - to provide a detailed basis for the control of development by allocating sites for particular land-uses, by defining areas to which policies will apply and by explaining those policies with standards and other criteria;
  - to provide a basis for co-ordinating and programming development and to ensure that the provision of services and facilities is related to the existing and future needs of the area;
  - to provide a basis for considering a programme of positive improvements to the District’s towns, villages and countryside by various organisations and to enable priorities to be determined; and
  - to bring local and detailed planning issues before the public, thus giving them an opportunity to participate in the plan-making process.

In drawing up Development Plans, the 1990 Act and 1999 Regulations together require authorities to have regard to:

- any regional or strategic guidance given by the Secretary of State;
- current national policies;
- the resources likely to be available; and
- social, economic and environmental considerations.

1.8 Every Local Plan is required to set out clearly, in the form of a strategy, its objectives and targets and broadly how these will be achieved. The broad aims of the Plan are:

- to conserve and enhance the natural and built environment including the cultural heritage of the Babergh District; and
- to accommodate new growth and future development of the Babergh District in ways that will enhance the environment, improve the quality of life and create opportunities to sustain and enhance its economic well-being.

1.9 The Plan's strategy promotes the concept of sustainable development by:

- allocating sufficient land for housing, employment and other uses to achieve consistency with national policy, regional guidance and the Suffolk Structure Plan to meet the needs of the district;
- steering this development to those parts of the Babergh District which are already well supported by services; are well served by public transport; have a range of employment opportunities; and are not protected by national or county conservation designation;
- making the most of the District's intrinsic qualities and attractions;
- promoting economic growth in a positive manner through a number of policies and initiatives;
- conserving and enhancing the District's exceptional natural and built environments;
- encouraging a wide range of shopping, leisure and recreational facilities;
- promoting the prosperity of the District's two town centres, Sudbury and Hadleigh; and
- encouraging sustainable development and other measures to help protect the global environment.

1.10 PPG12: Development Plans (a Government guidance paper) makes it clear that local planning authorities, in preparing development plans, should consider the relationship of planning policies and proposals to social needs and problems, including their likely impact on different groups in the population. They should also consider the extent to which they can address issues of social exclusion through land-use policies.

## **Strategy and Aims of the Plan**

- 1.11 The Plan's aims for maintaining and improving the quality of life within the Babergh District are principally social planning issues that overlap with other strands of enhancing the environment and creating economic growth.
- 1.12 The District Council is concerned with a wide range of social issues involving all sections of the community, including the elderly; people with disabilities; single-parent families; ethnic minorities; religious groups; and the socially excluded. It promotes a number of social and economic initiatives to support the Council's corporate objectives, which are to:
- maintain a safe, secure and healthy community;
  - promote a thriving, caring and inclusive community;
  - protect and improve the environment;
  - provide services which meet local needs and offer best value; and
  - be accessible, listen to local people and help them to help themselves.
- 1.13 The Plan itself, however, can only address social and community issues where they have land-use implications. Nevertheless, the Plan can make positive contributions to social and community issues through its land-use planning policies and proposals and through using the Development Control process where appropriate while having regard to the guidance contained within the prevailing Government Guidance/Circular by:
- satisfying social and specialist housing needs identified through the Babergh Housing Needs Survey (2004, or as subsequently updated/ replaced);
  - allocating land and buildings for particular social and community uses such as doctors' surgeries, community centres and local shopping facilities;
  - seeking to secure contributions from developers towards social and community facilities where new development would place unacceptable pressure on existing facilities;
  - protecting existing social and community facilities, particularly within villages, such as public houses, schools, post offices, doctors' surgeries, village halls or meeting rooms and garages or petrol filling stations;
  - retention of employment sites;
  - provision of high-quality public open space within new housing developments;
  - reducing crime through better urban design;
  - improving access for the disabled to buildings and land; and
  - adopting a criteria-based policy to support the provision of sites for Gypsies and travellers.

