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COMMITTEE:	MID SUFFOLK DEVELOPMENT CONTROL COMMITTEE B
DATE:	WEDNESDAY, 23 MARCH 2022 9.30 AM
VENUE:	FRINK ROOM (ELISABETH) - ENDEAVOUR HOUSE

Councillors	
<u>Conservative and Independent Group</u> James Caston Peter Gould Kathie Guthrie (Chair) Dave Muller (Vice-Chair)	<u>Green and Liberal Democrat Group</u> Andrew Mellen Mike Norris Andrew Stringer Rowland Warboys

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AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

- 1 **APOLOGIES FOR ABSENCE/SUBSTITUTIONS**
- 2 **TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS**
- 3 **DECLARATIONS OF LOBBYING**
- 4 **DECLARATIONS OF PERSONAL SITE VISITS**
- 5 **SA/21/20 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 23 FEBRUARY 2022** 5 - 12
- 6 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

2. Ward Members attending meetings of Development Control Committees and Planning Referrals Committee may take the opportunity to exercise their speaking rights but are not entitled to vote on any matter which relates to his/her ward.

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 20 April 2022 at 9.30 am.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Alicia Norman on: 01473 296384 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

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If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

Agenda Item 5

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 23 February 2022 09:30am.

PRESENT:

Councillor: Kathie Guthrie (Chair)
David Muller BA (Open) MCMI RAFA (Councillor) (Vice-Chair)

Councillors: David Burn James Caston
John Matthissen Andrew Mellen
Andrew Stringer Rowland Warboys

In attendance:

Officers: Area Planning Manager (GW)
Planning Lawyer (CF)
Planning Officers (MR / AB / VP)
Governance Officer (AN)

Apologies:

Councillors: Peter Gould
Mike Norris

97 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

97.1 Apologies were received from Councillor Mike Norris and Councillor Peter Gould.

97.2 Councillor John Matthiessen substituted for Councillor Mike Norris.

97.3 Councillor David Burn substituted for Councillor Peter Gould.

98 TO RECEIVE ANY DECLARATIONS OF PECUNIARY OR NON-PECUNIARY INTEREST BY MEMBERS

98.1 Councillor Stringer declared a local non-pecuniary interest in respect of application number DC/21/04779 as his property is close to the application site. Councillor Stringer confirmed that he would take part in the debate for the application but would not vote.

98.2 Councillor Matthissen declared a local non-pecuniary interest in respect of application number DC/20/04444 as he lives in Needham Market.

99 DECLARATIONS OF LOBBYING

99.1 There we no declarations of lobbying.

100 DECLARATIONS OF PERSONAL SITE VISITS

100.1 None declared.

101 SA/21/18 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 24 NOVEMBER 2021

101.1 It was resolved that the minutes of the meeting held on 24 November 2021 were confirmed and signed as a true record.

102 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

102.1 None received.

103 SA/21/19 SCHEDULE OF PLANNING APPLICATIONS

103.1 In accordance with the Council's procedure for public speaking on Planning applications, representations were made as detailed below:

Application Number	Representations From
DC/20/04444	Anthony Polanski (Agent) Councillor Mike Norris (Ward Member)
DC/22/03357	Councillor Rachel Eburne (Ward Member) Councillor Keith Welham (Ward Member)
DC/21/04779	Kate Holland (Agent) James Whelan (Applicant) Councillor Andrew Mellen (Ward Member)

104 DC/20/04444 MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET, IPSWICH, SUFFOLK, IP6 8DL

104.1 Item 7A

Applicant Proposal	DC/20/00444 Listed Building Consent - Partial demolition works, internal & external alterations, conversion and extension to form 12 apartments, partial demolition & repair works to boundary walls, including alterations to form a new pedestrian access to Barrett's Lane (re-submission of DC/18/05254)
Site Location	NEEDHAM MARKET – Mid Suffolk District Council, 131 High Street, Needham Market, Ipswich, Suffolk, IP6 8DL
Applicant	Mid Suffolk District Council

- 104.2 The Case Officer presented the application to the Committee outlining the proposal before Members including the location of the site, the previously granted listed building consent, the proposed amendments to the previously agreed layout and the officer recommendation of approval.
- 104.3 The Case Officer responded to questions from Members on issues including: whether a response was received from the Heritage Team regarding any potential harm to a listed building, and any proposed plans for the existing internal doors.
- 104.4 The Agent, Anthony Polanski, responded to a question from Members on the proposed plans for the existing internal doors.
- 104.5 The Governance Officer read out a statement from the Ward Member, Councillor Norris, who was unable to attend the meeting.
- 104.6 The Agent responded to a further question from Members regarding whether there were any plans for the void areas of the building.
- 104.7 Councillor Muller proposed that the application be approved as detailed in the officer recommendation.
- 104.8 Councillor Caston seconded the proposal.

By a vote of 7 votes for and 1 abstention

It was RESOLVED:

That the application is GRANTED listing building consent and includes the following conditions:-

- **Standard Time Limit Condition (LB)**
- **Drawing Numbers**
- **A Scheme of archaeological building across the whole site commensurate with a 'Level 3 Record' as outlined in Historic England Guidance Understanding Historic Buildings;**
- **A schedule of repairs to the former orchard wall;**
- **Condition requiring details of materials (bricks and windows for new extension to Number 131);**
- **Details of service runs in Number 131;**
- **Details of interior fixtures, fittings and partitions to Number 131;**
- **Details of conservation roof lights to Number 131;**
- **Materials for new buildings to rear of Number 131;**
- **Details of landscaping and public realm around listed building;**
- **Existing doors within Number 131 will be locked shut, not removed**
- **Details (including sections) of acoustic and fire separation, particularly in the location of blocked doors.**
- **Any other conditions as the Chief Planning Officer may choose to impose.**

And the following informative notes as summarised and those as may be deemed necessary:

•Proactive working statement

105 DC/22/00357 5 TRINITY WALK, STOWUPLAND, SUFFOLK, IP14 4AS

105.1 Item 7B

Application	DC/22/00357
Proposal	Householder Application – Erection of single storey front and rear extensions.
Site Location	STOWUPLAND – 5 Trinity Walk, Stowupland, Suffolk, IP14 4AS
Applicant	Mr Philip Rake

105.2 The Case Officer presented the application to the committee outlining the proposal before Members including: the location and layout of the site, the proposed amendments, the reason for referral to Committee and the recommendation of approval.

105.3 The Governance Officer read out a statement from Ward Member Councillor Rachel Eburne who was unable to attend the meeting.

105.4 The Governance Officer read out a statement from Ward Member Councillor Keith Welham who was unable to attend the meeting.

105.5 The Area Planning Manager and the Case Officer responded to questions from Members on issues including the comment made by Councillor Welham regarding the building line, and the distance for permitted development rights.

105.6 Councillor Caston proposed that the application be approved as detailed in the officer recommendation.

105.7 Councillor Muller seconded the proposal.

By a unanimous vote

It was RESOLVED:

That PLANNING PERMISSION be granted, with the following conditions:

- **Standard time limit (3yrs for implementation of scheme)**
- **Approved Plans (Plans submitted that form this application)**
- **Agreement of cladding colour**

And the following informative notes as summarised and those as may be deemed necessary;

- **Proactive working statement.**

106 DC/21/04779 LAND ON THE WEST SIDE, BROAD ROAD, BACTON, SUFFOLK

106.1 Item 7C

Application	DC/21/04779
Proposal	Application for the approval of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) pursuant to Conditions 1, 4, 6, 7, 8, 10 and 11 of Outline Planning Permission DC/19/00646 for Erection of 65 no. dwellings (including 22no. affordable dwellings) with attenuation basins, drainage and earthworks
Site Location	BACTON – Land on the West Side, Broad Road, Bacton, Suffolk
Applicant	Keepmoat Homes Ltd

106.2 A short break was taken between 10:37am and 10:47am after the completion of application number DC/22/00357 but before the commencement of application number DC/21/04779.

106.3 Councillor Andrew Mellen declared himself as the Ward Member for the application.

106.4 The Case Officer presented the application to the Committee outlining the proposal before Members including the location of the site, the existing S106 agreement, proposed access to the site, the proposed housing mix, elevations, parking provisions, drainage systems, landscaping and footpaths, proximity of the site to existing property, sustainability, and the officer recommendation for approval.

106.5 The Case Officer responded to questions from Members on issues including: the location of the proposed hedging and the removal of existing hedging, the proposed use of brick walls, the proximity to dwellings approved in application number DC/19/05193, whether cyclists would be able to use the proposed pathways, and the maintenance of the drainage basins.

106.6 The Case Officer responded to questions from the Ward Member on issues including: the widening of existing footways, the sum set aside for footway works, the location of the pumping station, the sustainability and energy strategy, and the fencing of the attenuation basin.

106.7 The Case Officer responded to further questions from Members on issues including: turning safety for large vehicles, and assessment of the noise level that could be caused by proposed heat pumps.

106.8 The Ward Member read out a statement from Bacton Parish Council who were unable to attend the meeting.

106.9 Members considered the representation from Kate Holland who spoke as the Agent.

106.10 The Agent responded to questions from Members on issues including: the fabric specification of the external walls, electricity demand and production, removal of hedging, biodiversity net gain, air-source heat pumps, maintenance of the attenuation basin and drainage, the location of the pumping station, maintenance of the roadways, the housing mix, underfloor heating, and sound attenuation between the proposed flats.

106.11 Members considered the representation from Councillor Andrew Mellen who spoke as the Ward Member.

106.12 A short break was taken between 12:06pm and 12:16pm for officers to discuss previous outcomes determined by the Committee on the 18th of September 2019.

106.13 Members debated the application on issues including: the width of the existing bridge and the impact of an additional footpath, the triple lock, the location of the pumping station, the development rights of the gardens on the southern border of the site, the previous decisions made by committee, and the S106 agreement.

106.14 Councillor Caston proposed that the application be approved as detailed in the officer recommendation and with the additional conditions as detailed below.

106.15 Councillor Muller seconded the proposal.

By a unanimous vote

It was RESOLVED:

That:

(1) Authority be delegated to the Chief Planning Officer to resolve to his satisfaction any outstanding issues in relation to ecology conditions relating to the specified conditions.

THEN

(2) Once satisfied that (1) has been achieved the Chief Planning Officer be delegated to DISCHARGE THE SPECIFIED CONDITONS and PART DISCHARGE 7 (parts a to f)); and,

(3) In the event of (1) and (2) above being satisfied then: the Chief Planning Officer be delegated to APPROVE the RESERVED MATTERS subject to conditions that shall include:

- **Approved plans**
- **Full details of materials, window reveals and external glazing bars**
- **Full landscape details- across the site**
- **Details of boundary means of enclosure alongside the railway line**
- **Sustainability scheme- water, energy and resource efficiency measures**
- **SuDS- management, maintenance, and landscaping**

and such other conditions as the Chief Planning Officer may deem appropriate and reasonable.

Additional conditions and informative notes added by the Committee:

Conditions:

- **That delegation be granted to the Chief Planning Officer to review the location of the pumping station**
- **That delegation be granted to the Chief Planning Officer to confirm biodiversity net gain under condition 10 prior to discharge**

Informative Notes to the Chief Planning Officer:

- **That Condition 12 returns to Development Control Committee B**

107 SITE INSPECTION

107.1 None received.

The business of the meeting was concluded at 12:45 pm.

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Chair

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Agenda Item 7

MID SUFFOLK DISTRICT COUNCIL

DEVELOPMENT CONTROL B COMMITTEE

23 March 2022 - 09:30

INDEX TO SCHEDULED ITEMS

<u>ITEM</u>	<u>REF. NO</u>	<u>SITE LOCATION</u>	<u>MEMBER/WARD</u>	<u>PRESENTING OFFICER</u>	<u>PAGE NO</u>
7A	DC/21/06315	The Six Bells Inn, High Street, Gislingham, Suffolk, IP23 8JD	Cllr Rowland Warboys / Gislingham	Daniel Cameron	
7B	DC/21/05669	Land To The South Of, Fitzgerald Road, Bramford, Suffolk	Cllr James Caston / Bramford Cllr John Field / Blakenham	Elizabeth Flood	
7C	DC/22/00494	Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU	Cllr Julie Flatman / Stradbroke & Laxfield	Averil Goudy	
7D	DC/22/00349	Gateway 14, Land Between the A1120 and A14, Creting St Peter, Stowmarket, Suffolk	Cllr Terence Carter and Cllr Dave Muller / Stow Thorney	Gemma Walker	

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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

The following specific guidance must be adhered to:

Arrival at Endeavour House (EH) and movement through the building

- On arrival use the main entrance.
- If there are other people inside signing in, wait outside until the space is free.
- Whilst in EH you are now required to wear your face covering (unless you have an exemption) when inside in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.).
- You may only take off your mask once you are seated.
- Use the sanitizer inside the entrance and then sign in.
- Please take care when moving through the building to observe social distancing – remaining a minimum of 2m apart from your colleagues.
- The floor is marked with 2m social distancing stickers and direction arrows. Please follow these to reduce the risk of contact in the walkways.
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.

- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House has been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible but may always not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

- Reception is currently closed. If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside

(unless you have an exemption) in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.). Re-useable face coverings are available from the H&S Team if you require one.

- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

Agenda Item 7a

Committee Report

Item No: 7A

Reference: DC/21/06315

Case Officer: Daniel Cameron

Ward: Gislingham.

Ward Member/s: Cllr Rowland Warboys.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Full Planning Application - Change of use of the Six Bells Inn Public House to Veterinary Practice and pet supplies (sui generis). Business proposed to exist on the ground floor level whilst retaining the existing first floor ancillary residential accommodation.

Location

The Six Bells Inn, High Street, Gislingham, Suffolk IP23 8JD

Expiry Date: 18/01/2022

Application Type: FUL - Full Planning Application

Development Type: Change of Use

Applicant: Mr A Whatling

Parish: Gislingham

Site Area: 0.14 hectares

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reasons:

The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Core Strategy

CS01 - Settlement Hierarchy
CS05 - Mid Suffolk's Environment

Saved Local Plan

HB01 - Protection of historic buildings
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
E06 - Retention of use within existing industrial/commercial areas
E09 - Location of new businesses
RT02 - Loss of existing sports and recreation facilities

Attention is also drawn to the follow supplementary planning guidance on Retention of Shops, Post Offices and Public Houses in Villages (Adopted February 2004).

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Parish Council (Appendix 3)

Gislingham Parish Council

The Parish Council considered and debated the Planning Application (DC/21/06315) for change of use of the Six Bells Inn Public House at a meeting last night with residents in attendance who have themselves previously made comments on the MSDC Planning Portal.

The Parish Council wish to object to the change of use from a Public House to a Veterinary Practice and pet supplies (sui generis) use.

Councillors trust the Planning Department will address The Supplementary Guidance (SPG) on the Retention of Shops, Post Offices and Public Houses adopted by MSDC in 2004 containing the following policy statement:

"The change of use of a village Public House (PH) to an alternative use will not be permitted unless at least one other PH exists within the settlement boundary or within easy walking distance to it (defined as 200-300m from the boundary)."

