

# Public Document Pack



	<b>DEVELOPMENT CONTROL COMMITTEE A</b>
<b>DATE:</b>	<b>WEDNESDAY, 20 JULY 2022 9.30 AM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH</b>

For consideration at the meeting on Wednesday, 20 JULY 2022, the following additional or updated papers that were unavailable when the Agenda was printed.

## **T A B L E D   P A P E R S**

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| a | <b>DC/20/01036 ASHES FARM, NEWTON ROAD, STOWMARKET,<br/>SUFFOLK, IP14 5AD</b>                       | <b>3 - 4</b>  |
| 8 | <b>DC/21/06871 LAND ADJOINING THE PRINCIPALS HOUSE,<br/>STOKE ROAD, THORNDON, SUFFOLK, IP23 7JG</b> | <b>5 - 24</b> |

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01473 296376 or Email: [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk)

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# Agenda Item 7a

## Mid Suffolk District Council Planning Committee A

### Agenda Item 7a

DC/20/01036 - Ashes Farm Newton Road Stowmarket

#### **Amendment to recommendation (1) and see background below:**

- **Affordable Housing: Additional obligation/ authority:** That authority be delegated to the Chief Planning Officer to agree the final percentage level and tenure split of affordable housing units on the site in consultation with the Strategic Housing Officer and the Viability Adviser.
- **Travel Plan contribution – omit** as managed by planning condition

#### **Background Information:**

- Members are advised that subsequent to completion of the Committee report, the Strategic Housing Team has confirmed that its preferred tenure mix for affordable units on this site is 75% affordable rented units and 25% shared ownership units. Officers instructed a further review of viability, to reflect this requirement. As a result, the percentage amount that could be achieved on the site (18%) reflects the Team's preferred tenure mix of 75% affordable rented units and 25% shared ownership units. Notwithstanding the above, final agreement has not been reached with the applicant regarding the final tenure mix and the above recommendation would enable discussions to continue.
- Members are also advised that SCC Travel Plan officer has now confirmed that the requested contribution is now not required, and a condition recommended for inclusion on a grant of outline planning permission. The re-assessment of viability that established the 18% affordable housing provision achievable on the site included this change.
- With reference to paragraph 5.8 of the Committee report (page 29 of the agenda), and by way of clarification, the proposed alteration works to the identified junction were not supported by the Highway Authority after the likely impacts were assessed.

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# Agenda Item 8

Order of content below:

- Pages 1 to 10 Decision Notice of outline application DC/19/01310.
- Pages 11 to 17 Discharge of Conditions application DC/21/06852 **currently live**.
- Pages 18 Revised recommendation.

## **Outline application (DC/19/01310) Decision Notice: Granted 11<sup>th</sup> Dec 2019**

<p><b>Philip Isbell – Chief Planning Officer</b> <b>Sustainable Communities</b></p> <p><b>Mid Suffolk District Council</b> Endeavour House, 8 Russell Road, Ipswich IP1 2BX</p> <p>Website: <a href="http://www.midsuffolk.gov.uk">www.midsuffolk.gov.uk</a></p>	
<hr/> <b>OUTLINE PLANNING PERMISSION</b> TOWN AND COUNTRY PLANNING ACT 1990 THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015 <hr/>	
<b>Correspondence Address:</b> Brown & Scarlett Architects 1 Old Hall Barns Thurston Road Pakenham Bury St Edmunds Suffolk IP31 2NG	<b>Applicant:</b> The Kerrison Trust
<b>Date Application Received:</b> 18-Mar-19 <b>Date Registered:</b> 22-Mar-19	<b>Application Reference:</b> DC/19/01310
<b>Proposal &amp; Location of Development:</b> Outline Planning Application (with some matters reserved) - Erection of 20no. dwellings and access (following demolition of existing buildings).  Land Adj To The Principal's House, Stoke Road, Thorndon, Eye Suffolk IP23 7JG	
<b>Section A – Plans &amp; Documents:</b> This decision refers to drawing no./entitled 4292-10A received 22/03/2019 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:  Topographic Survey 6569-D-CP - Received 18/03/2019 Defined Red Line Plan 4292-10A - Received 22/03/2019 Tree Protection Plan 6569-D-AIA - Received 12/04/2019	
<b>Section B:</b> Mid Suffolk District Council as Local Planning Authority, hereby give notice that <b><u>OUTLINE PLANNING PERMISSION HAS BEEN GRANTED</u></b> in accordance with the application particulars and plans listed in section A subject to the following conditions:	

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TIME LIMIT FOR RESERVED MATTERS APPLICATION

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

Reason - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED MATTERS

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

Reason - To enable the Local Planning Authority to secure an orderly and well-designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

3. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non material amendment following an application in that regard.