- 1.14 Structure plans, which are drawn up by county councils and provide a countywide strategic framework for local plans, are prepared within a regional strategic framework set by the Communities and Local Government.
- 1.15 For the purposes of Regional Planning Guidance, the East of England Region comprises the counties of Suffolk, Norfolk, Cambridgeshire, Hertfordshire, Bedfordshire and Essex. The existing, relevant regional strategic framework is RPG 6: Regional Planning Guidance for East Anglia to 2016 published in November 2000. Its overall objectives for the region are to achieve development set within a sustainable development framework, and where:
- economic opportunities are maintained and improved;
  - there is increasing social equity for all areas;
  - the environment is protected and enhanced while the distinctiveness of each locality is maintained; and
  - natural resources are conserved.
- 1.16 The Regional Spatial Strategy is currently being updated and will cover the new East of England Region. The first draft of the new RSS14 covers the period up to 2021 and consultation took place in September 2002. The draft RSS14 was 'banked' in February 2004, with a twelve-week consultation period ending in March 2005. The public examination ended in March 2006, with the final publication likely in Spring 2007.

These are some of the key highlights from the first consultation draft document relating to the spatial strategy for the region and sub-regions:

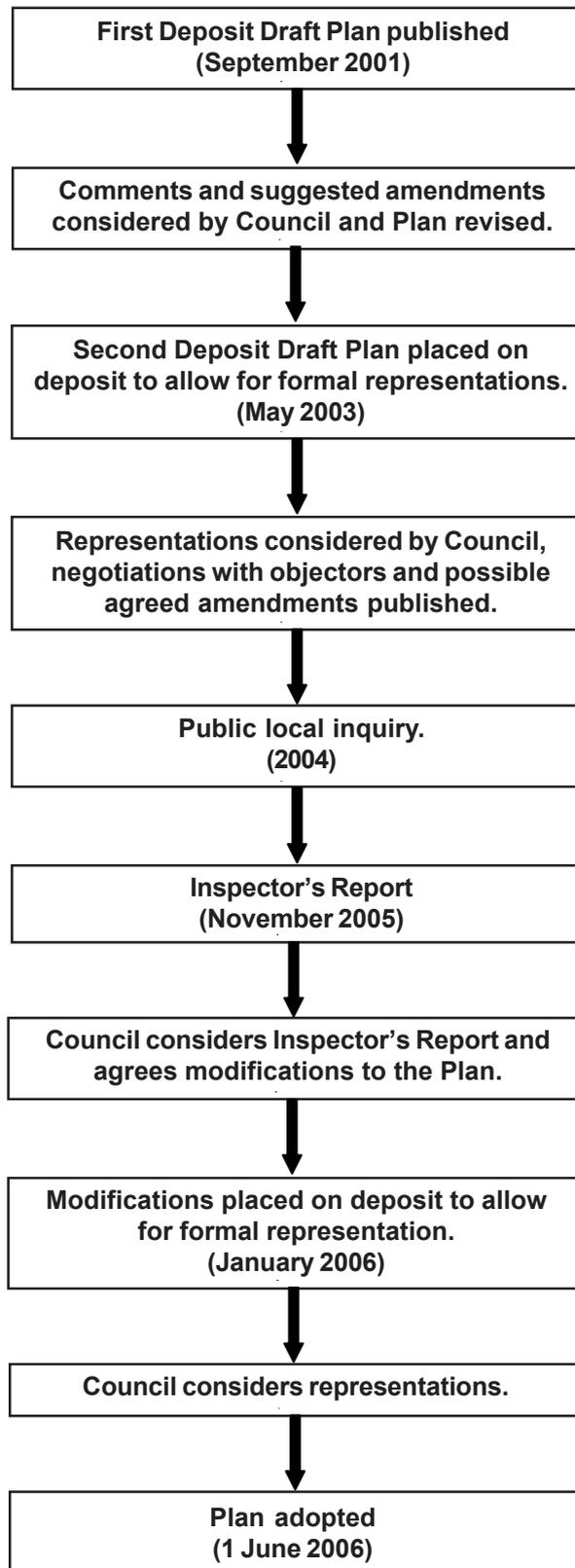
- the Spatial Planning Vision for the East of England is to develop a prosperous, outward-looking and more sustainable region, respecting its diversity, maintaining and enhancing its assets, and sustaining and improving the quality of life for its people who live in, work in or visit the region;
- urban renaissance will continue to be a key aim;
- the use of previously developed land should continue to be strongly emphasised;
- a sequential approach to the location of development will be continued. Capacity within urban areas will be examined first before urban extensions; and
- a number of new sub-regions are identified, including the Haven Gateway. This new sub-region (which includes the district of Babergh) is based around the Haven Ports, supported by the hi-tech knowledge-based activities in Ipswich and its emerging links to the Cambridge Sub-Region.