This is clearly not the case in Gislingham.

A Six Bells Steering Group was formed when the previous owners first put the Public House on the market and were very keen to seek funding to purchase the Pub but as noted on the MSDC Portal (by the Chair, Mr Saunders) the owners were not prepared to supply accounts for the current business, did not allow any photographs to be taken, refused to cooperate with an attempt to have a professional commercial valuation of the business undertaken and stated they would strongly object to an ACV. The Parish Council did apply for an ACV but this was subsequently refused.

The number of comments already made by residents objecting to the application demonstrates overwhelming support for the retention of the pub. At the Parish Council meeting last night residents made the valid point that the previous owners did not cater to the needs of the local community, which is increasingly expanding, but that they would willingly support owners who did.

At the meeting residents expressed their views regarding the previous unsuccessful purchasing of the Six Bells PH as they believe that, contrary to previous claims, the Pub could be a thriving business.

Our District Councillor Rowland Warboys was also in attendance at the meeting last night and advised that he had "called this Planning Application in" and it would now be discussed at a future Development Meeting.

The Parish Council would very much appreciate being advised of the date this application will be considered so that Councillors and residents can attend and speak about the reasons for their objections to the change of use.

Please note our Parish Clerk is in the process of applying for an ACV for the Six Bells Inn Public House.

Cllr Rowland Warboys - Gislingham

No response.

National Consultee (Appendix 4)

CAMRA (Assets of Community Value - Pubs)

No response.

Campaign for Pubs

The Campaign for Pubs objects to this planning application.

As highlighted by many local residents, the Six Bells Inn is a long-standing village pub and was a thriving business for many years. Gislingham is a village with population of over 1,000; the pub has catered for the local community's needs in different ways with a population sufficient to support it. Evidence has been supplied that the previous owners restricted the business to ensure it was unviable as a business. Restricted hours, restricted admittance, restricted service and unwelcoming are comments that have been made.

We note that there is clear support for the pub from the local population evidenced by the 80 objections to change of use with no public commentators supporting.

Our Objection

On behalf of many millions of pub users throughout England, our trust is that Mid-Suffolk District Council also recognises in the importance of pubs and that a community needs a beating heart and that part of that heart is a good, wholesome, happy public house. This is reflected in the National Planning Policy Framework (NPPF).

Policies 83 and 92 of NPPF says that councils should seek to plan positively for the provision of pubs and to resist their loss:

Section 83 d) states “the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”,

Section 92 states “To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.

On this basis alone, the Council should reject the planning application as it goes against 'planning positively for the provision of community facilities, including public houses.'

In addition, we would expect the Council to respect guidance from the Mid-Suffolk Local Plan (1998), in particular, Policy RT2:

“Where existing sports and recreation facilities are to be redeveloped or a change of use is proposed, the district planning authority will seek to ensure, usually through a planning obligation under section 106 of the town and country planning act 1990 (as amended), that suitably located replacement facilities are provided, unless the applicant can demonstrate that a shortfall in provision is not created, the contribution that a facility makes to the character of an area by virtue of its appearance or its value for local informal recreation will be material considerations in determining any redevelopment proposal.”

As an established recreational facility in Gislingham, and the only facility of its kind (public house) within 2km, the Six Bells provides a unique facility for informal recreation in the village. The proposed change of use to a veterinary surgery is not proposing to provide suitable replacement facilities and as such is in contravention of this policy.

Pubs play a vital role in small communities. They help establish a community spirit and a source of information and assistance for residents, while also helping to reduce mental health issues related to loneliness and isolation. They provide employment in the community and are often a source of other related activities such as sports clubs which improve the general health and wellbeing of the community. They're also, when run well by a committed and enthusiastic landlord, a lot of fun.

Other pubs in similar situations have proved able to thrive as living proof that a village needs its pub which performs a vital function as a social hub and unique resource.

Conversely, it would be a disaster for the local community if the Six Bells Inn were allowed to go the same way as so many other pubs and rob the local population of its community hub.

Once it is gone, it is gone - and will never return!

County Council Responses (Appendix 5)

SCC - Highways

The proposal is unlikely to have any impact on the highways network in terms of vehicle volumes or highways safety. Therefore, the Highway Authority does not wish to restrict the grant of planning permission.

Internal Consultee Responses (Appendix 6)

Economic Development & Tourism

Colleagues in Economic Development do not object to the principal of development as the building would continue in a commercial use that provides a local service and employment and training opportunities. The importance of the public house as a community amenity is recognised as well as its contribution to the visitor economy and as a provider of flexible employment. Little detail is provided regarding the viability of the use of the building as a public house.

Environmental Health - Noise/Odour/Light/Smoke

No objection is noted, however, Environmental Health colleagues request that planning conditions be applied to any planning permission that may be granted to control noise insulation relating to the proposed kennels and should relate to both mitigation measures and management of the kennels, additionally no detail is provided regarding whether external machinery or plant is required. Again, mitigation and management of external plant or machinery would be required. Any noise assessment would be required to be conducted by a suitably qualified individual and detail would be agreed prior to the first use of the proposed veterinary practice.

Heritage Team

No comments to be provided by the Heritage Team.

N.B The application building is not listed and does not fall within a conservation area. A number of Grade II listed buildings are noted within the vicinity of the application site, impacts on the setting of these buildings are assessed within the report below at Section 7.

B: Representations

At the time of writing this report over 100 letters/emails/online comments have been received. It is the officer opinion that this overwhelmingly represents objections, with no general comments of comments of support noted. A verbal update shall be provided as necessary.

Views are summarised below:

- No requirement for a veterinary practice in the village. A number of alternative practices are noted within a 5-to-10-mile radius of the village.
- Preference to see the building retained in use as a public house. Would be an important social asset within the village.
- The Six Bells is the only public house within the village and could be a valuable community asset.
- Previous owners did not run the business in a competitive manner, a more engaged owner could create a commercially viable business with the site. Previous Landlords did not allow children or dogs within the premises and opening hours were not regular.
- Change of use does not comply with adopted supplementary planning guidance.
- Change of use would conflict with emergent policies within the Joint Local Plan.
- Change of use would conflict with the adopted Development Plan.
- No evidence has been submitted to show that the pub is not commercially viable as a business.
- A public house has been on the current site since 1844.

- While a number of other pubs are noted within a two-to-three-mile radius of the site, these would need to be accessed via private vehicle as routes are along country lanes with no made footpaths or lighting.
- There is a reasonable expectation that the public house use may be resurrected on site. An ACV application is being made and investigation into the purchase of the property as a community pub was previously undertaken. The premises were considered to be in good condition and had sufficient facilities to create a food offer within it. The previous owners of the pub decided not to continue the process.
- Loss of a flexible employment opportunity within the village.
- Villages with smaller populations support public houses (Finningham – pop. 480, Yaxley – pop. 588, Cotton – pop. 510, Thornham Magna – pop. 210, Stoke Ash – pop. 314).
- Potential noise pollution from proposed kennels.
- Existing traffic issues on Broadfield Road during school terms which may be exacerbated by additional traffic and potential on-street parking.
- Lack of parking within the site itself.
- No village or Parish Council support for the change of use.
- Public House only ceased trading at point of sale (required Covid 19 closures aside).
- Case of the Cherry Tree Public House in Debenham is not directly applicable to this application. Circumstances of the application are different.
- Creation of potentially hazardous waste from the veterinary practice and storage of potentially hazardous substances on the premises.
- Existing financial information provided from Savills is scant in detail and records that another bid on the property to run it as public house was received.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/21/06315	Full Planning Application - Change of use of the Six Bells Inn Public House to Veterinary Practice and pet supplies (sui generis). Business proposed to exist on the ground floor level whilst retaining the existing first floor ancillary residential accommodation.	DECISION: PCO
REF: 3651/09	Erection of fence and gates to front boundary	DECISION: GTD 18.01.2010
REF: 2513/08	Erection of extension to existing single storey flat roof side extension to form enlarged toilets and WC accommodation.	DECISION: GTD 20.08.2008
REF: 0095/91/	EXTENSION TO EXISTING LOUNGE BAR.	DECISION: GTD 13.03.1991
REF: 0389/99/	CONVERSION OF EXISTING ROOF SPACE TO FORM 3 NO. ROOMS (WITH ENSUITE FACILITIES) FOR BED AND BREAKFAST ACCOMMODATION	DECISION: GTD 14.07.1999

REF: 0207/06

Siting of recycling bank facilities.

DECISION: GTD
12.04.2006

REF: 0731/04/

BARN CONVERSION TO HOLIDAY LET,
SHARING THE EXISTING ACCESS WITH
THE PUBLIC HOUSE.

DECISION: GTD
28.02.2005

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is the Six Bells Public House located in the village of Gislingham. It is centrally located within the village on the western side of High Street although given the run of High Street around the property at points is to the south of it.
- 1.2 The building is not listed and does not fall within a conservation area. The site is not part of any landscape designation and not Tree Preservation Orders affect the site. A public right of way connecting High Street to Coldham Lane and part of the wider public right of way network is noted in the adjoining site. It runs diagonally away from the building and then turns west. The route does not run through the application site and would not be affected by the proposed development. The site is located within flood zone 1.
- 1.3 Access to the site is taken from High Street and opens into a surfaced car park with sufficient parking for 12 vehicles. A number of community recycling bins are also located within the car park which are noted to remain should planning permission be granted.
- 1.4 At present, the building dates from the Victorian era and is a pleasant, detached property. Extensions are noted to the east and west of the building. One is a traditionally roofed single storey side extension, while the other, on the other side of the building, is a flat roofed structure. A small, grassed area is noted within the curtilage of the building and operates as a small pub garden.
- 1.5 The building is finished in red brick with the exterior of the original building painted red and slate to the roof with the exception of the flat roofed extension. Existing signage is noted to the building's façade and a traditional pub sign is located within the car park.
- 1.6 The surrounding area is predominantly residential in character. A mix of dwelling types, configurations and facing and roofing materials are evidenced along High Street. A number of Grade II listed buildings are apparent within the surrounding area. Further aerial photographs show the rural character of the surrounding area with field patterns apparent.

2. The Proposal

- 2.1 This application proposes the change of use of the building from a public house with residential accommodation above (sui generis use) to a combination veterinary practice and pet supplies vendor with residential accommodation above (sui generis use). No changes to the external appearance of the building are proposed within this application and any changes to the signage would require a further application for advert consent to be submitted to and approved by the Local Planning Authority.

- 2.2 A sui generis use refers to a use class which does not fall into one of the defined classes set out by the Use Class Order 1987 (as amended) and is regarded as a unique use of its own kind. As such planning permission is required to facilitate the change. The change would only be lawful at the point at which planning permission were granted and the approved use operated from the site. At present the site remains in its sui generis public house and residential accommodation use.
- 2.3 Internally the layout of the building would be altered. This does not require planning permission in and of itself although attention is drawn to the inclusion of a kennel, cattery and surgical theatre within the submitted ground floor layout of the building. These individual aspects of the application will be noted further within the body of this report at Section 9. Some reorganisation is also noted at first floor level, which again, does not require planning permission.
- 2.4 The Planning Statement submitted with the application notes the following:
- Creation of six jobs initially with potential expansion after the first year of operation. Building would remain in a commercial use.
 - Scope of the practice would be limited to small animals only; no farm animals or horses would be treated.
 - Waste storage and collection would be carried out within the site.
 - The first floor would be utilised as manager accommodation retaining an on-site presence.
 - Parking would remain on the site as it is currently provided, no alteration to the existing access is proposed.
- 2.5 Comment is also raised with regards to a similar application in Debenham which saw The Cherry Tree Public House converted for use as a veterinary practice. Further detail on this application is given below at Section 4. Copies of the decision notice and Inspectorate report are provided within supporting material.

3. The Principle of Development

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that '*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*'
- 3.2 Policy CS1 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. Gislingham is identified within said policy as a Primary Village capable of limited growth where local need is established. The policy goes on to state that other local needs may include employment, amenity and community facilities. Of further note is Strategy Objective SO5 which seeks to reinforce the vitality and viability of local shops, schools, services, recreation and community facilities in Towns, Key Service Centres and Primary Villages.
- 3.3 The NPPF seeks to support a prosperous local economy. Paragraph 84 states that:
Planning policies and decisions should enable:
- a) *The sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings...*
 - d) *The retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

- 3.4 Further in seeking to promote healthy and safe communities, paragraph 93 of the NPPF states: *To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:*
- a) *Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments...*
 - c) *Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.*
- 3.5 Comment made in response to this application note conflicts with Saved Local Plan policies RT02 as well as E06 and E09.
- 3.6 With regards to RT02 this relates to the loss of existing sports and recreational facilities within the district and requires that any loss of such facilities be compensated through the delivery of replacement facilities. This policy relates to open space and playing fields and does not necessarily extend the same protection to businesses, even when those businesses offer a valued community facility such as a public house.
- 3.7 Where reference is made to policies E06 and E09, these relate to the retention of existing industrial and commercial sites and location of new industrial and commercial premises within the district respectively. These policies generally apply to large scale industrial developments. With regards to E06 it states that employment generating industrial and commercial sites will be protected from falling into non-employment generating uses. This policy is not considered to be relevant to this application as both the existing use and the proposed use of the building would be employment generating as confirmed within the consultation response from Economic Development. E09 deals with proposals for new B1 (office) development. Recently the Use Class Order 1987 (as amended) has removed reference to B1 (office) uses subsuming it into a new class (Class E) of uses appropriate within town centres. As such it is not considered to apply to this application.
- 3.8 The noted Retention of Shops, Post Offices and Public Houses in Villages SPG provides the following policy statement with regards to change of use applications affecting village public houses:
- The change of use of a village public house to an alternative use will not be permitted unless:*
- *At least one other public house exists within the settlement boundary or within easy walking distance to it; and*
 - *It can be demonstrated by the applicant that all reasonable efforts have been made to sell or let (without restrictive covenant) the property as a public house, and that it is not economically viable; and*
 - *There is no evidence of significant support from the community for the retention of the public house.*
- 3.9 With regards to the principle of development, the NPPF would offer support to both granting or refusing the application for change of use. Utilising the site as a veterinary practice would support a new business and be in accordance with paragraph 84a) of the NPPF, however, it would run contrary to the aims of paragraphs 84d) as well as 93a) and 93c), especially considering the strength of third-party representations received in opposition to the loss of the public house.

- 3.10 Further, attention is drawn to the provisions of the SPG. No other public house exists within Gislingham. The closest public houses are to the application site are:
- The White Horse at Finningham – 1.8 miles away.
 - The Four Horseshoes Inn at Thornham – 2.4 miles away.
 - The White Horse Inn adj. A140 – 3 miles away.

Walking connections each public house would be made along rural roads often without made footpaths or verges and without streetlighting such that making such a journey on foot is unlikely to be reasonably undertaken by most potential customers. It is more likely that such a journey would be undertaken using private motor vehicles. Public transport is unlikely to provide a connection to the surrounding public houses as it would be unlikely to operate during evening hours.