Reason - For the avoidance of doubt and in the interests of proper planning of the development.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF PHASING OF DEVELOPMENT

Before any development is commenced, and concurrently with the submission of reserved matters, a scheme for the carrying out of the development in successive phases shall be submitted to the Local Planning Authority for approval. No development forming part of any phase other than the first, of any scheme subsequently approved in writing, shall be commenced until 75% of the development in the preceding phase has been occupied.

Reason - To enable the Local Planning Authority to secure an orderly and well-designed development provided in appropriate phases to ensure minimal detriment to residential amenity, the environment and highway safety prior to the commencement of such development.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: LIMIT ON NUMBER OF STOREYS

The dwellings shall be of a maximum two storey design only, with no living accommodation within the roof space(s).

Reason - In order to secure a design in scale with development surrounding the site so as to protect the visual amenities and character of the area and to safeguard local distinctiveness.

6. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes B and C of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no loft conversions or openings in the roof of any dwelling(s) shall be carried out except pursuant to the grant of planning permission on an application made in that regard.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

7. ACTION REQUIRED IN THE EVENT OF LAND CONTAMINATION

In the event of unexpected ground contamination being encountered the following shall apply:

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department shall be notified as a matter of urgency.
2. A suitable trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and Local Authority informed of the assessment.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground delineate the area over which contaminated materials are present.
4. The unexpected contaminated material will either be left in situ or be stockpiled (except is suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the ground area of the site affected.
7. Where the material is left in situ awaiting results, it will be either reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.

9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into Verification Report

10. A photographic record will be made of relevant observations.

11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority materials should either be:

Re-used in areas where test results indicate that it meets compliance targets so can be re-used without treatment; or

Treatment of material on site to meet compliance with targets so it can be re-used; or

Removal from site to a suitably licensed landfill or permitted treatment facility.

12. A verification report will be produced and submitted to the Local Planning Authority for the work.

Reason: To protect against any unexpected contamination.

8. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:  
CONSTRUCTION MANAGEMENT TO BE AGREED

Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-

a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.

b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.

c) Details of how construction and worker traffic and parking shall be managed.

d) Details of any protection measures for footpaths surrounding the site.

e) Details of any means of access to the site during construction.

f) Details of the scheduled timing/phasing of development for the overall construction period.

g) Details of the siting of any on site compounds and portals.

h) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.

i) haul routes for construction traffic on the highway network and monitoring and review mechanisms.

j) provision of boundary hoarding and lighting

k) details of proposed means of dust suppression

l) details of measures to prevent mud from vehicles leaving the site during construction

m) details of provision to ensure pedestrian and cycle safety

n) programme of works (including measures for traffic management and operating hours)

o) parking and turning for vehicles of site personnel, operatives and visitors

p) loading and unloading of plant and materials

The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development and in the interests of highway safety to ensure minimal adverse impact on the public highway during the



construction phase. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

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

No development shall take place until a scheme of archaeological evaluation of the site has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order to carry out the evaluation). The development shall not be carried out other than in accordance with the approved scheme of archaeological evaluation.

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.

10. ACTION REQUIRED PRIOR TO COMMENCEMENT: ARCHAEOLOGICAL RECORDING

No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing. Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full 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. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously 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 features of archaeological importance are identified, preserved and secured to avoid damage or loss resulting from the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

11. ACTION REQUIRED PRIOR TO OCCUPATION: ARCHAEOLOGICAL RECORDING

No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed 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.

12. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: FIRE HYDRANTS

Prior to the commencement of development a scheme for fire hydrants shall be submitted to and approved in writing by the Local Planning Authority.

The scheme as may be approved shall subsequently be fully implemented as approved prior to the first occupation of the development.

Reason - To ensure adequate provision for fire hydrants.

13. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: SCHEME FOR HARD STANDING AREAS

Prior to the commencement of development a scheme to provide hard standing carrying capacity to allow for pumping/high reach appliances of 15/26 tonnes respectively shall be submitted to and approved in writing by the Local Planning Authority

The scheme as approved shall be fully implemented as approved prior to the first occupation of the development.

Reason - To ensure adequate provision for fire fighting vehicles.

14. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: SUSTAINABILITY MEASURES

Prior to the commencement of development a scheme for Sustainability and Energy Strategy shall be submitted to an approved in writing by the Local Planning Authority.

All measures detailed in the approved sustainability and energy strategy as may be agreed shall be implemented prior to the first occupation of each dwelling.

Reason: To secure appropriate energy efficient and sustainability measures.

15. SPECIFIC RESTRICTION ON DEVELOPMENT: TREE PROTECTION

Prior to the commencement of any works on site a detailed Tree Protection Plan and Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

Works shall be undertaken in accordance with the protection plan and method statement as agreed.

Reason - To enable existing landscaping to be protected and retained in the interests of visual amenity.

16. ACTION REQUIRED: SURFACE WATER DRAINAGE SCHEME

Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority.

The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to 7.1l/s for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-

1. Temporary drainage systems
  2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  3. Measures for managing any on or offsite flood risk associated with construction
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

17. ACTION REQUIRED: SUSTAINABLE URBAN DRAINAGE SYSTEM

The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

18. SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF ROADS AND FOOTPATHS.

No dwelling shall be first occupied until the carriageways and footways serving that dwelling have been constructed to at least binder course level or better in accordance with the approved details, except with the written agreement of the Local Planning Authority.

Reason - To ensure that satisfactory access is provided for the safety of residents and the public.

19. ACTION REQUIRED PRIOR TO COMMENCEMENT: REFUSE BINS AND COLLECTION AREAS

Before the development is commenced details of the areas to be provided for presentation and storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into first use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

20. ACTION REQUIRED PRIOR TO USE/OCCUPATION - HIGHWAYS: PROVISION OF PARKING.

The buildings shall not be occupied until the area within the site shown on Drawings listed under Section A for the purposes of loading, unloading, manoeuvring and parking (including garage spaces as applicable) of vehicles for that dwelling has been provided and made functionally available. Thereafter that area/s shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

Reason - To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

**21. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED**

Prior to the commencement of development a scheme of appropriate ecology mitigation measures (including precise details of the measure, location and details of implementation) shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved scheme of mitigation and timings as may be agreed in writing.

The scheme shall include measures for hedgehog friendly fencing, bat boxes, bird boxes and hedgehog homes.

Reason - In order to safeguard protected wildlife species and their habitats. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to disturb protected species and their habitat.

**SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:**

NPPF - National Planning Policy Framework  
CS01 - Settlement Hierarchy  
CS03 - Reduce Contributions to Climate Change  
CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
CS07 - Brown Field Target  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
GP01 - Design and layout of development  
H03 - Housing development in villages  
H13 - Design and layout of housing development  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
HB13 - Protecting Ancient Monuments  
CL02 - Development within special landscape areas  
CL08 - Protecting wildlife habitats  
T09 - Parking Standards  
T10 - Highway Considerations in Development

**NOTES:**

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

- 2. o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- o Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be subject to payment of a surface water developer contribution
- o Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- o Any works to a main river may require an environmental permit

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: [infrastructure@baberghmidsuffolk.gov.uk](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/19/01310

**Signed: Philip Isbell**

**Dated: 11th December 2019**

**Chief Planning Officer  
Sustainable Communities**

## **FOR INFORMATION ONLY**

### **Discharge of Conditions application (DC/21/06852) Currently live**

Concurrent conditions and statutory consultee comments so far:

- **Condition 4 (Phasing of Development)**

The agent has been asked for some clarifications with regard to phasing of development on the 21<sup>st</sup> June 2022. This is currently ongoing as part of the discharge of condition application DC/21/06852.

- **Condition 8 (Construction Management)**

Response date from SCC Highways 26<sup>th</sup> January 2022

Dear Gemma

**TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06852**

**PROPOSAL:** Discharge of Conditions Application for DC/19/01310- Condition 4 (Phasing of Development), Condition 8 (Construction Management), Condition 9 (Archaeological Works), Condition 10 (Archaeological Recording), Condition 11 (Archaeological Recording), Condition 13 (Scheme for Hard Standing Areas), Condition 15 (Tree Protection), Condition 16 (Surface Water Drainage Scheme), Condition 19 (Refuse Bins and Collection Areas) and Condition 21 (Mitigation to be Agreed).