## The County Structure Plan

- 1.17 The overall development strategy for the region is to provide for continued population growth; meet the housing needs of all sections of the community; and provide for sustained economic growth across the region above the national rate. Development is to be concentrated in the main cities and larger towns rather than the smaller towns and villages, and within built-up areas rather than previously undeveloped land.
- 1.18 In rural areas such as the Babergh District, development is to be focused on market towns that have access to good quality public transport, where this would contribute to greater self-containment. This strategy also aims to protect and enhance the environment and resolve environmental, economic and social problems. In particular, it aims to address the remaining inequalities between opportunities and quality of life across the region by focussing on the priority areas for regeneration.
- 1.19 The Suffolk Structure Plan was originally approved in 1979 by the Secretary of State for the Environment. Alteration No. 1, approved in 1988, provided a comprehensive review. A second alteration dealing with the County Strategy and revised housing provision to 2006, was approved by the Secretary of State in 1992. A third alteration, taking a comprehensive strategic review of planning policies, was adopted by the County Council in June 1995.
- 1.20 In April 1998, the County Council published the “Suffolk County Structure Plan Review Consultation Draft”. This represented the first stage in the process of extending county planning guidance up to 2016. That document was the subject of an Examination in Public in 2000. The Suffolk Structure Plan 2001 is now adopted and becomes part of the statutory Development Plan.
- 1.21 The current County Strategy seeks to encourage sustainable development in line with national policy and regional guidance. The Suffolk Structure Plan 2001 identifies Sudbury and the neighbouring built-up area of Great Cornard as having a substantial range of service provision and a significant employment base. A high proportion of existing residents work in the town and there has been continued recent demand for expansion of local firms. The Structure Plan identifies Sudbury and Great Cornard as having opportunities for sustainable development with some growth.
- 1.22 The Structure Plan advises that it is not intended that new housing in villages should play a major part in meeting Suffolk’s housing requirements. If new housing is to take place in villages, it will be confined to those settlements having a range of facilities; good journey-to-work public transport services to a town, community and leisure facilities, and varied employment opportunities.

## The Local Plan Preparation Process

- 1.23 This Local Plan has been prepared in parallel with the most recent review of the Structure Plan. It seeks to accommodate the current County Strategy, and its associated strategic planning policies and proposals.
- 1.24 The first stage of the local plan process was a consultation exercise before the Plan was placed on first deposit. This involved publication of the Babergh Local Plan Alteration No. 2 Issues Report in January 1999. The Issues Report tried to identify the main matters and choices, which need to be resolved by the Plan for the period up to 2011. It was subject to public comment from that date until 1 March 1999.
- 1.25 More than 3000 representations were received as a result of this public consultation exercise and these have been carefully considered by the District Council. All the representations have been taken into account fully in preparing the Babergh Local Plan Alteration No. 2 First Deposit Draft document.
- 1.26 The 1999 Regulations provide for two separate periods of deposit during which objections to the Plan can be made. The time between these two deposit periods enables the District Council to assess the objections at the First Deposit stage, and then undertake a period of negotiation to try to resolve objections. This will enable the District Council to make formal changes to the Plan proposals before the Plan is considered at a public Local Inquiry. The First Deposit Draft period ran from 17 September until 29 October 2001.
- 1.27 Approximately 2900 representations were received as a result of the public consultation period during the First Deposit Draft stage. The District Council carefully assessed these representations before preparing the Local Plan Alteration No. 2 Second Deposit Draft document. At its meeting on 28 February 2003, the Council resolved to place this document on deposit for the Second Deposit stage of public consultation.
- 1.28 All objections at the Second Deposit stage were considered by an independent Inspector appointed by the First Secretary of State. The Inspector reported to the District Council with recommendations on which objections to accept or reject. The final decision on which changes to make to the Plan rests with the District Council. A list of Modifications was published for public comment before the Local Plan was finally adopted on 1 June 2006. Due to the number of objections received, the final stage of the Local Plan took around three years to complete.