- 3.11 Evidence submitted by the applicants with regards to the economic viability of the public house is limited. Sales information provided by Savills notes that between 14th July 2020 and 8th July 2021 when sale of the building took place to the current owners, 33 enquiries were received with a view to purchase the public house and three viewings were undertaken. Of these, only two offers were received. One by the current applicants and the other at below asking price but which would have continued the use of the building as a public house. That suggests that the asking price for the building may not have been reflective of the market price for the building at the time. No evidence has been prepared to show that the public house would otherwise be unviable. While a public house that relies solely on wet sales (sale of drinks) to justify its income is likely to struggle in the current economic climate, public houses with a food offer are considered to be more secure. Third-party representation given by those involved in the action to bring forward a community pub on the site note kitchens within the building which would allow a stronger business case to be built for the continued operation of the building as a public house.
- 3.12 There is significant support for the continued operation of a public house from the site. Over 100 objections were received in response to the application noting a clear preference for the continued use of the building as a public house. Objections are also noted from Jo Churchill MP as well as the Parish Council who raise similar points with regards the SPG to those outlined within this report. Additionally, a new application to have the Six Bells declared an asset of community value such that it could be bought to operate as a community pub is currently underway.
- 3.13 Based on the above, it is not considered that the change of use of the Six Bells Public House can be supported in principle. It would run contrary to the policy statement set out within the SPG and also to aspects of the NPPF. Paragraph 11 of the NPPF is of use here which requires at section d) that the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

4. Nearby Services

- 4.1 As noted in Section 3.10 of this report a number of public houses are located within a three-mile radius of the application site. A number of veterinary practices are noted within the district and within the neighbouring district to the north, however, travel distances are increased over that for nearby public houses. Within the district veterinary practices can be found at:
- Oakwood Veterinary Surgery, Eye – 5.5 miles away.
 - Debenham Veterinary Practice, Debenham – 10.5 miles away.
 - Cedarwood Veterinary Practice, Stowmarket – 10.7 miles away.

While those located within the neighbouring district to the north can be found at:

- Uplands Way Veterinary Clinic, Bressingham – 7.8 miles away.
- Linden House Veterinary Centre, Diss – 8.2 miles away.

4.2 Within the supporting planning statement reference is made to planning application DC/17/05703 for the change of use of The Cherry Tree Public House in Debenham to a veterinary practice along with creation of two new dwellings. This application was refused by Development Control Committee by notice issued the 26th April 2018. Development was granted on appeal reference APP/W3520/W/18/3206315 on 18th December 2018. With regards to that application, the details differ from that being considered here. Additional public houses were present within Debenham, an extensive marketing exercise had been undertaken with a view to selling the building as a public house and there was a lack of public support for the continued use of the building as a public house. Further, The Cherry Tree itself had been closed for a number of years prior the application for its change of use coming forward.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 The access to the site is to remain unchanged as a result of the change of use and the level of parking onsite would be unaffected. Representations received on the application note existing highways pressure during school term time and concern is raised that the change of use proposed here would exacerbate matters. Additionally, comment is made regarding whether the amount of parking provided on site is sufficient or whether it would lead to demand for on-street parking.
- 5.2 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.3 Consultation with the Highway Authority shows no objection to the proposed change of use. The access is already considered to be sufficient for use by a business and adopted parking standards do not give regard to veterinary practices. That being said, comment within the submitted Planning Statement that appointments would be managed by business is noted and considered to be reasonable. Concerns raised regarding additional traffic at school drop off and pick up times are likely to be small and would not increase traffic to such a degree that the Highway Authority consider it to be worth commenting on.

6. Design and Layout

- 6.1 As noted earlier within this report, no external alteration of the property is sought under this application. Any external alteration which requires planning permission would need to be separately submitted and change to the signage of the building would require advert consent to be granted.
- 6.2 Visually there would be no alteration to the building or streetscene as a result of this application.

7. Heritage Issues

- 7.1 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving a listed building, its setting or other architectural or historic features from which it draws significance. In practice, a finding of harm to the historic

fabric of a listed building, its setting or any special features it possesses gives rise to a presumption against the granting of planning permission.

- 7.2 The Council's Heritage Team were consulted on the application and do not consider it necessary to provide comment in this instance. This application would not create any impacts which would alter the setting of any of the Grade II listed buildings present within the vicinity of the application site.

8. Impact on Residential Amenity

- 8.1 Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 8.2 Comments provided by the Council's Environmental Health Team note concern regarding noise arising from the keeping of dogs in kennels within the site as well as with any external plant that might be utilised at the property to support its use as a veterinary practice. It is considered that noise assessment on both issues, to be completed by a suitably qualified person and to include both mitigation and management information on the control of noise from the building could be secured by planning condition. It is considered that reports would need to be completed prior to the commencement works and mitigation and management processes installed and implemented prior to first use of the building as a veterinary practice.
- 8.3 Comment from a third-party was raised in regards to the storage of hazardous materials on site as well as the need to dispose of waste from the site which would accumulate from the use of the building as a veterinary practice. Control and disposal of hazardous substances from the site is strictly controlled and would be required to be adhered to at all times. This would be undertaken via a separate regime of control to planning and therefore, it is assumed that these regimes will operate correctly and effectively. Paragraph 188 of the NPPF is clear in this respect and requires planning decisions to not duplicate the provisions of those regimes.

PART FOUR – CONCLUSION

9. Planning Balance and Conclusion

- 9.1 The main issue to consider is the proposed change of use of the building from a public house to a veterinary practice. Both the Parish Council and significant levels of third-party representations have been received in opposition to the application. Noise impacts and waste concerns are noted but are considered to be secondary issues which hinge on whether the principle of development can be supported.
- 9.2 Conflict is noted between the application and the provisions of the NPPF, particularly those stated as paragraphs 84d) and 93a) and c). Approval of the application would lead to the loss of the public house, although the building would continue in an employment generating use in accordance with Saved Local Plan policy E06 and paragraph 84a) of the NPPF.
- 9.3 An application in Debenham for a similar development is put forward as an example of a previous planning decision which supported the change of use proposed. However, it is not considered that the facts of this case directly apply to this one. In this instance the public house ceased trading following completion of the sale to the current applicants, further, the application runs

contrary to the provisions put forward in the Retention of Shops, Post Offices and Public Houses in Villages SPG.

- 9.4 No alternative public house is present within the village of Gislingham and the nearest alternative is located 1.8 miles away. While there may be gap in market for a veterinary practice within Gislingham given the distance to any neighbouring practice. This could be provided within the vicinity without necessarily resulting in the loss of the public house.
- 9.5 The marketing of the site did generate interest in the running of the site a public house, however, was under the asking price for the property at the time which potentially indicates that the property was overpriced within the market. Evidence supplied from third parties note the site offers a kitchen such that it could also support a food offer potentially supporting a more viable business model for the site.

RECOMMENDATION

That the application is REFUSED planning permission for the following reason:

Notwithstanding the evidence submitted with the application it is considered that the use of the building as public house would provide a valued local facility which would support the needs of the residents and future residents of the village of Gislingham. It is not considered that the development would meet with policy statement 5.4 set out in the Retention of Shops, Post Offices and Public Houses in Villages SPG. No other public house is located within the village of Gislingham for alternative use by its residents, insufficient marketing has taken place to demonstrate that there is not an opportunity through selling the property to continue its use as a public house and no economic evidence has been submitted to show that the business could not viably operate from the site. Further, there is significant public interest in retaining a public house within the village of Gislingham.

On the basis of the above, it is considered that the proposed change of use would run contrary to the principles of paragraphs 84d) and 93a) and c) of the National Planning Policy Framework and contrary to the provisions of policy statement 5.4 set out in the Retention of Shops, Post Offices and Public Houses in Villages SPG.

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Application No: DC/21/06315

Location: The Six Bells Inn, High Street,
Gislingham

		Page No.
Appendix 1: Call In Request	<i>N/a</i>	
Appendix 2: Details of Previous Decision	<i>N/a</i>	
Appendix 3: Parish Council	<i>Gislingham Parish Council</i>	
Appendix 4: National Consultee Responses	<i>Campaign for Pubs</i>	
Appendix 5: County Council Responses	<i>Highways</i>	
Appendix 6: Internal Consultee Responses	<i>Economic Development Environmental Health</i>	
Appendix 7: Any other consultee responses	<i>N/a</i>	
Appendix 8: Application Site Location Plan	<i>Yes</i>	
Appendix 9: Application Plans and Docs	<i>Yes</i>	
Appendix 10: Further information	<i>Copy of Committee Report for DC/17/05703 and Inspectorate Decision APP/W3520/W/18/32006315 relating to the change of use of The Cherry Tree Public House in Debenam.</i>	



Babergh and Mid Suffolk District Councils



The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



Babergh and Mid Suffolk District Councils

GISLINGHAM PARISH COUNCIL RESPONSE DC/21/06315

The Parish Council considered and debated the Planning Application (DC/21/06315) for change of use of the Six Bells Inn Public House at a meeting last night with residents in attendance who have themselves previously made comments on the MSDC Planning Portal.

The Parish Council wish to object to the change of use from a Public House to a Veterinary Practice and pet supplies

Councillors trust the Planning Department will address The Supplementary Guidance (SPG) on the Retention of Shops, Post Offices and Public Houses adopted by MSDC in 2004 containing the following policy statement:

- "The change of use of a village Public House (PH) to an alternative use will not be permitted unless at least one other PH exists within the settlement boundary or within easy walking distance to it (defined as 200-300m from the boundary)."

This is clearly not the case in Gislingham.

A Six Bells Steering Group was formed when the previous owners first put the Public House on the market and were very keen to seek funding to purchase the Pub but as noted on the MSDC Portal (by the Chair, Mr Saunders) the owners were not prepared to supply accounts for the current business, did not allow any photographs to be taken, refused to cooperate with an attempt to have a professional commercial valuation of the business undertaken and stated they would strongly object to an ACV. The Parish Council did apply for an ACV but this was subsequently refused.

The number of comments already made by residents objecting to the application demonstrates overwhelming support for the retention of the pub. At the Parish Council meeting last night residents made the valid point that the previous owners did not cater to the needs of the local community, which is increasingly expanding, but that they would willingly support owners who did.

At the meeting residents expressed their views regarding the previous unsuccessful purchasing of the Six Bells PH as they believe that, contrary to previous claims, the Pub could be a thriving business.

Our District Councillor Rowland Warboys was also in attendance at the meeting last night and advised that he had "called this Planning Application in" and it would now be discussed at a future Development Meeting.

The Parish Council would very much appreciate being advised of the date this application will be considered so that Councillors and residents can attend and speak about the reasons for their objections to the change of use.

Please note our Parish Clerk is in the process of applying for an ACV for the Six Bells Inn Public House.



Campaign for Pubs

Promote, Support and Protect Pubs

Mid-Suffolk District Council
Endeavour House,
8 Russell Road,
Ipswich
IP1 2BX

16 December 2021

Sent to planning@baberghmidsuffolk.gov.uk (Daniel Cameron - Case Officer)

Mid-Suffolk District Council - Planning Application DC/21/06315

The Campaign for Pubs objects to this planning application.

As highlighted by many local residents, the Six Bells Inn is a long-standing village pub and was a thriving business for many years. Gislingham is a village with population of over 1,000; the pub has catered for the local community's needs in different ways with a population sufficient to support it. Evidence has been supplied that the previous owners restricted the business to ensure it was unviable as a business. Restricted hours, restricted admittance, restricted service and unwelcoming are comments that have been made..

We note that there is clear support for the pub from the local population evidenced by the 80 objections to change of use with no public commentators supporting.

The Campaign for Pubs

The Campaign for Pubs exists to provide a real voice for pubs, bringing together publicans, customers and brewers and all who value our pub culture. The Campaign for Pubs has been formed precisely due to the lack of a real voice for pubs and publicans and to campaign for the needs of pubs and publicans, not the large property companies, big brewers and pub chains. The Campaign for Pubs campaigns for a better, freer and fairer, more sustainable pub sector. The Campaign for Pubs is a member organisation of the British Pub Confederation (the Confederation of independent organisations representing pubs and pub campaigners) and the Campaign for Pubs will administer and support the ongoing work of the Confederation to further strengthen representation for pubs and publicans.

Martin Bate is the Regional representative for east Anglia, which includes Gislingham.

Our objection

On behalf of many millions of pub users throughout England, our trust is that Mid-Suffolk District Council also recognises in the importance of pubs and that a community needs a beating heart and that part of that heart is a good, wholesome, happy public house. This is reflected in the National Planning Policy Framework (NPPF)

Policies 83 and 92 of NPPF says that councils should seek to plan positively for the provision of pubs and to resist their loss:

Section 83 d) states "the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship",

Section 92 states "To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of

worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

On this basis alone, the Council should reject the planning application as it goes against 'planning positively for the provision of community facilities, including public houses.'

In addition, we would expect the Council to respect guidance from the Mid-Suffolk Local Plan (1998), in particular, Policy RT2:

- "WHERE EXISTING SPORTS AND RECREATION FACILITIES ARE TO BE REDEVELOPED OR A CHANGE OF USE IS PROPOSED, THE DISTRICT PLANNING AUTHORITY WILL SEEK TO ENSURE, USUALLY THROUGH A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED), THAT SUITABLY LOCATED REPLACEMENT FACILITIES ARE PROVIDED, UNLESS THE APPLICANT CAN DEMONSTRATE THAT A SHORTFALL IN PROVISION IS NOT CREATED. THE CONTRIBUTION THAT A FACILITY MAKES TO THE CHARACTER OF AN AREA BY VIRTUE OF ITS APPEARANCE OR ITS VALUE FOR LOCAL INFORMAL RECREATION WILL BE MATERIAL CONSIDERATIONS IN DETERMINING ANY REDEVELOPMENT PROPOSAL."

As an established recreational facility in Gislingham, and the only facility of its kind (public house) within 2km, the Six Bells provides a unique facility for informal recreation in the village. The proposed change of use to a veterinary surgery is not proposing to provide suitable replacement facilities and as such is in contravention of this policy.

Pubs play a vital role in small communities. They help establish a community spirit and a source of information and assistance for residents, while also helping to reduce mental health issues related to loneliness and isolation. They provide employment in the community and are often a source of other related activities such as sports clubs which improve the general health and wellbeing of the community. They're also, when run well by a committed and enthusiastic landlord, a lot of fun.

Other pubs in similar situations have proved able to thrive as living proof that a village needs its pub which performs a vital function as a social hub and unique resource.

Conversely, it would be a disaster for the local community if the Six Bells Inn were allowed to go the same way as so many other pubs and rob the local population of its community hub.

Once it is gone, it is gone - and will never return!

As with many other attempts to change the use of a valued public house, much is made of the pub being unviable. There are numerous examples around the country of pubs which can thrive with effective business planning and management. There is no reason why this may not also be the case for the Six Bells.

The loss of a vital community facility which could, with the right intervention, become a thriving and important public resource is surely against the principles of any Council.