**LOCATION:** Land Adj To The Principal's House, Stoke Road, Thorndon, Eye Suffolk IP23 7JG

Notice is hereby given that the County Council as Highway Authority makes the following recommendations with respect to the requested discharge of each condition listed:

**CONDITION NO: 8 Construction Management  
DOES NOT OBJECT**

Any recommendation above that relates to a condition for which details are required to be approved by the LPA, in advance of a stage construction, use or occupation relates only to the details element of the condition unless otherwise stated.

Yours sincerely,

**Samantha Harvey**  
**Principle Engineer (Technical Approval)**  
Growth, Highways and Infrastructure

- **Condition 9 (Archaeological Works)**

**From:** Vanessa Pannell <Vanessa.Pannell@baberghmidsuffolk.gov.uk>  
**Sent:** 25 Jan 2022 03:04:42  
**To:**  
**Cc:**  
**Subject:** FW: MSDC Planning Consultation Request - DC/21/06852 - DOC  
**Attachments:**

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-----Original Message----- From: Abby Antrobus Sent: 24 January 2022 19:02 To: Gemma Walker ; BMSDC Planning Area Team Blue Subject: RE: MSDC Planning Consultation Request - DC/21/06852 - DOC Dear Gemma, Thank you for consulting on the application to discharge conditions 9-11 on application DC/19/01310. We would have no objection to discharge of the conditions, as referred to in the submission, as a piece of evaluation work was undertaken to assess the site by the Pegasus Group through a detailed historic map regression exercise, which was sufficient in this case. I couldn't see this online with the application details, but we have a copy for the Historic Environment Record and on file. Do let me know if there is anything further that you require, With best wishes, Abby Dr Abby Antrobus Archaeological Planning Services Manager Suffolk County Council Archaeological Service (Growth, Highways and Infrastructure) Bury Resource Centre, Hollow Road, Bury St Edmunds, Suffolk, IP32 7AY Telephone: 01284 741231 Mobile: 07926 067398 Website: <https://www.suffolk.gov.uk/archaeology> Heritage Explorer: <https://heritage.suffolk.gov.uk/>

- **Condition 10 (Archaeological Recording)**

**From:** Vanessa Pannell <Vanessa.Pannell@baberghmidsuffolk.gov.uk>  
**Sent:** 25 Jan 2022 03:04:42  
**To:**  
**Cc:**  
**Subject:** FW: MSDC Planning Consultation Request - DC/21/06852 - DOC  
**Attachments:**

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-----Original Message----- From: Abby Antrobus Sent: 24 January 2022 19:02 To: Gemma Walker ; BMSDC Planning Area Team Blue Subject: RE: MSDC Planning Consultation Request - DC/21/06852 - DOC Dear Gemma, Thank you for consulting on the application to discharge conditions 9-11 on application DC/19/01310. We would have no objection to discharge of the conditions, as referred to in the submission, as a piece of evaluation work was undertaken to assess the site by the Pegasus Group through a detailed historic map regression exercise, which was sufficient in this case. I couldn't see this online with the application details, but we have a copy for the Historic Environment Record and on file. Do let me know if there is anything further that you require, With best wishes, Abby Dr Abby Antrobus Archaeological Planning Services Manager Suffolk County Council Archaeological Service (Growth, Highways and Infrastructure) Bury Resource Centre, Hollow Road, Bury St Edmunds, Suffolk, IP32 7AY Telephone: 01284 741231 Mobile: 07926 067398 Website: <https://www.suffolk.gov.uk/archaeology> Heritage Explorer: <https://heritage.suffolk.gov.uk/>



- **Condition 11 (Archaeological Recording)**

**From:** Vanessa Pannell <Vanessa.Pannell@babberghmidsuffolk.gov.uk>  
**Sent:** 25 Jan 2022 03:04:42  
**To:**  
**Cc:**  
**Subject:** FW: MSDC Planning Consultation Request - DC/21/06852 - DOC  
**Attachments:**