1.29 PPG12: Development Plans (December 1999) underlines the need for environmental concerns to be integrated into plan preparation. The District Council has undertaken a Sustainability Appraisal of the Plan. The essential conclusions of that appraisal are set out in a separate report.

1.30 The Plan consists of a Written Statement and Proposals Map.

## Form and Content

1.31 Each chapter of the Plan is structured as follows:

### **a) Introduction**

The introduction briefly explains which topics are covered.

### **b) Objectives**

The Plan's objectives are a more detailed interpretation of the strategic aims outlined above, and they establish the District Council's long term intentions. The objectives provide the framework in which the Plan's policies and proposals have been formed. The objectives also act as a performance indicator against which to measure the success of the policies and proposals.

### **c) Policy Context**

The policy context section refers to the background and policy guidance relevant to each chapter. Reference is made to national, regional and strategic levels of guidance, including Government Circulars; Planning Policy Guidance Notes and Statements (PPGs/ PPSs); Regional Planning Guidance for East Anglia (RPG6 2000), East of England Plan (RSS14) and the approved Suffolk Structure Plan 2001.

Additional background information is included in some of the chapters, to place specific local issues in context; for example reference is made to the Babergh Housing Needs Study under "Settlement Policy and Housing" (Chapter 3).

### **d) Policies and Proposals**

The policies and proposals provide a detailed framework for the control of development and use of land. Policies set out the criteria by which the District Council controls development. The proposals allocate land for specific types of development and uses. In addition to the specific land-use allocations for each site, criteria-based policies mentioned throughout the Plan may also apply.

The policies and proposals form a three-part function covering: Guidance, Incentive and Control.

- Guidance The policies and proposals are aimed at assisting people in developing their land sensibly by providing an indication as to the direction and nature of future growth.
- Incentive The policies and proposals are worded in a positive way and aim to promote particular land-uses, in order to stimulate and bring forward development by reference to clear allocations.
- Control The policies and proposals aim to ensure that applications for planning permission conform to national policy, regional guidance and the Plan's strategy.

### **e) Supporting Text**

The supporting text provides an explanation of and reasoned justification for each of the subsequent policies and proposals. Related non land-use matters, the District Council's statements of intent and reference to major commitments (i.e., unimplemented planning permissions for large sites), and other documents may also be referred to in the supporting text.

## **The Proposals Map**

- 1.32 The Proposals Map illustrates the Plan's policies and proposals, and defines sites for particular land-uses and areas where specific development control policies will apply. It provides a comprehensive visual index to the Plan's policies and proposals. The Proposals Map consists of a District-wide plan together with a number of detailed inset maps which show in greater detail the area to which certain policies and proposals apply. The Proposals Map also consists of individual plans for villages, showing the Built-Up Area Boundaries. Although major commitments (i.e., unimplemented planning permissions on large sites) may be mentioned in the text, they are not specifically illustrated on the Proposals Map as they generally do not form the Local Plan proposals themselves. If the Written Statement and the Proposals Map are contradictory, the Written Statement will prevail.
- 1.33 The appendices contain background information to the Local Plan, but they do not form part of the Local Plan as such.

## **Local Plan Area**

- 1.34 The Plan covers the whole of the administrative area of the Babergh District.

## **Plan Period**

- 1.35 The Plan provides guidance up to 2016.
- 1.36 Structure and Local Plans are normally updated every five years unless monitoring or any other fundamental change in circumstances indicates that a review is needed earlier.

1.37 Supplementary Planning Guidance has been, and will continue to be, prepared to supplement the policies in the Plan. This guidance will be taken into account in decision making as a material consideration. The following is not an exhaustive list of current Supplementary Planning Guidance, but illustrates the type of guidance and issues covered:

- In 1995 this Council adopted Village Planning Policy Guidelines for a number of villages in the District. This defined the built-up boundaries of villages for the interpretation of the Settlement Planning Policy. Since then, the Settlement Planning Policies in the Village Planning Policy Guidelines have been reviewed and the defined Built-Up Area Boundaries have been incorporated in the Local Plan.
- Provision of Outdoor Recreational Facilities and Open Space. This supplementary planning guidance was adopted by the District Council in September 2002 and highlights the importance of providing recreational and open space in the district. It offers the means by which new housing developments should provide for outdoor space to meet the needs of that development.
- Countryside Plans: Strategies have been prepared or are currently being revised, in respect of the Suffolk Coast and Heaths, Greenways, Gipping Valley, and the Dedham Vale and Stour Valley project areas, parts of which are in the district. A Management Plan for the Stour and Orwell Estuaries is currently being revised. These are referred to by the District Council in considering proposals for development.
- Development Briefs: The District Council has adopted Briefs for a number of sites in the Babergh District and will, where appropriate, produce Briefs for other major sites to guide developers.
- Guidance Notes: Several Guidance Notes have been produced, dealing with a wide range of planning issues such as the conversion and re-use of under-used buildings in the countryside, shop fronts, new industrial development and local needs housing. Existing notes will be reviewed as appropriate. More guidance is planned to cover advertisements and external lighting.
- Countywide documents: For example, the Suffolk Design Guide for Residential Areas, the Suffolk Advisory Car Parking Standards and the Suffolk Countryside Manual.

1.38 In order to provide a co-ordinated framework for development within the District, the Plan must be supported by and integrate with the various corporate documents adopted by this Council. This approach aims to achieve a sustainable, integrated and viable planning process. The key corporate documents taken into account include:

- Western Suffolk Local Strategic Partnership, Draft Community Strategy (2006);
- Babergh East Local Strategic Partnership, Community Plan (2003);
- Contaminated Land Strategy (April 2005);
- Cultural Strategy (2001-2006);
- Economic Development Programme (updated annually);
- Local Agenda 21(1997);
- Updating & Screening Assessment of Local Air Quality (April 2006);
- Housing Needs Survey (2004);
- Housing Stock Survey (February 2002);
- Housing Strategy (2004-2009);
- Energy Conservation Strategy (1996); and
- the Best Value Performance Plan (updated annually).

## Implementation

- 1.39 Implementation of the proposals in the Plan must be practical and effective if the Plan is to gain the widest possible support and goodwill, and if its objectives are to be achieved.
- 1.40 Most of the proposals for the development of land set out in the Plan will be carried out by the private sector. The District Council has only limited responsibility for initiating development, but it can ensure, through its development control powers, that development takes place in line with the policies and proposals set out in this Plan.
- 1.41 The following are the main agencies responsible for implementation of the Plan:

**Babergh District Council** - will take a leading role through its responsibilities as Local Planning Authority by:

- determining planning applications;
- preparing development briefs where appropriate;
- preparing supplementary planning guidance, such as design guides;
- using planning conditions and Planning Obligations where necessary;
- liaising and negotiating with landowners and prospective developers; and
- encouraging housing associations schemes to meet identified needs.

Corporately, the District Council will help implement the Plan and its objectives through the following measures:

- promote local industry and commerce, and act as an enabler by providing advice and information. Financial assistance may be available, such as grants for works in conservation areas, repairs to listed buildings and the provision of workshop space in redundant buildings;

- provide off-street parking;
- implement schemes identified in the District Council's budget;
- provide sport and leisure facilities, including countryside recreation;
- countryside management projects in support of biodiversity, landscape and quiet public enjoyment;
- provide financial assistance for a range of schemes, such as tree and hedgerow planting, habitat creation and management;
- environmental health and safety including pollution control;
- provide housing for special needs and co-ordinate housing provision for those unable to compete in the open housing market;
- provide financial assistance in the form of grants to parish councils for village halls;
- promote tourism including financial assistance to the arts and museums; and
- liaise and co-operate with statutory undertakers (gas, water and electricity companies etc), the County Council and other appropriate agencies.

**Suffolk County Council** - will have an important role as Transport Authority with responsibility for roads and transport (except Trunk Roads) including on-street parking, road closures, major new highway schemes, highway safety and traffic management. The County Council is also responsible for education and social services, strategic planning, minerals and waste disposal, and is involved in countryside management delivery at a strategic level.

**Town and Parish Councils** - provide recreation and community facilities, including allotments. They are also important in voicing local opinion on planning applications and in assisting with local housing needs surveys and parish plans.