We are trusting that common sense will prevail and, in making a decision, the Council will see that the case has simply not been made that planning permission should be granted to destroy this historic pub and furthermore that Gislingham needs this public house.

Yours sincerely,



Martin Bate
Regional Representative for East Anglia
Campaign for Pubs
martin.bate@campaignforpubs.org.uk



Greg Mulholland
Campaign Director
Campaign for Pubs
campaign@campaignforpubs.org.uk

Your Ref: DC/21/06315
Our Ref: SCC/CON/5334/21
Date: 13 December 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Daniel Cameron - MSDC

Dear Daniel Cameron - MSDC

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06315

PROPOSAL: Full Planning Application - Change of use of the Six Bells Inn Public House to Veterinary Practice and pet supplies (sui generis). Business proposed to exist on the ground floor level whilst retaining the existing first floor ancillary residential accomodation.

LOCATION: The Six Bells Inn, High Street, Gislingham, Suffolk IP23 8JD

Notice is hereby given that the County Council as Highway Authority make the following comments:

This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council as a Highway Authority does not wish to restrict the grant of permission.

Yours sincerely,

Louis Majewski
Apprentice Civil Engineering Technician

Growth, Highways and Infrastructure

From: Andy Rutson-Edwards
Sent: 26 November 2021 10:32
Subject: DC/21/06315

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/06315

Proposal: Full Planning Application - Change of use of the Six Bells Inn Public House to Veterinary Practice and pet supplies (sui generis). Business proposed to exist on the ground floor level whilst retaining the existing first floor ancillary residential accomodation.

Location: The Six Bells Inn, High Street, Gislingham, Suffolk IP23 8JD

Thank you for the opportunity to comment on this application. I have the following comments to make:

- I am unable to see any noise assessment for the kennel area.

Environmental Protection shall require a noise assessment to be carried out by a competent person. Dog barking is amongst the most common complaints we receive and mainly an issue of impact on daytime amenity (external garden space). Any Noise Impact Assessment should consider these aspects and not simply the internal noise level for noise sensitive receptors (NSRs).

Measuring the noise from the loudest adult dogs and the impact of LAmax on the boundary of the NSRs would be appropriate.

I would suggest that you have regard also to the maximum number of dogs as they do tend to follow pack mentality and when one barks the rest join in and increase the volume accordingly. I suggest that a worst case scenario is used as this would provide more confidence and certainty because dog bark volume tends to vary between breeds/size/age.

Mitigation measures should also be considered in terms of noise barriers and management. (*For example the dogs shall be attended at all times, both inside and outside(if the adjoining area is to be used). The maximum number of dogs outside at one time should be limited in accordance with the noise impact assessment findings*).

Confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

- It is not clear whether there will be any external mechanical plant necessary for the surgical theatre or treatments rooms.

I shall require a noise assessment to be undertaken for any proposed mechanical plant to be installed or the existing to be replaced. If the applicant confirms that any mechanical plant is to be installed/replaced then I would ask that the following is considered:

The application shall not be determined/ the development shall not commence until full and details of all plant to be installed including precise acoustic specification, as well as a noise assessment, to include details of the current existing background level, to be based on

methodology as given in British Standard BS4142:2014 have been submitted to an approved by the LPA, in order to allow the likelihood of loss of amenity to be determined.
Reason: to minimise detriment to nearby residential amenity

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

Email andy.rutson-edwards@baberghmidsuffolk.gov.uk

www.babergh.gov.uk www.midsuffolk.gov.uk

Committee Report

Item No: 4

Reference: DC/17/05702/FUL &
DC/17/05703/LBC
Case Officer: Alex Scott

Ward: Debenham

Ward Member/s: Cllr Kathie Guthrie

Description of Development

Full Planning Application - Change of use of existing public house to veterinary practice and change of use of existing ancillary building to A1 commercial and 2 no. dwellings.

and

Application for Listed Building - Internal alterations to buildings to facilitate change of use of existing public house to veterinary practice and change of use of existing ancillary building to A1 commercial and 2 no. dwellings.

Location

Cherry Tree Inn, 1 Cherry Tree Lane, Debenham, IP14 6QT

Parish: Debenham

Site Area: 0.275 ha

Conservation Area: No

Listed Building: Yes

Received: 14/11/2017

Expiry Date: 27/02/2018

Application Type: FUL - Full Planning Application; and LBC – Application for Listed Building Consent

Development Type: Change of Use; and Alterations to a Listed Building

Environmental Impact Assessment: N/A

Applicant: Ms J Martin

Agent: Hollins Architects & Surveyors

DOCUMENTS SUBMITTED FOR CONSIDERATION

This application refers to the Site Location Plan drawing number 17-204-001 (received 14/11/2017) 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 assessment.

The plans and documents recorded below are those upon which this decision has been reached:

Planning Application Form – Received 14/11/2017
Planning / Design and Access Statement – Received 14/11/2017
Marketing Statements – Received 14/11/2017
Flood Risk and Drainage Assessment – Received 29/11/2017
Site Location Plan – drawing no. 17-204-001 – Received 14/11/2017
Existing Block Plan – drawing no. 17-204-002 – Received 14/11/2017
Existing Ground Floor Plan – Pub – drawing no. 17-204-003 – Received 14/11/2017
Existing First Floor – Pub – drawing no. 17-204-004 – Received 14/11/2017
Existing West and East Elevations – Pub – drawing no. 17-204-005 – Received 14/11/2017
Existing North and South Elevations – Pub – drawing no. 17-204-006 – Received 14/11/2017
Existing Ground Floor Plan – Commercial and Holiday Lets – drawing no.17-204-007 – Received 14/11/2017
Existing First Floor Plan – Commercial and Holiday Lets – drawing no. 17-204-008 – Received 14/11/2018
Existing West and East Elevations – Commercial and Holiday Lets – drawing no. 17-204-009 – Received 14/11/2017
Existing North and South Elevations – Commercial and Holiday Lets – drawing no. 17-204-010 – Received 14/11/2017
Proposed Block Plan – drawing no. 17-204-200 – Received 14/11/2017
Proposed Ground Floor Plan – Vets – drawing no. 17-204-201 – Received 14/11/2017
Proposed First Floor Plan – Vets – drawing no. 17-204-202 – Received 14/11/2017
Proposed West and East Elevations – Vets – drawing no. 17-204-203 – Received 14/11/2017
Proposed North and South Elevations – Vets – drawing no. 17-204-204 – Received 14/11/2017
Proposed Ground Floor Plan – Commercial Unit and 2 no. Dwellings – drawing no. 17-204-210 – Received 14/11/2017
Proposed First Floor Plan – 2 no. Dwellings – drawing no. 17-204-211 – Received 14/11/2017
Proposed West and East Elevations – Commercial Unit and 2 no. Dwellings – drawing no. 17-204-212 – Received 14/11/2017
Proposed North and South Elevations – Commercial Unit and 2 no. Dwellings – drawing no. 17-204-213 – Received 14/11/2017
Independent Viability Assessment – Received 15/2/2018

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Planning Manager considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council, the extent and planning substance of comments received from third parties, and the nature of the application.

PART TWO – POLICIES AND CONSULTATION SUMMARY

All Policies Identified as Relevant

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC03 – Provision and Distribution of Employment Land
CS01 - Settlement Hierarchy
CS05 – Mid Suffolk’s Environment
GP01 - Design and layout of development
HB01 – Protection of Historic Buildings
HB03 – Conversions and alterations to Historic Buildings
HB04 – Extensions to Listed Buildings
HB05 – Preserving Historic Buildings through alternative uses
HB08 – Safeguarding the character of conservation areas
H16 – Protecting existing residential amenity
H17 – Keeping residential development away from pollution
E06 – Retention of use within existing industrial/commercial areas
E12 – Commercial Development – General Principles for Location, Design and Layout
T09 – Parking Standards
T10 – Highway Considerations in Development
SC05 – Areas at risk of flooding

Supplementary Planning Guidance

Retention of Shops, Post Offices and Public Houses in Villages

Previous Committee / Resolutions and Any Member Site Visit

None.

Pre-Application Advice

None.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Debenham Parish Council

For reasons stated in previous meetings, any application which would result in the loss of the Cherry Tree as a public house would not be supported by the Council unless all options had been exhausted. This amenity's importance and value to the local community was now even more significant when considering the imminent growth within the village.

SCC - Highways

No Objection subject to compliance with standard turning and parking condition.

BMSDC – Economic Development

Following review of viability report provided – Support

BMSDC – Communities

No comments received.

BMSDC – Strategic Leisure

No specific comments to make on this application.

BMSDC – Heritage Team

Recommends Approval – The Heritage Team considers that the proposal would cause no harm to the designated heritage assets because the alterations would not affect the building's special interest and would secure its continuing use.

BMSDC – Arboricultural Officer

No objections.

BMSDC – Environmental Protection – Land Contamination

Given the planning history of the site and the redevelopment of ancillary land to the public house: confirm no objections to the proposed development from the perspective of land contamination.

The Environment Agency

No objection – subject to proposal being carried out in accordance with recommendations of Flood and Drainage assessment provided with the application.

SCC – Flood and Water Management

Request further information (Detailed Flood and Drainage Assessment subsequently received).

Suffolk Fire and Rescue

Fire Hydrants in the location will support the proposed change of use.

B: Representations

Letters of support for the application (specifically in relation to the proposed change of use of the pub to a vets) have been received from a total of 86 (Eighty Six) third party sources during the course of determination.

PART THREE – ASSESSMENT OF APPLICATION

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

1. The Site and Surroundings

- 1.1. The application site is located on the corner of the B1077 Ipswich Road and Cherry Tree Lane on the southern approach to the village of Debenham.
- 1.2. The application site comprises a grade II listed building, known as the Cherry Tree Inn, which dates from the 16th Century with later extensions and alterations. The site also comprises an ancillary detached part single-storey, part two-storey building. The site benefits from a large existing access to Cherry Tree Lane and a large gravel car park to the north-east of the buildings, fronting the B1077 highway.
- 1.3. The premises was last in use as a public house approximately 5 years ago.
- 1.4. Cherry Tree Lane lies to the north-west of the site and the B1077 to the north-east. The site is bounded to the south-east by 4 no. dwellings recently constructed in 2013. The rear gardens of dwellings fronting Deben Rise lie adjacent to the south-west

2. History

- 2.1. The applications follow planning permission ref: 2780/10 and listed building consent ref: 2781/10, granted in September 2011 for:
 - Continued use of public house and alterations and first floor extension to provide: Ancillary dining / function room; and A two bedroom flat;
 - Conversion and alteration of rear part of public house to provide: A cafe / restaurant (A3); A self-contained one bedroom flat; and 1 no. retail unit (A1);
 - Demolition of existing outbuilding and erection of new building providing: 1 no. retail unit (A1); and 2 no two bedroom holiday lets (C3); and
 - Erection of 4 no. four bedroom detached two-storey dwellings (C3) and construction of new access and car parking.
- 2.2. A section 106 agreement (dated 9th September 2011) and supplemental s106 (dated 25th March 2014) were attached to planning permission ref: 2780/10, between Mid Suffolk District Council and Highland Limited, in the interest of securing the refurbishment and re-opening of the Pub alongside the construction of the 4 no. approved dwellings.

- 2.3. Later listed building consents (ref: 3658/11/LBC; 0947/13/LBC) were granted for further alterations to the building, which included: - removal of chimney stack, rebuild rear wall, replacement of roof tiles and alterations to approved elevations and internal layout.
- 2.4. The 4 new dwellings approved as part of planning permission reference 2780/10 were commenced in January 2012 and were completed in April 2013. All four were sold by the end of April 2014.
- 2.5. Refurbishment of the public house commenced on the 12th December 2011 and work on the holiday lets and retail unit commenced on the 21st May 2013. No completion dates are currently listed for these elements.
- 2.6. Transfer of ownership from Highland Limited to Highland Property Limited was notified to Council on 7th October 2011.
- 2.7. Available information and concerns/issues raised regarding the completion and reopening of The Cherry Tree Inn development are as follows:
 - * The internal works to public house (kitchen and bar area) have not been fully completed as per the approved plans;
 - * The public house and retail unit have been marketed for sale/tenancy as a pub/restaurant for some time but so far no successful sale/tenancy has been agreed;
 - * The development is therefore not currently complete and open for trade as per the s106 agreement;
 - * The Council's public realm department also confirm there is no record of being contacted about the management of the open spaces, following granting of permission reference 2780/10.
- 2.8. Council enforcement officers have assessed the case and have advised that the financial obligation in the s106 (P1 C7.4) is specific to Highland Limited and excludes successors in title – and is therefore not now enforceable due to the transfer of ownership in 2011.
- 2.9. Enforcement officers also advise that the enforcement of s106 obligations is different to enforcement of planning conditions and require formal court proceedings (eg. court order/injunction). The Council would on that basis need to make a case to a judge that it would be equitable to issue an order requiring specific performance and compliance with the s106. The Council's Legal Team advises that since in this case the most that would be achieved would be the construction of a new pub restaurant with no guarantee that any beneficial occupation would ever take place, it is unlikely a judge would support such an order.
- 2.10. Given the above points enforcement officers advise that it is unlikely the Council would be successful in obtaining a court order to enforce the clauses of the s106 obligations which require the pub to be completed and opened to trade. The advised course of action going forward is, therefore, to seek compliance from the current owners by way of negotiation. However, submission of the current application changes the situation from an enforcement perspective and enforcement officers are obliged to hold enforcement action (whether formal or informal) in abeyance whilst the application is determined. Enforcement officers advise that if the application

were to be granted, commencement of the permission would resolve the breach. However, should the application be refused negotiation could proceed, as above.

3. The Proposal

- 3.1. The applications seek planning permission and listed building consent for the change of use of the former public house to a veterinary practice and the ancillary buildings to a commercial unit and 2 no. dwellings.
- 3.2. The former pub building is proposed to be converted to a veterinary practice with reception, consulting and operation rooms, and a pharmacy and ground floor, with a conference room, meeting room, offices and staff room and facilities at first floor. The existing village Veterinary Practice is located at 14 Low Road and it is understood that this existing practice would relocate should permission be granted.
- 3.3. The single-storey element of the ancillary building is proposed as 75 square metres of commercial floor space and the two-storey element is proposed as a 2 no. two bedroom dwellings.
- 3.4. The existing access and parking area are proposed to be retained to be used in association with the proposed land uses.

4. Principle - Permanent Loss of Local Facility

- 4.1. Paragraph 28 of the National Planning Policy Framework (the Framework) provides makes that in order to support a prosperous rural economy local planning authorities should, amongst other things, promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship. In addition, paragraph 70 of the Framework states that planning policies and decisions should plan positively for the provision and use of shared space and community facilities, such as public houses to enhance the sustainability of communities and to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
- 4.2. MSDC Supplementary Planning Guidance (SPG)-Retention of Shops, Post Offices and Public Houses in Villages (2004) sets out the Council's position with specific regard to the conversion of pubs to dwellings. The SPG is not a formal planning document and cannot, therefore, be given the same weight as a Development Plan Document. The SPG is, however, considered to be consistent with the NPPF.
- 4.3. The SPG states that there will be support for the retention of facilities where they can be shown to be viable. The change of use of a village public house to an alternative use will not be permitted unless a number of criteria are met including that there should be at least one other public house exists within the settlement boundary or within easy walking distance to it. The village is designated as a 'key service centre' in development plan policy CS1. There are two other public houses in the village centre (The Woolpack and the Angel). The proposal does not, therefore, conflict with the SPG in this respect.