-----Original Message----- From: Abby Antrobus Sent: 24 January 2022 19:02 To: Gemma Walker ; BMSDC Planning Area Team Blue Subject: RE: MSDC Planning Consultation Request - DC/21/06852 - DOC Dear Gemma, Thank you for consulting on the application to discharge conditions 9-11 on application DC/19/01310. We would have no objection to discharge of the conditions, as referred to in the submission, as a piece of evaluation work was undertaken to assess the site by the Pegasus Group through a detailed historic map regression exercise, which was sufficient in this case. I couldn't see this online with the application details, but we have a copy for the Historic Environment Record and on file. Do let me know if there is anything further that you require, With best wishes, Abby Dr Abby Antrobus Archaeological Planning Services Manager Suffolk County Council Archaeological Service (Growth, Highways and Infrastructure) Bury Resource Centre, Hollow Road, Bury St Edmunds, Suffolk, IP32 7AY Telephone: 01284 741231 Mobile: 07926 067398 Website: <https://www.suffolk.gov.uk/archaeology> Heritage Explorer: <https://heritage.suffolk.gov.uk/>

- **Condition 13 (Scheme for Hard Standing Areas)**

Response date from SCC Highways 4<sup>th</sup> February 2022.

Dear Gemma

**TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06852**

**PROPOSAL:** Discharge of Conditions Application for DC/19/01310- Condition 4 (Phasing of Development), Condition 8 (Construction Management), Condition 9 (Archaeological Works), Condition 10 (Archaeological Recording), Condition 11 (Archaeological Recording), Condition 13 (Scheme for Hard Standing Areas), Condition 15 (Tree Protection), Condition 16 (Surface Water Drainage Scheme), Condition 19 (Refuse Bins and Collection Areas) and Condition 21 (Mitigation to be Agreed).

**LOCATION:** Land Adj To The Principal's House, Stoke Road, Thorndon, Eye Suffolk IP23 7JG

Notice is hereby given that the County Council as Highway Authority makes the following recommendations with respect to the requested discharge of each condition listed:

**CONDITION NO: 8 Construction Management  
DOES NOT OBJECT**

**CONDITION NO: 13 Scheme for Hard Standing  
DOES NOT OBJECT**

**CONDITION NO: 19 Refuse Bins and Collection Areas  
DOES NOT OBJECT**

Any recommendation above that relates to a condition for which details are required to be approved by the LPA, in advance of a stage construction, use or occupation relates only to the details element of the condition unless otherwise stated.

Yours sincerely,

**Samantha Harvey**  
**Principle Engineer (Technical Approval)**  
 Growth, Highways and Infrastructure

- **Condition 15 (Tree Protection)**

**From:** David Pizzev <David.Pizzev@babberghmidsuffolk.gov.uk>  
**Sent:** 21 January 2022 11:18  
**To:** Gemma Walker <Gemma.Walker@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/21/06852 - DOC Land Adj To The Principal's House, Stoke Road, Thorndon

Hi Gemma

The arboricultural information contained in Westover's landscape report can be agreed for discharge of Condition 15 (Tree Protection) with the exception of bullet point 2 at Section 3.0. Protective fencing should include diagonal supports in all practical instances, as per Hayden's original specification, in order to avoid ambiguity and the consequent risk of incursion into the RPA. The potential for harmful tree root damage from such bracing poles is extremely negligible.

We will also require details of an auditable monitoring schedule to help ensure the ongoing effectiveness of all proposed protection measures.

Kind regards

**David Pizzev** FARborA  
Arboricultural Officer  
Tel: 01449 724555  
[david.pizzev@babberghmidsuffolk.gov.uk](mailto:david.pizzev@babberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) and [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
Babergh and Mid Suffolk District Councils – Working Together

**From:** David Pizzev <David.Pizzev@babberghmidsuffolk.gov.uk>  
**Sent:** 15 February 2022 10:48  
**To:** Elizabeth Thomas <Elizabeth.Thomas@babberghmidsuffolk.gov.uk>  
**Cc:** BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>  
**Subject:** DC/21/06852 - DOC Land Adj To The Principal's House, Stoke Road, Thorndon

Hi Elizabeth

I can confirm the amended landscape report is now sufficient to discharge the requirements of Condition 15 (Tree Protection).