**Housing Associations** - will be the main providers of social housing in the Babergh District. Major funders will include the private sector, the Housing Corporation, Babergh District Council and the Health Authority.

**Utility Companies** – the companies providing utility infrastructure include Anglian Water Services Ltd (AWS), Suffolk and Essex Water Company, Powergen, National Grid plc, EDF Energy Limited, National Grid Transco, British Telecom and Mercury Communications.

**Department for Transport** - allocates finance to the Transport Authority and has direct responsibility for construction and maintenance of Trunk Roads.

**The Private Sector** - will be responsible for the majority of homes constructed during the Plan period, as well as new employment and commercial development, and tourist and leisure facilities.

## Planning Obligations for Services, Facilities and Improvements

- 1.42 Some developments, especially larger ones, will often impose direct costs or burdens on the local community by over-stretching, or requiring new services, facilities or other improvements to support them. It is reasonable that in these instances this new provision, or payment for it, should be met by the applicant or developer (in the form of developer contributions) before planning permission can be granted and the development allowed to proceed. In this Local Plan, where a policy states that the development depends on certain requirements being met, the Local Planning Authority will use a Planning Obligation to achieve this, where a condition cannot be attached to the planning permission. This will ensure that there is no consequential planning loss to the existing community and that a properly planned environment is achieved before the development is allowed to proceed.

<p><b>LP01</b> On the submission of a planning application the Council will, when appropriate, seek the provision, or payment for all services, facilities and other improvements directly related to the development.</p>
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- 1.43 The District Council will pay full regard to its Guidance Note on Planning Obligations when seeking to secure necessary services, facilities and other improvements, or when responding to a Unilateral Undertaking being offered by applicants for planning permission.
- 1.44 The Guidance Note sets out clearly the legal background, the approach and procedures to be adopted in Babergh, and the type of services, facilities and other improvements which will often need to be dealt with by Planning Obligations.
- 1.45 All the principal sites allocated for development in the second Alteration to the Babergh Local Plan are accompanied by a list of those services, facilities and other improvements that the District Council will expect to be provided before they can proceed. In some instances, these will be further supplemented by site development and design briefs. The District Council will seek to use Planning obligations to secure these features of development proposals.

## Monitoring

- 1.46 Local planning authorities are required to keep under review matters that may be expected to affect the development of their area or the planning of that area. They are also required to publish the results of plan monitoring regularly. In preparing this Plan, the District Council has tried to express policies in a form that will allow for monitoring and subsequent review.

- 1.47 The District Council will therefore monitor progress of development in relation to the Plan on an annual basis, with regard to the major land-uses such as the number of houses built, the take-up of industrial land, and new road improvements completed.
- 1.48 Since 1993, with the other seven local authorities in Suffolk, the District Council has been working as part of a countywide project team to develop a methodology for assessing the role of development plans in achieving sustainable development.
- 1.49 In March 1997 (and annually thereafter), the Suffolk Local Planning Authorities produced a countywide environmental audit, called Suffolk's Environment: Towards Sustainable Development. The report contains:
- information about the current state of the environment;
  - a set of indicators that will enable future changes in the local environment to be monitored; and
  - a look at how planning policies and decisions affect the quality of life in Suffolk.
- 1.50 A wide range of indicators has been established to provide a way of measuring the potential impact of development plan policies and proposals. Monitoring of the indicators started throughout Suffolk on 1 July 1997. Some indicators will be reported on an annual basis, others less frequently. The first full five year Monitoring Report was published in November 2002.
- 1.51 This countywide environmental monitoring system will form part of the basis for monitoring the Plan.
- 1.52 Circumstances may change during the Plan period, which in turn will cause rates of development to vary from those anticipated, in some cases to a significant level. The District Council will identify changes during the monitoring exercise. The implications of change will have to be assessed, and any new issues identified through the monitoring process will be taken into account.
- 1.53 This Plan covers the period up to 2016, but will be subject to periodic review. All new Plan documents will involve a full process of publicity and public participation. Under provision of the Planning and Compulsory Purchase Act 2004, the policies in this Local Plan will be automatically saved for a period of 3 years from the date of its adoption (which took place on 1 June 2006.)

## Review