- 4.4. The SPD also requires applicants to demonstrate that there is no evidence of significant support from the community for the retention of the pub. The pub has been closed for business for the past 5 years and as such no records of regular customers is available and it is not clear how a regular customer has been defined. Apart from regular custom the pub would also be likely to rely on non-local and passing trade as it is located in close on the main route through the village in proximity to the A1120 tourist route. Whilst the Parish Council have strongly opposed the change of use this is not considered to represent significant support as per the meaning in the SPD. The proposal does not, therefore, conflict with the SPG in this respect.
- 4.5. The listing of a building as an Asset of Community Value (ACV) can also be an indication of the value that the local community place on a property to further the social wellbeing or social interests of the local community. However, it is noted that whilst the other two pubs in the village do appear on the list, the Cherry Tree Inn does not, this in itself does not diminish the case for retaining the facility as a free enterprise. The proposal does not, therefore, conflict with the SPG in this respect.
- 4.6. It is not contested that rural pubs are important in terms of the social fabric of the community, a fact recognised by both the NPPF and the SPG and they can also provide economic benefits to rural areas through the attraction of visitors. However, taking into account that the Cherry Tree Inn is not the last remaining Pub in the village, that it has not been listed as an ACV, and that retention of the pub has not generated a significant amount of support within the community (the support received from the Parish Council acknowledged) it is considered that there is insufficient planning policy backing for its retention as a local facility. The fact that the pub is presently closed and cannot, therefore, be a current asset in practical terms has been taken into account in arriving at this conclusion.
- 4.7. In conclusion, therefore, the proposal would not result in the permanent loss of a public house within the village and the proposal would not, therefore, result in a significant harmful effect on the social vitality of the existing community. The proposal is, therefore, not considered to be contrary to the SPG, Policy E6 of the Local Plan and paragraphs 28 and 70 of the NPPF.

5. Principle – Marketing and Viability

- 5.1. The applicant has provided evidence that the premises has been marketed as a public house, Café/deli and retail unit (in the proportions as approved under planning permission ref: 2780/10) since May 2016 by estate agents Everard Cole and Clarke and Simpson. These campaigns have not resulted in any definite offers or lease options being made despite an initial interest from a local company.
- 5.2. In addition to the above marketing carried out by the applicant, an independent viability assessment, commissioned by the local planning authority, has also been carried out by Jonathan Reubin MRICS, Chartered Surveyor. The report presents the following assessment:
- 5.3. The premises has space for a bar and dining area for at least 140-150 covers. The total floor area for this as a trading entity is approximately 530 square metres.
- 5.4. The premises are only partly fitted as the trade kitchens are lined out, piped and hoods and extractors fitted. There is no bar counter or fixture, beer and minerals delivery systems nor any

trade fixtures or fittings or inventory. To finish fitting out and decorating along with equipping for trading it is estimated a further investment of around £400,000 is required.

- 5.5. The Cherry Tree pub has been closed for at least 5 years and since closure the two competing public houses have not thrived particularly well and indeed on, The Angel was, after appeal, granted planning permission in 2016 to reduce its trade area. The Cherry Tree Inn has been developed as a large multi-function public house and eatery similar to ones developed on retail business parks adjacent to main road interchanges and large urban populations.
- 5.6. Mr Reubin is of the opinion that the Cherry Tree, as developed will not produce sufficient turnover and profits to warrant the further investment required to set it up for trade. If the Pub does re-open in the present format it will suck in so much trade from other established public houses in Debenham and the surrounding area that many would be put in jeopardy. Mr Reubin does not consider there is sufficient demand for a fine dining restaurant of this size in Debenham and the surrounding area and casual dining establishments are now finding it difficult to maintain trade nationally. To make this public house work effectively to provide steady reliable employment it would have to have turnover of over one million pounds per annum. This would have to be new business if it was not to upset the fragile local catering economy.
- 5.7. Even as a stand-alone public house with just a limited pub food offer the local establishments could be damaged to such an extent that the local authority could be faced with applications from other pubs for change of use as the businesses become non-viable.
- 5.8. Mr Reubin has had regard for the growth prospects for Debenham and for the current proposal for 220+ houses to the north of the village, which has attracted 90 or so objections, and there are other sites in addition that could provide a further 115-200 houses. Mr Reubin is of the opinion that, unless all these applications for additional housing were known 6 or so years ago, then it should be questioned why a public house and restaurant of this urban scale (which the Cherry Tree now is) was granted permission when there was little prospect of it succeeding and not without damaging other similar businesses within a few miles. Mr Reubin is of the opinion that from the point of view of catering establishments such as public houses the present economic prospects are 'fragile'. Mr Reubin's professional opinion is that even if planning permission were to be granted for all the aforementioned housing proposals at the village the Cherry Tree Inn, in its present size, would still not succeed without affecting the other two pubs in the village (The Woolpack and The Angel).
- 5.9. Mr Reubin considers the marketing campaign, submitted with the application, to have been comprehensive and that much was done to attract a letting or sale to a locally based, but national and international business, Aspall Cider. However, after long consideration the property did not fit with the company's future plans for business development.
- 5.10. Mr Reubin acknowledges that the application for change of use and re-development has attracted few objections and considers that local feelings are not strong for the retention of the use unlike those for the housing development proposals for the village which would go a long way to guarantee retention and limited expansion of services and retail opportunities for the community, including the two pubs currently trading. Mr Reubin is of the opinion that if the village does expand with the granting of permission for the housing developments then he still does not consider the Cherry Tree Inn in its current format would necessarily succeed without damaging the trade of the other two public houses.

- 5.11. Mr Reubin concludes by saying that whilst it is sad that a public house could be lost, the fact is that there is a limit on how far the dining out pound can be spread in rural areas where private transport has to be used. Mr Reubin considers that the occupier of the Cherry Tree would have to be exceptional and within a market niche that would avoid damaging the other two pubs in the village and those in surrounding villages. Attracting such a buyer or tenant has been fruitless and no offers on asking rents have been received from potential tenants of consequence.
- 5.12. Mr Reubin suggests a potential solution may be to redesign the building to reduce the size of the trade area more in keeping with the local market which would go some way to protect the other public house assets in Debenham and surrounding villages.
- 5.13. Mr Reubin concludes that if the Council policy is to encourage local rural employment then the proposed local veterinary practice would meet this policy and at the same time protect the other two public houses in the village.
- 5.14. Your planning officers, therefore, conclude that the minimum period for marketing by the SPD has been met and the marketing campaign submitted as part of the application is comprehensive and extensive. It is considered that it has been sufficiently demonstrated that the price and terms upon which the property has been marketed are realistic and appropriate. The proposal does not, therefore, conflict with the SPG in this respect.

6. Principle – Proposed Vets, Commercial Use and Dwellings

- 6.1. In addition to the above assessment, the application site is located within the settlement boundary of a key service centre village (as designated in policy CS1 of the development plan) and proposes the re-use of existing buildings.
- 6.2. The principle of a new Veterinary Practice on the site is considered consistent with the provisions of the NPPF and development plan in that it would serve to support and grow an existing village business and service and would provide employment opportunities.
- 6.3. The proposed commercial floorspace is consistent with current policy and would provide local employment opportunities.
- 6.4. The principle of new housing development in this location is also considered acceptable subject to all other material planning considerations. Those most relevant to the application proposal are set out below.

7. Village Character and Heritage Assets

- 7.1. The applications propose minimal alterations to the exterior of the existing buildings and would have the benefit of providing additional soft landscaping to the Ipswich Road frontage. The proposal would, therefore conserve the existing visual character of the street scene and would provide landscaping enhancements to the street scene frontage. The proposal would also conserve the setting of the village conservation area.

- 7.2. The proposed alterations to the heritage assets are considered reasonable in order for the buildings to function as the proposed use. The proposal is not considered to result in substantial harm to the heritage assets with respect of removal of historic material or the appreciation of historic spaces and any 'less than substantial harm' identified by heritage professionals is considered to be outweighed by the public benefit of securing a viable use for the assets and through this securing them for the enjoyment of future generations.

8. Residential Amenity

- 8.1. The application proposes the re-use of existing buildings and without significant alteration or extension that would alter the buildings' mass of fenestration layout to the detriment of the amenities currently enjoyed by occupants of neighbouring properties.
- 8.2. The proposed land use is also considered to have a neutral impact on neighbouring amenity with respect of noise and disturbance and odour when compared to the existing land use.

9. Highway Safety

- 9.1. The application site would utilise the existing substantial vehicular access used in association with the existing pubic house. The access is considered to be of sufficient width to serve the proposed Vets, Commercial Unit and 2 no. dwellings proposed and to provide adequate highway visibility.
- 9.2. The application proposes 23 no. customer parking spaces, and 2 no. disabled parking spaces, to the frontage of the existing buildings, with additional space for manoeuvring. An additional 5 no. staff car parking spaces are also proposed to the rear of the buildings, accessed between the existing buildings on the site. This provision is considered adequate to serve both proposed businesses, having had regard to Suffolk Advisory Parking Standards.
- 9.3. The application also proposes 4 no. parking spaces in relation to the 2 no. two bedroom dwellings proposed. This provision is also in accordance with current advisory parking standards which advise a minimum of 3 no. parking spaces to serve 2 no. two bedroom dwellings.
- 9.4. The proposal is, therefore, considered acceptable in terms of highway safety and convenience.

10. Flood Risk

- 10.1. A comprehensive flood risk and drainage assessment relating to the development proposal has been produced and provided with the application.
- 10.2. The Environment Agency (EA) shows the area of proposed development to span flood zones 1 to 3. Flood zone 3 is defined by National Planning Guidance as an area where the probability of flooding from fluvial and/or tidal sources is high.
- 10.3. The report concludes that a comparison of updated modelled flood levels for the Cherry Tree Watercourse (including an allowance for climate change) with the measured topographic elevations at the site shows that although the northern part of the site lies below the calculated

flood level (of 33.733m AOD) the floor levels of the existing Public House and all of the areas of proposed development lie above this level. Whilst the northern part of the site is considered to be at risk from flooding from Cherry Tree Watercourse, it is not deemed to be at risk from any other sources including from the sea, overland flow or groundwater.

- 10.4. The report concludes that none of the proposed development lies within the 1 in 100yr climate change floodplain and notes that no new buildings are proposed within EA flood zones 2 or 3. Therefore no floodplain compensation has been considered necessary at the site.
- 10.5. The application proposal would not result in a net increase in the amount of impermeable areas at the site, and as such no generation of increased volume of surface water run-off would result when compared with currently existing conditions.
- 10.6. The report advises that, although the proposed commercial unit and dwellings (the ancillary building proposed to be converted) lie outside the 1 in 1000 year climate change floodplain it is recommended that finished floor levels are set at least 150mm above average surrounding ground levels to provide freeboard were the site to flood under extreme circumstances (in accordance with building regulations). It is advised that Finished Floor Levels for these areas will be set at 34.750m, 35.050m and 35.300m AOD respectively.
- 10.7. The report advises that no permanent ground raising should occur in areas of flood zone 3 (on ground below 33.733m AOD) including over the areas proposed for car parking and gardens.
- 10.8. The report recommends that the proposed access is maintained for use within a flood event.
- 10.9. The report advises that the northern part of the site falls within the EA flood warning service area for the River Deben. It is recommended that the future owners of the Veterinary Practice (The existing Cherry Tree Inn public house) register for this service and that a flood evacuation procedure is developed for use on site to ensure that occupants of the site leave safely.
- 10.10. The report recommends that surface water runoff is sought for disposal via soakaways. However, it is advised that the use of soakaways should first be investigated through soakaway testing in accordance with the requirements of BRE 365.
- 10.11. The report advises that overflows from the soakaways should drain into the Cherry Tree Watercourse and that discharge into this watercourse should be controlled to the Greenfield Runoff Rate of 2.8/l/s/ha.
- 10.12. The report recommends that all drainage design should be carried out by suitably qualified drainage engineers and should include plans for maintenance over the lifetime of the development.
- 10.13. Having had regard to standing advice provided by the EA and SCC Flood and Drainage, should the proposal be carried out in accordance with the above recommendations it is not considered that the proposal would result in significant additional flood risk.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. With regards the social dimension of sustainable development the proposal would result in the provision of village services and 2 new small homes, within a sustainable village. This is, therefore, attributed positive weight.
- 11.2. Again with regards the social dimension, although the proposal would result in the loss of a community facility (a public house) and the proposal would retain employment opportunities and would not result in the loss of all public house facilities and opportunities within the village, which the proposed new dwellings would help support.
- 11.3. With regards the economic dimension of sustainable development, the proposal would retain employment opportunities on the site and would help support the sustainability of the village.
- 11.4. Although the proposed dwellings would not, in themselves, result in long term economic development there would at least be a small term economic benefit in employment during the construction phase of development, although this is not attributed significant positive weight.
- 11.5. With regards the environmental dimension of sustainable development, the proposal would result in a viable use for the existing heritage assets, securing their preservation for future generations. This is attributed positive weight. Furthermore, the proposal would not result in increased environmental harm when compared with the existing land use.
- 11.6. The proposal is, therefore, considered to result in sustainable development in accordance with the provisions of the NPPF and development plan.

RECOMMENDATION

That the Corporate Manager - Growth & Sustainable Planning be authorised to grant permission and that such permission be subject to the conditions as set out below:

- * Standard time limit
- * Development in accordance with approved plans and documents
- * Materials and colour finishes
- * Fenestration details
- * Landscaping and aftercare
- * Those required by the local highway authority
- * Mitigation of flood risk prior to occupation



Appeal Decisions

Site visit made on 6 November 2018

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 14th December 2018

Appeal A Ref: APP/W3520/W/18/3206315

Cherry Tree Inn, 1 Cherry Tree Lane, Debenham IP14 6QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ms Jade Martin against the decision of Mid Suffolk District Council.
 - The application Ref DC/17/05702, dated 14 November 2017, was refused by notice dated 26 April 2018.
 - The development proposed was originally described as "internal and minor external alterations to buildings to facilitate change of use from A3/A4 to C3 dwelling houses, A3 commercial and sui generis veterinary practice. Change two external door openings to windows, infill one door, creation of new doors."
-

Appeal B Ref: APP/W3520/Y/18/3206327

Cherry Tree Inn, 1 Cherry Tree Lane, Debenham IP14 6QT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Ms Jade Martin against the decision of Mid Suffolk District Council.
 - The application Ref DC/17/05703, dated 14 November 2017, was refused by notice dated 26 April 2018.
 - The works proposed were originally described in the same way as Appeal A.
-

Decision Appeal A

1. The appeal is allowed and planning permission is granted for change of use of existing public house to veterinary practice and change of use of existing ancillary buildings to A1 commercial and 2 no. dwellings at Cherry Tree Inn, 1 Cherry Tree Lane, Debenham IP14 6QT in accordance with the terms of the application, Ref DC/17/05702, dated 14 November 2017, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 17-204-001, 17-204-002, 17-204-003, 17-204-004, 17-204-005, 17-204-006, 17-204-007, 17-204-008, 17-204-009, 17-204-010, 17-204-200, 17-204-201, 17-204-202, 17-204-203, 17-204-204, 17-204-210, 17-204-211, 17-204-212, 17-204-213.
 - 3) Prior to the first occupation of the development hereby permitted, the areas within the site shown on plan no. 17-204-200 for the purposes of loading, unloading, manoeuvring and parking of vehicles shall be

provided, and thereafter the areas shall be retained and use for no other purposes.