Kind regards

**David Pizzev** FARborA  
Arboricultural Officer  
Tel: 01449 724555  
[david.pizzev@babberghmidsuffolk.gov.uk](mailto:david.pizzev@babberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) and [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
Babergh and Mid Suffolk District Councils – Working Together

- **Condition 16 (Surface Water Drainage Scheme)**

Amendments have been made to the scheme. Agent sent amendments on the 24<sup>th</sup> June 2022. These were informally sent to the LLFA to see if they were in generally likely to be satisfactory. Informally the LLFA replied on the 7<sup>th</sup> July 2022 informing the information looked good. Therefore, the amendments are now under formal re-consultation and the LLFA comments are pending. The amended documents have been uploaded to the website. Titled as:

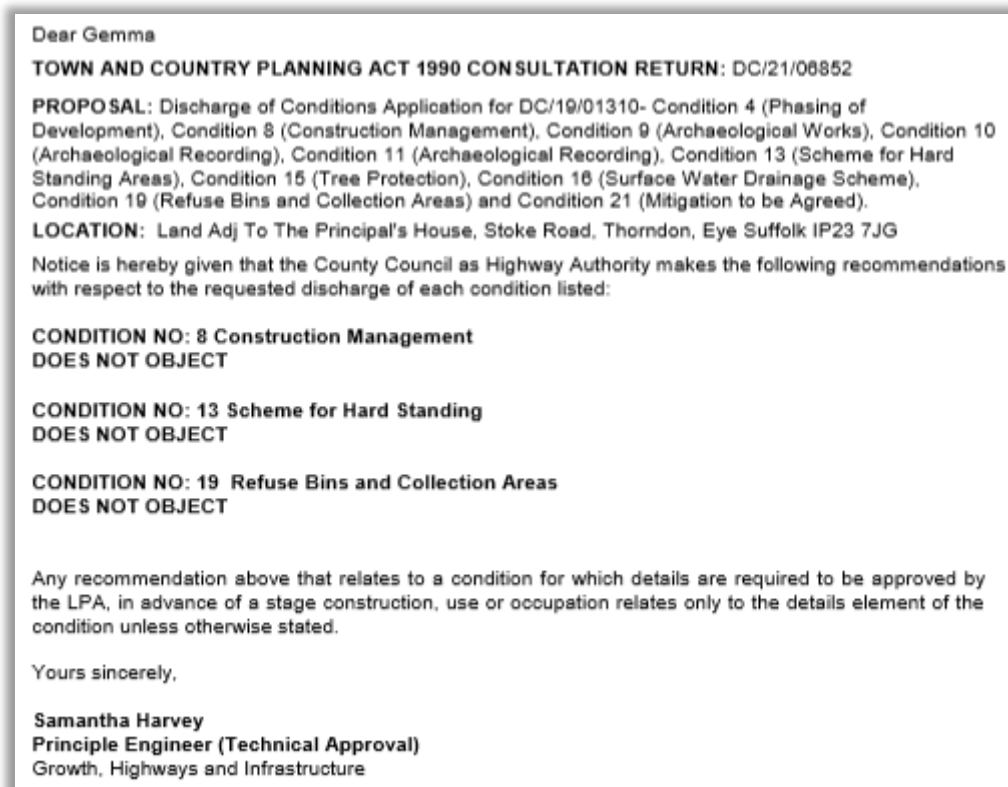
- Drainage strategy 079 2021 022 P6. Received 7th July 2022.
- Drainage strategy supporting calculation. Received 7<sup>th</sup> July 2022.

The reserved matters application (DC/21/06871) is recommending to include an additional ecological condition to compensate the falling short of the multifunctional amenity benefits in accordance with paragraph 169 of the NPPF (July 2021). As this is a reserved matters application therefore focuses on details of an application and it is for a major development and the surface water drainage arrangements have changed. It is considered pertinent to secure over and above the ecological mitigation and enhancement considering the proposal cannot address the multifunctional amenity benefits in accordance with paragraph 169 of the NPPF (July 2021). Essentially this ecology condition is a solution to help offset the falling short of paragraph 169 multifunctional benefits (in particular amenity).

There is considered sufficient confidence in the additional information the LLFA holding objection can be overcome through the discharge of conditions.

- **Condition 19 (Refuse Bins and Collection Areas)**

Response date from SCC Highways 4<sup>th</sup> February 2022.



- **Condition 21 (Mitigation to be Agreed)**

Response date from Place Services Ecology 2<sup>nd</sup> February 2022.