- 4) Prior to the first occupation of the development hereby permitted, details of surface water drainage shall have been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented and available for use prior to the first occupation of the development and shall thereafter be maintained as approved.

Decision Appeal B

2. The appeal is allowed and listed building consent is granted for change of use of existing public house to veterinary practice and change of use of existing ancillary buildings to A1 commercial and 2 no. dwellings at Cherry Tree Inn, 1 Cherry Tree Lane, Debenham IP14 6QT in accordance with the terms of the application Ref DC/17/05703 dated 14 November 2017 and the plans submitted with it, subject to the following condition:
 - 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.

Application for costs

3. An application for costs was made by Ms Jade Martin against Mid Suffolk District Council. This application is the subject of a separate decision.

Procedural Matters

4. There is a related pair of linked appeals for the same site, but for a residential scheme (APP/W3520/W/18/3207852 and APP/W3520/Y/18/3207854). As each pair of linked appeals has different appellants, I have dealt with each pair in separate decisions.
5. The description of the proposal originally referred to the creation of an A3 commercial unit, but it is clear from the application documents including the plans that an A1 unit is proposed. Therefore, the formal decisions use the description of development from the decision notice for the planning application, which is also the description used on the appeal form.

Main Issues

6. The main issue for Appeal A is the effect of the proposal on local community facilities and employment.
7. The main issue for Appeal B is whether the proposal would preserve the Grade II listed building known as Cherry Tree Inn or any features of special architectural or historic interest it possesses.

Reasons

Local facilities and employment

8. Debenham has a range of services and facilities and is identified as a Key Service Centre in the Mid Suffolk Core Strategy 2008. Cherry Tree Inn is one of 3 public houses in the village. It has been closed for a number of years whilst works to the wider grounds have taken place to provide new dwellings and commercial space. A Section 106 agreement was attached to planning permission ref 2780/10 to secure the refurbishment and reopening of the

- public house alongside the construction of the dwellings. However, the Council now identifies that the agreement is unenforceable due to its specific wording and the transfer in ownership. I have little evidence to the contrary.
9. Policy E6 of the Mid Suffolk Local Plan 1996 (LP) recognises the importance of existing commercial sites in providing local employment opportunities. The Council's Supplementary Planning Guidance (SPG) entitled Retention of Shops, Post Offices and Public Houses in Villages (adopted 2004) states in paragraph 5.4 that the change of use of a village pub will not be permitted unless 3 criteria are met. The final part of paragraph 5.4 states that if permission is granted, preference will be given to the premises remaining in some form of community or employment use.
 10. In terms of the SPG's first criterion, The Angel and The Woolpack public houses are a short walking distance from Cherry Tree Inn within the village centre. Concerns have been raised that the future of The Angel is uncertain, while The Woolpack is very small. However, the first criterion does not refer to the size or viability of other pubs and so the proposal would not be in conflict with the first criterion.
 11. In terms of the SPG's second criterion, there was marketing of the premises for over a year from May 2016 through to the application's submissions in autumn 2017. Two separate estate agents were used, but little interest was received. Reasons given for the lack of interest included the size of the premises, its relatively remote location for passing traffic and the limited local population.
 12. The Council and interested parties, including the Parish Council, consider that reasonable efforts have not been demonstrated by the landowner to continue a viable business as a public house. However, little information has been provided to explain what would constitute reasonable efforts. It is apparent that there has been a reasonable period of marketing, with approaches to various potential operators and revisions to the marketing strategy over time. The Council's own commissioned independent surveyor has found the marketing to be comprehensive. Therefore, I consider that there is no conflict with the second criterion.
 13. With regards to the SPG's third criterion, the Parish Council objects to the proposal along with other interested parties, but I have limited evidence of significant community support to retain the public house. It appears to have been a long-serving public house for the village and there may be future potential for a valued local facility to meet day to day and future needs of the community. However, there is little evidence to link future housing growth in the locality with a viable public house use, or adequate evidence that there is demand for a public house that can accommodate families and large gatherings.
 14. I note that one local resident has undertaken preparatory work to turn the Cherry Tree Inn into a community pub. While there evidently has been some positive feedback to her work so far, it is not clear how extensive the levels of interest and support are or whether the proposals would be viable. I also note that the appellant has indicated that the first floor function room would be retained and could provide for some community activities. Therefore, I consider that there is no conflict with the third criterion.

15. The loss of a public house use would have a negative effect on local community facilities, but there have been difficulties in finding a new operator and the level of support and interest for continuing the use is lacking based on the evidence before me. Moreover, there are two other public houses in Debenham and a need to ensure that they remain open and active.
16. Furthermore, the proposed veterinary use would retain an employment use on the appeal site. This would be in accordance with LP Policy E6 and the final part of SPG paragraph 5.4. It would allow the existing local practice to expand and provide additional services to the local area as well as sustaining jobs and investment. From the responses received on both the applications and appeals, there is a significant level of support for this use. The proposal also seeks to retain a commercial A1 unit, which would provide local service and employment.
17. Concluding on this main issue, the proposal would have an acceptable effect on local community facilities and employment. Therefore, there would be no conflict with LP Policy E6 or SPG paragraph 5.4. While it would result in the loss of a public house, it has not been demonstrated that it is a valued facility. Conversely, it would allow the development of local services in terms of the veterinary practice and the A1 unit. There would be no conflict with paragraphs 83 and 92 of the National Planning Policy Framework (NPPF) in terms of supporting a prosperous rural economy and the provision of local services. These two paragraphs broadly reflect paragraphs 28 and 70 of the previous NPPF.

Listed building

18. Cherry Tree Inn forms part of a Grade II listed building along with a residential property at 2 Cherry Tree Lane. The listed building dates from the early 17th century with 18th and 19th century additions. The listed building's special interest and significance is derived from its historic interest as a public house but also in terms of surviving architectural features internally and externally, including the open plan spaces.
19. The building has a T-shaped footprint with a long north range containing the main entrance to the front bar within a two-storey canted bay. A perpendicular two-storey wing projects southwards and is attached to a modern single storey link addition which connects to an older two-storey outbuilding. The north range and perpendicular wing form the principal parts of the listed building and have a tiled roof and timber sash and casement windows. Internally within the north range and perpendicular wing, there are surviving historic timber features including beams, frames and a staircase. The front bar is largely open plan and leads through to an open plan rear bar and snug. At the first floor, there is a long function room above the front bar.
20. The proposal includes a veterinary practice which would occupy the entirety of the north range, perpendicular wing and the two- storey linked outbuilding. On the ground floor, part of the open plan form of the front and rear bars and snug would remain, but there would be some subdivision of this space for consulting rooms. This would have a negative effect on the appreciation of this space. A timber partition would be removed adjacent to the main entrance on the north elevation, but this appears to be a modern installation.

21. On the first floor, the function room's length and openness would be largely retained with no adverse effect, with the space intended for conferences and meetings. A link would be created through to the perpendicular wing by removing a section of wall. The wall does not appear particularly thick or historic and so the loss of fabric would be acceptable. Elsewhere on the ground and first floors, changes would only affect modern spaces and fixtures. Externally, there would be minimal changes other than the insertion of windows that have already been granted consent.
22. While the subdivision of the ground floor for consulting rooms would have a negative effect, the partitions are likely to be lightweight and ultimately reversible. Much of the front and rear bar would still be open plan as a reception/pharmacy and waiting area, while the openness of the function room at first floor would remain. Elsewhere, changes to internal spaces and the loss of fabric would have limited effects. As such, the negative effects of the proposal on the special interest and significance of the listed building would be no more than moderate in scale, and would cause less than substantial harm.
23. NPPF paragraph 196 requires less than substantial harm to be weighed against the public benefits of the proposal. The introduction of a veterinary practice at Cherry Tree Inn would secure its long-term future set against a lack of market interest in continuing the public house use. Although veterinary use does not appear to be the only alternative use, it would be a realistic option that would deliver public benefits in terms of conserving the listed building. It is apparent that the existing veterinary practice is seeking to expand from the limited space provided by its current premises and so this would provide a public benefit in terms of an enhanced service that is used by people in the local area and beyond.
24. Moreover, the proposal would retain an employment use for the building as required by LP Policy E6 and also provide the opportunity for community use in terms of the conference room. The proposal would also provide two small dwellings from the holiday lets to help boost local supply. Therefore, I give significant weight to the public benefits. I consider that they would outweigh the harm to the significance and provide clear and convincing justification.
25. Concluding on this main issue, the proposal would preserve the special interest of the listed building where the harm would be outweighed by the public benefits. Therefore, the proposal would accord with NPPF paragraphs 193, 194 and 196. In coming to this conclusion, I have had regard to LP Policy HB1 which places a high priority on protecting the character and appearance of all buildings of architectural or historic interest.

Other Matters

26. The appellant has highlighted a recent appeal decision where the Inspector found that the Council could not demonstrate a five year supply of housing land (APP/W3520/W/18/3194926). However, as I have found that proposal accords with the development plan and the NPPF, it has not been necessary to consider this matter any further.

Conditions

27. Conditions on both appeal decisions setting a time limit for the commencement of the proposal are necessary for compliance. A condition attached to the

Appeal A decision requiring it to be carried out in accordance with the approved plans is necessary for clarity and compliance. As there are no changes to the listed building's exterior or the landscaping around the building, it has not been necessary to impose conditions requiring details to be provided. Given the use will generate vehicle movements and parking, it is necessary for a condition requiring details to be provided in accordance with the relevant plan in the interests of highway safety. It is also necessary to secure the implementation of surface water drainage in the interests of flood risk.

Conclusions

28. The proposal would have an acceptable effect on local community facilities and employment and would preserve the special interest of the listed building. For these reasons, and having had regard to all other matters raised, I conclude that both appeals should be allowed.

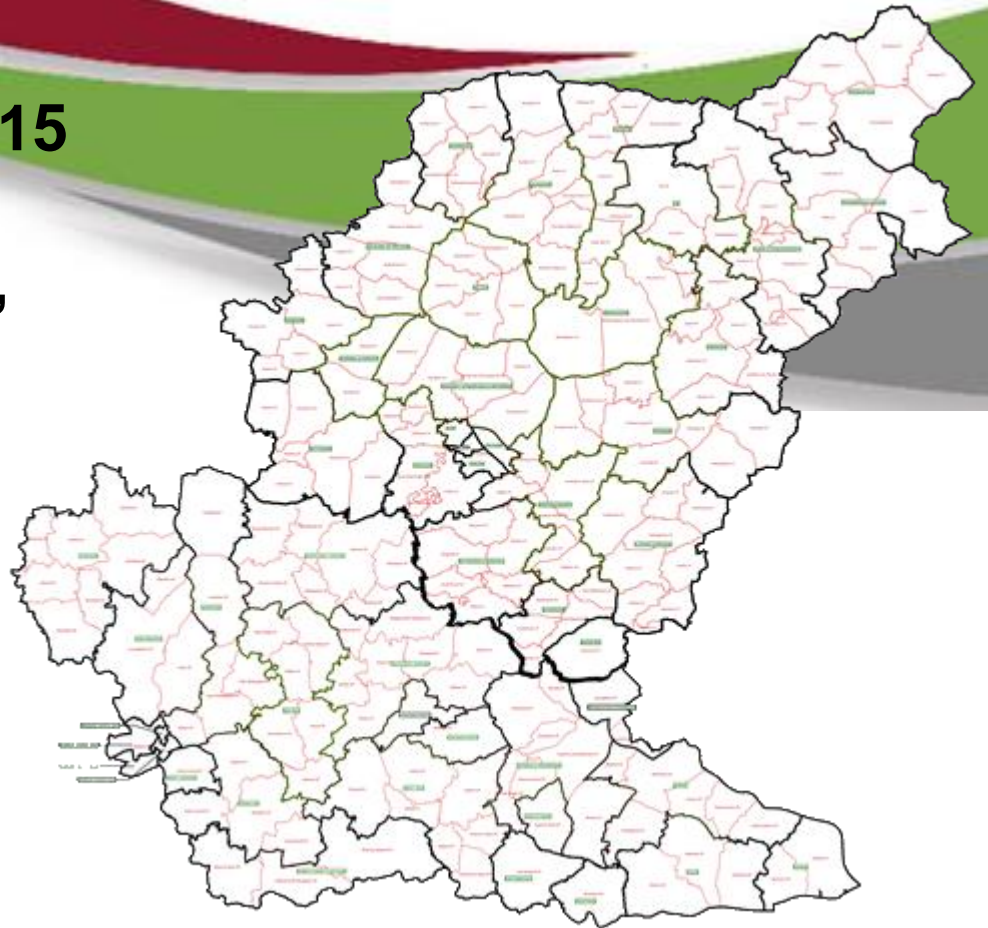
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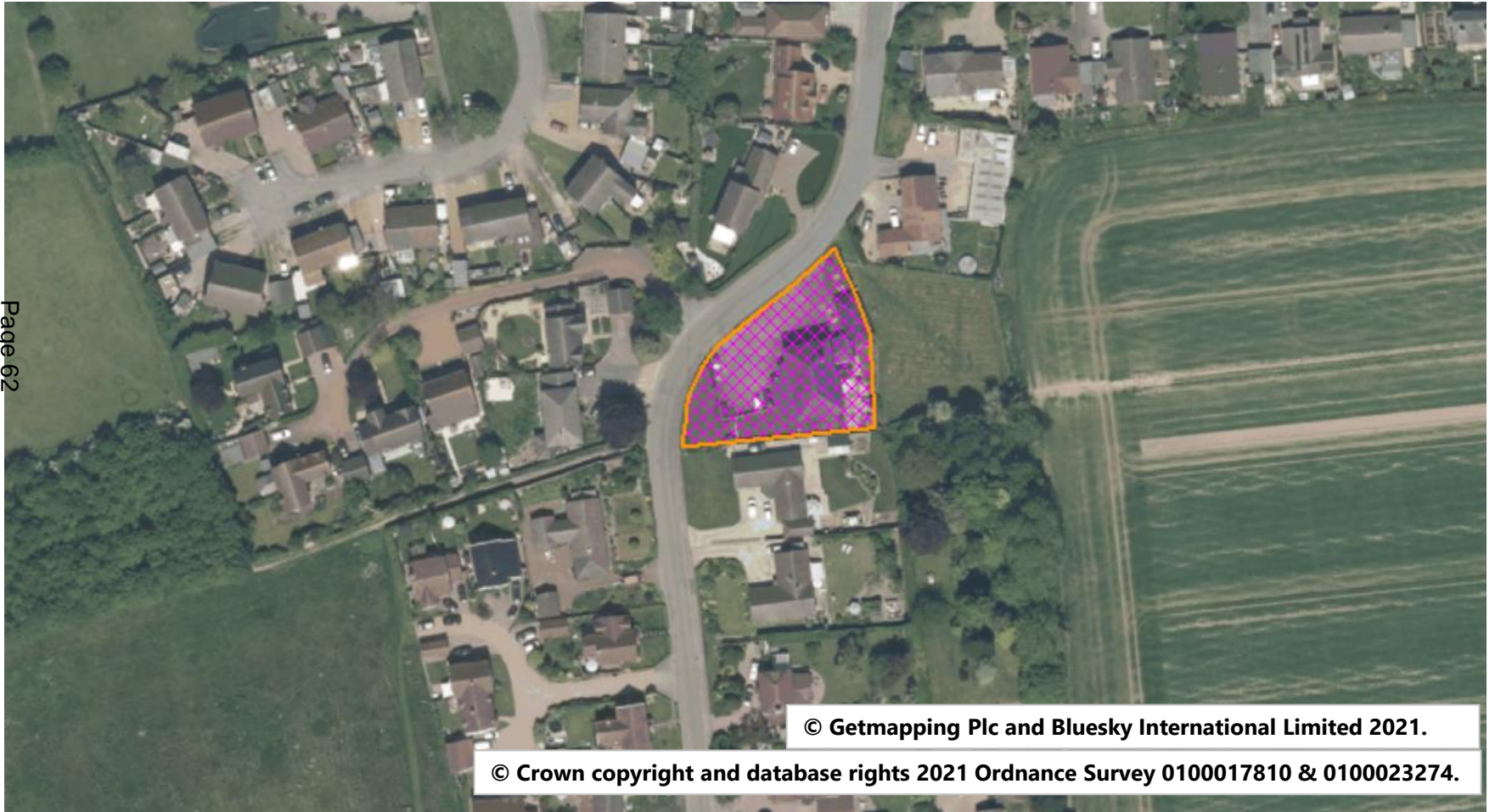
INSPECTOR