**Application:** DC/21/06852  
**Location:** Land Adj To The Principal's House Stoke Road Thorndon Eye Suffolk IP23 7JG  
**Proposal:** Discharge of Conditions Application for DC/19/01310- Condition 4 (Phasing of Development), Condition 8 (Construction Management), Condition 9 (Archaeological Works), Condition 10 (Archaeological Recording), Condition 11 (Archaeological Recording), Condition 13 (Scheme for Hard Standing Areas), Condition 15 (Tree Protection), Condition 16 (Surface Water Drainage Scheme), Condition 19 (Refuse Bins and Collection Areas) and Condition 21 (Mitigation to be Agreed).

Dear Gemma,

Thank you for consulting Place Services on the above discharge of condition application. Our comments only relate to Condition 21 (Mitigation to be Agreed).

**Conditions**

**21. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED**

*"Prior to the commencement of development a scheme of appropriate ecology mitigation measures (including precise details of the measure, location and details of implementation) shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved scheme of mitigation and timings as may be agreed in writing.*

*The scheme shall include measures for hedgehog friendly fencing, bat boxes, bird boxes and hedgehog homes."*

Reason - In order to safeguard protected wildlife species and their habitats. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to disturb protected species and their habitat.



### **Summary**

We have reviewed the Landscape report (Westover Landscape Ltd, December 2021), Landscape plan northern part of two (75/02) (Westover Landscape Ltd, December 2021), and Landscaping plan southern part of two (75/03) (Westover Landscape Ltd, December 2021) submitted to meet the requirements of Condition 21 (Mitigation to be Agreed).

We approve of the proposed mitigation and enhancement measures and are satisfied that the submitted information meets the detail required by this Condition.

However, we would have liked to see precise locations and a detailed timetable of implementation (including product details for hedgehog homes), maintenance and aftercare for all enhancement measures including persons/parties responsible, where necessary. Furthermore, we would like to suggest that EL1 flowering lawn mixture to be used for lawns, if possible, and the proposed single line hedgerow to the eastern boundary, as referenced in the Landscape report (Westover Landscape Ltd, December 2021), to be double staggered rows, with rows approximately 50cm apart and 5 plants per linear metre. With this included, it is indicated that this development can deliver biodiversity net gains, as outlined with paragraph 174(d) of the NPPF 2021.

### **Recommendation**

Subject to the implementation in full of the Landscape report (Westover Landscape Ltd, December 2021), Landscape plan northern part of two (75/02) (Westover Landscape Ltd, December 2021), and Landscaping plan southern part of two (75/03) (Westover Landscape Ltd, December 2021) submitted, we can recommend the discharge of Condition 21 (Mitigation to be Agreed).

Please contact us with any queries.

Yours sincerely,

**Joe Allsop MSc BSc (Hons)**

Assistant Ecological Consultant

Place Services at Essex County Council

[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**Revised Recommendation for reserved matters application DC/21/06871**

REVISED RECOMMENDATION: That authority be delegated to the Chief Planning Officer to seek amendments to the ecological mitigations and enhancements as recommended by Place Services and such amendments as the Chief Planning Officer considers appropriate to the SuDS basin details and that subject thereto that authority be delegated to the Chief Planning Officer to GRANT reserved matters approval subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved drawings
- Materials

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**From:** GHI Floods Planning <floods.planning@suffolk.gov.uk>  
**Sent:** 18 July 2022 07:09  
**To:** BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>  
**Cc:** Elizabeth Thomas <Elizabeth.Thomas@babberghmidsuffolk.gov.uk>  
**Subject:** 2022-07-18 JS Reply Land Adjoining The Principals House, Stoke Road, Thorndon, Suffolk IP23 7JG Ref DC/21/06871 - RES

Dear Elizabeth Thomas,

Subject: Land Adjoining the Principals House, Stoke Road, Thorndon, Suffolk IP23 7JG Ref DC/21/06871 - Application for Reserved Matters

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06871.

The following submitted documents have been reviewed and we recommend **approval** at this time

- Location Plan (No Ref)
- Block Plan Ref 2021278 01C
- Drainage Strategy Ref 079/202/022 P6

Informative

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- Any works to a main river may require an environmental permit

Kind Regards

Jason Skilton  
Flood & Water Engineer  
Suffolk County Council  
Growth, Highway & Infrastructure  
Endeavour House, 8 Russell Rd, Ipswich, Suffolk IP1 2BX

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