Application No: DC/21/06315

**Address: The Six Bells Inn,
High Street, Gislingham**

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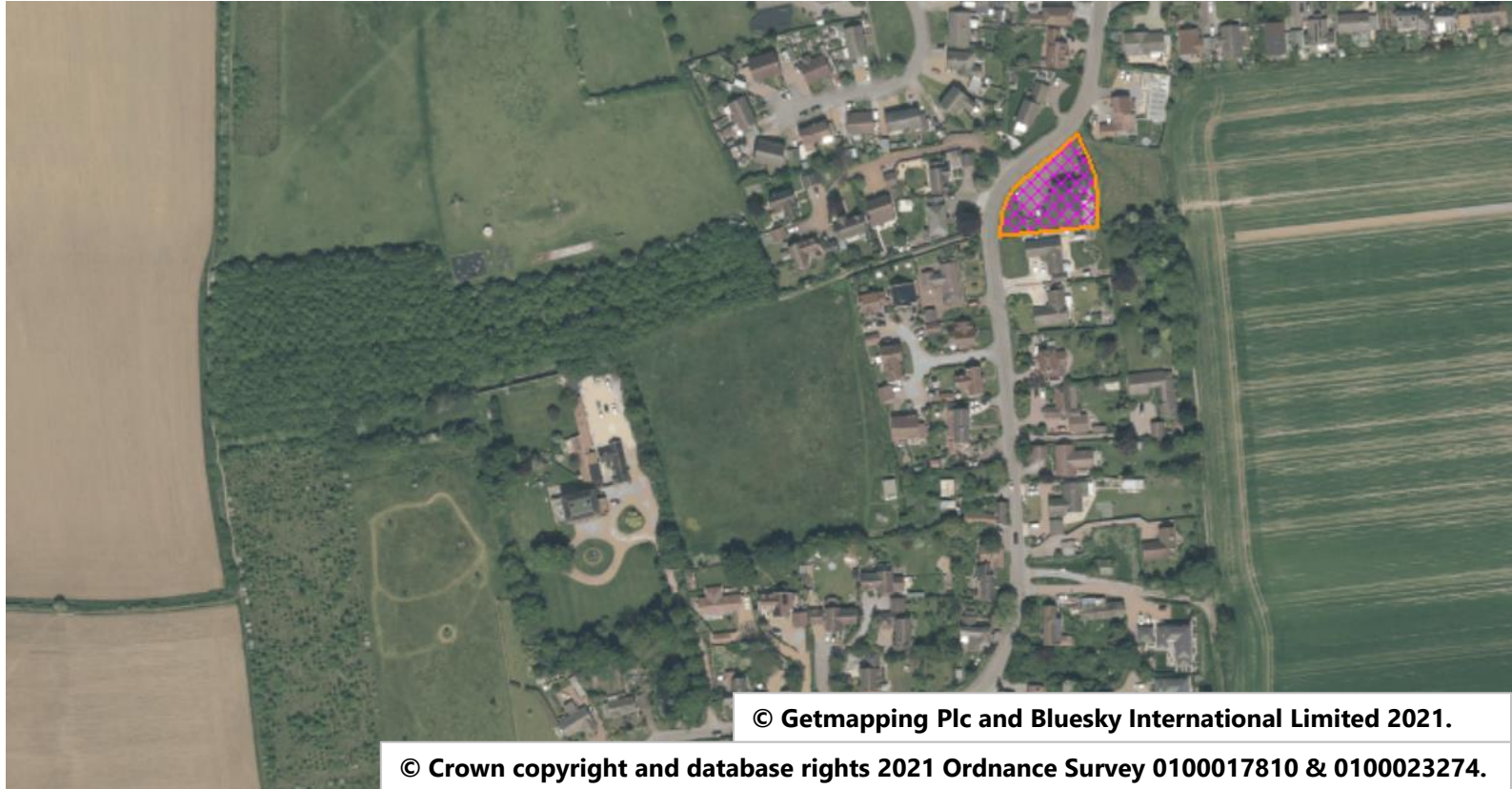
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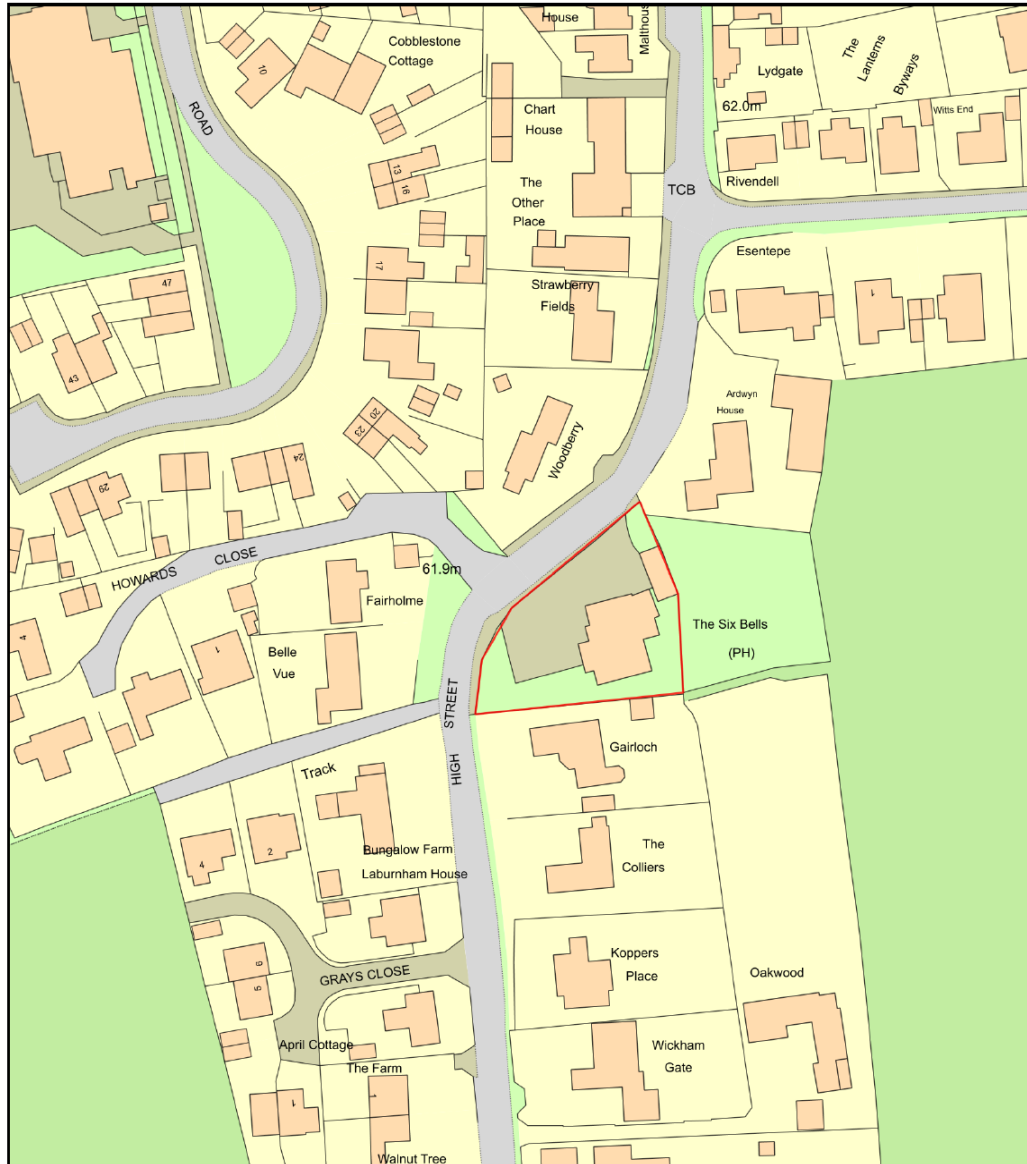
Aerial Map – wider view

Slide 3



Site Location Plan


Slide 4



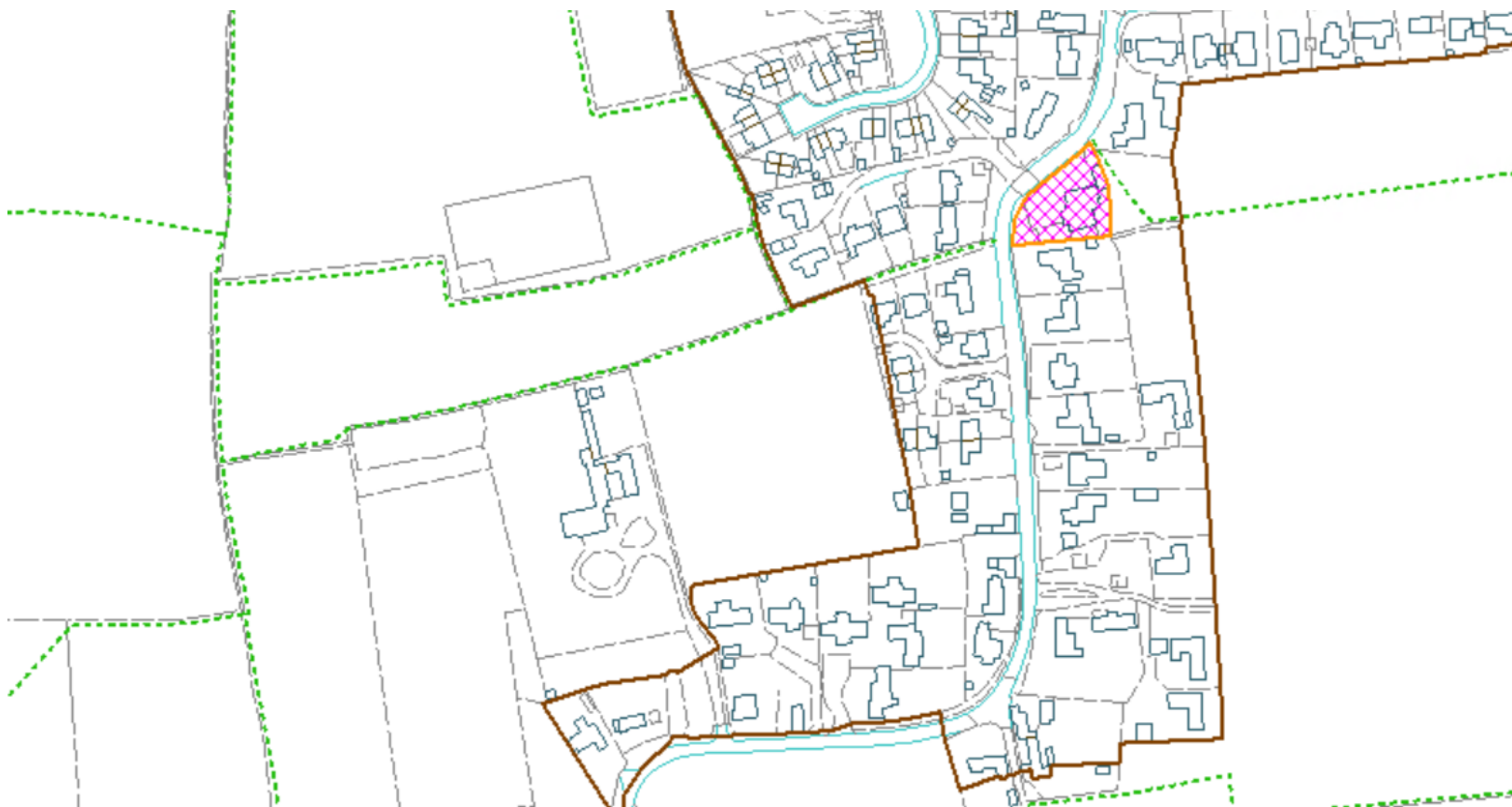
Constraints Map

Public Rights of Way

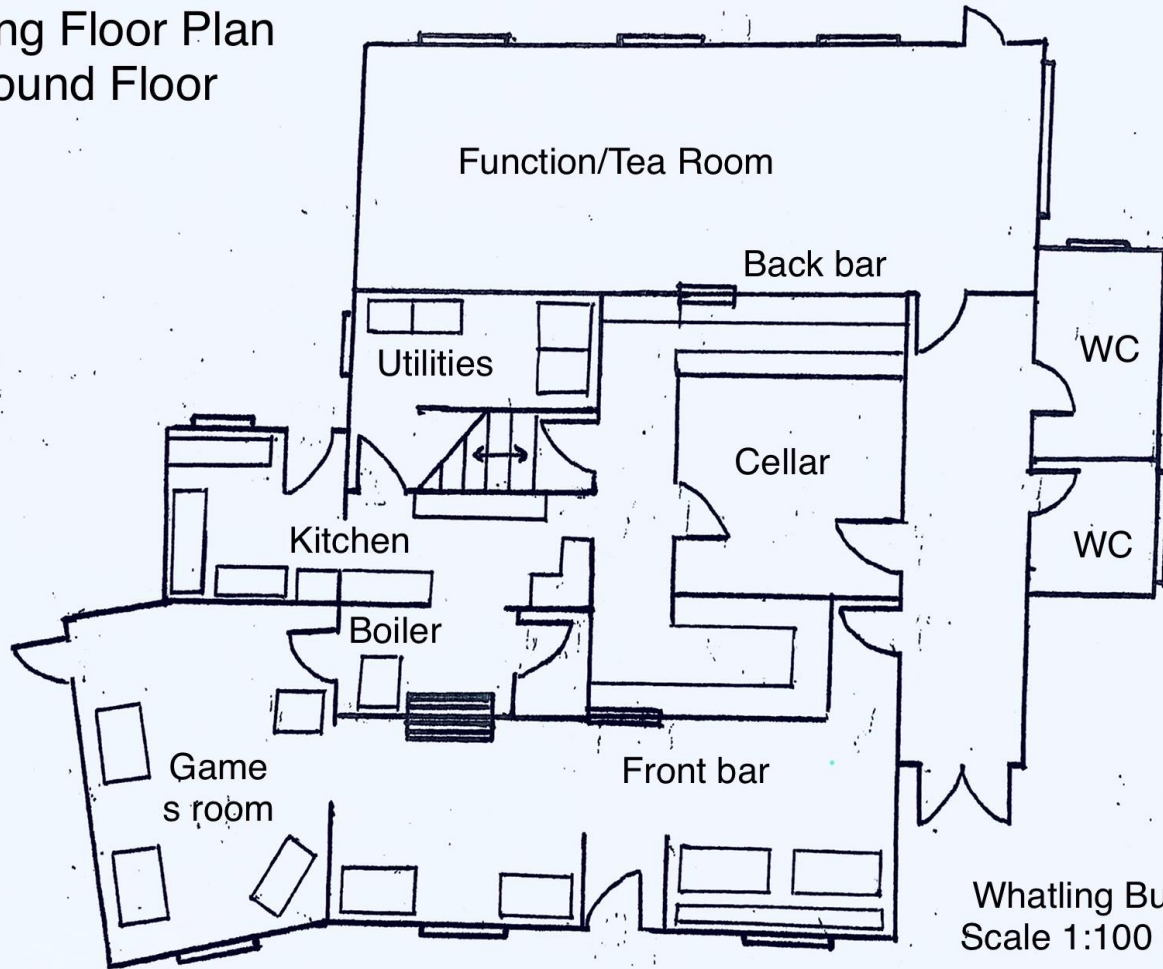
..... Footpath

 Built Up Area Boundaries

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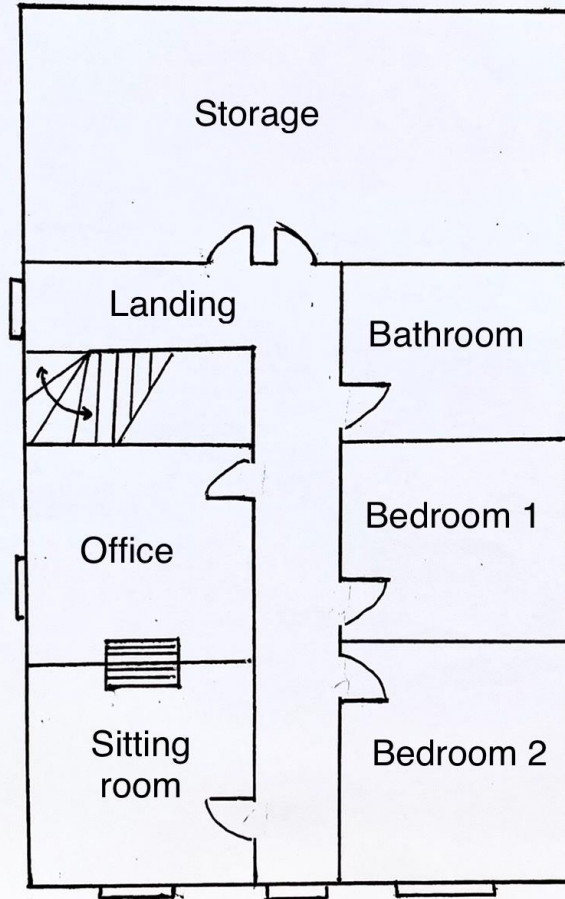


Existing Floor Plan
Ground Floor



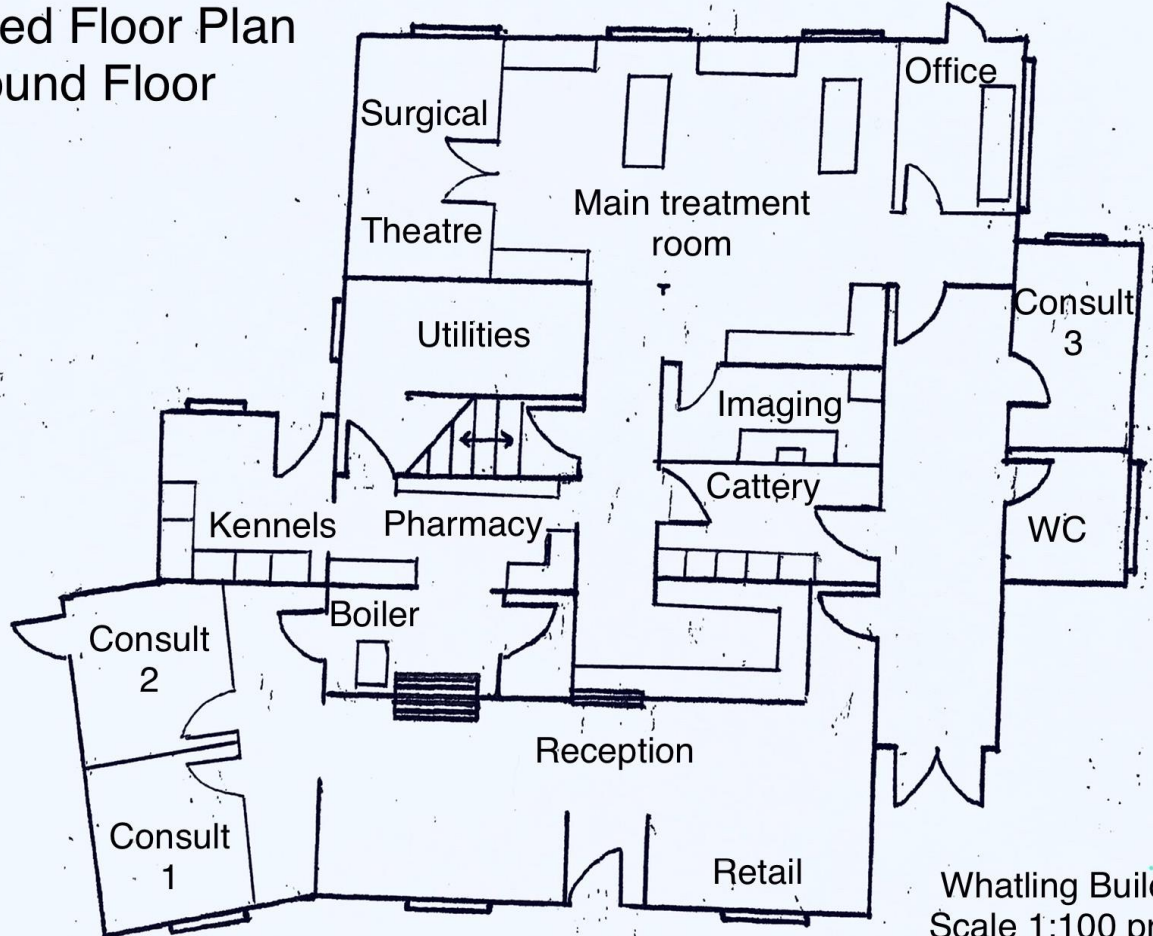
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Existing Floor Plan First Floor



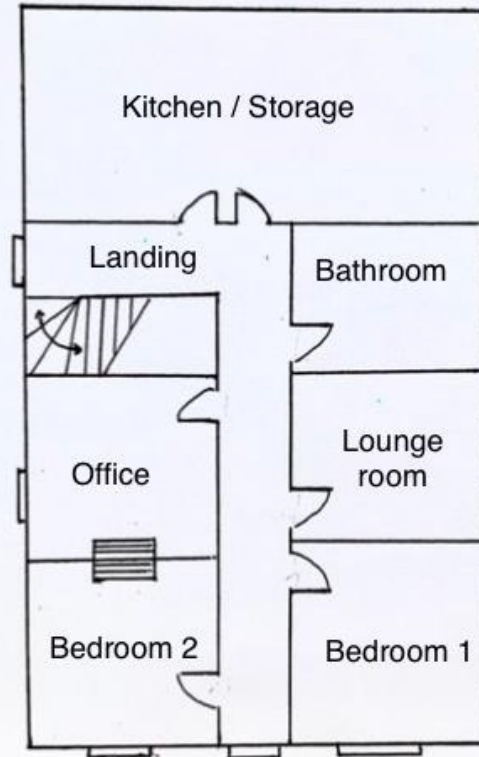
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**Proposed Floor Plan
Ground Floor**



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Proposed Floor Plan First Floor



Whatling Building Ltd
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Agenda Item 7b

Committee Report

Item No: 7B

Reference: DC/21/05669

Case Officer: Elizabeth Flood

Ward: Bramford & Blakenham.

Ward Member/s: Cllr John Field and Cllr James Caston

RECOMMENDATION –GRANT RESERVED MATTERS PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

Location

Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Expiry Date: 20/01/2022

Application Type: RES - Reserved Matters

Development Type: Major Large Scale - Dwellings

Applicant: Mrs R.M. Wintour & Hopkins Homes Limited

Agent: Mr Chris Smith

Parish: Bramford

Site Area: 9.08 ha

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- The application is a Major Application, requiring determination by Planning Committee as the number of residential units proposed exceeds 15 no. in total.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
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
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
CL08 - Protecting wildlife habitats

Other Material Planning Documents

National Planning Policy Framework (2019)
Nationally Described Space Standards (2019)
Suffolk Adopted Parking Standards (2015)
Suffolk Design Guide (2000)

Emerging Local Plan

LA006 - Allocation: Land south of Fitzgerald Road, Bramford

Neighbourhood Plan Status

Bramford Parish Plan and Village Design Statement (2012) - The application site is not identified within the Parish Plan Area. The Parish Plan does not form part of the development plan but is considered to be a material consideration.

Sproughton Neighbourhood Plan (2020) - The application site is not identified within the Neighbourhood Plan Area. Accordingly, the Neighbourhood Plan carries little weight.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations **Town/Parish Council (Appendix 3)**

Bramford Parish Council

Bramford Parish Council wishes to add further objections and comments to the outstanding Reserved Matters.

Cycle provision

The application has no mention of cycle provision on site, or any cycle links to other cycle paths in the local area. Popular National Cycle routes run very close to this site, we trust that the developer will improve the existing plan to accommodate cyclists providing safe access to Ipswich for commuting to reduce car journeys, and also pleasure cyclists

Footpaths

Pedestrian connectivity is poor, paths are not continuous and do not provide safe pedestrian routes on or off site. There is no provision for pedestrians to cross over Fitzgerald Rd to access schools, shops etc. Junction of PROW meeting Vicarage Lane is a danger, no visibility, an obvious accident spot. No paths are in place at road junctions on/off site. PROW that passes through development has a road crossing over it. No details of how the developer intends to make this safe for pedestrians. This path has high usage currently due to access to Sproughton and circular river walks, it must be clarified. Could path running parallel to Fitzgerald Road on development be a shared path and cycle provision?

Access roads and levels

Whilst the access roads have been agreed in previous application, Hopkins are unable to provide information on how they plan to construct the roads at the junctions of Fitzgerald Road as there is a change of ground levels. Concerns are raised that residents of street facing properties of Fitzgerald Rd may choose the park in the street.

Inappropriate road surface

Some of the road surfaces to homes have been designed with a non-permeable 'tar spray and shingle finish in buff colour' Bramford Parish Council raise concerns that this surface is not in keeping with the sensitive rural location.

House Type

Bramford Parish Council do not feel the house type 886 is in keeping with the local area.

Play Area

Whilst Bramford Parish Council are pleased with the provision of a large green space, we feel the play area is not large enough for the potential footfall being so close to the busy PROW.

Maintenance of Green Space

There appears no plan regarding maintenance of the green space and trees.

Tree species and numbers

Whilst they are native, many are not local, we wish to see more trees and wildlife hedgerows planted with an edible landscape approach including local apple and pear. NPPF Para 131 requests tree lined streets, which are not part of this application. A greater number of trees would be preferred on the far boundary that runs parallel with the River Gipping. Comments from DC/19/01401 state the development should not have a visible impact of walkers on the River Gipping public footpath. With current design the new development will be visible, any trees planted will take many years to soften this view, therefore it is important they are planted as soon as possible and as large as possible.

Basins

There are no details of the inlet/outlet pipes for the SuDS basin, we request that due to prominent location they are not precast concrete with galvanised handrail as in other Hopkins development in the village. These are unsightly and constantly a target of vandalism. There is no detail of depth of these ponds or fencing. We require more details on this matter as they are very close to PROW and children's play area and have potential to cause harm. Developer states they are creating a 'natural wetland area' but there are no specifics regarding this

Ecology/Wildlife Friendly Construction

Bramford Parish Council would like to request a wildlife-friendly construction

1. Swift bird-friendly bricks
2. Hedgehog highway
3. Bee bricks
4. Amphibian friendly kerbing

New homes producing less carbon

We ask that whilst legislation does not force the developer on this project to choose alternative heat sources, use of solar, recycling water etc we hope that Hopkins Homes will be a trailblazer moving forward and install appropriate carbon reducing facilities on all new developments moving forward starting with this application. It is not appropriate new builds are provided with heating etc that would not be compliant only months later.

Sproughton Parish Council

Sproughton parish Council are concerned that the parking provisions appear inadequate and in line with our previous comments, the SUDS facilities are inadequate.

National Consultee (Appendix 4)

Natural England

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application could:

- have an adverse effect on the integrity of the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site
- damage or destroy the interest features for which the underpinning Sites of Special Scientific Interest (SSSIs) of the above European sites have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A Landscape and Ecology Management Plan and the Biodiversity Enhancement Strategy, as required in order to discharge conditions 15 and 16. *Officer note: these documents have been provided as part of the application.*

National Highways

No objection

County Council Responses (Appendix 5)

Highways:

The proposed layout is acceptable to the Highway Authority.

All of the necessary highway related conditions were included in the outline permission (DC/19/01401) and whilst the parking and bin collection elements of this proposal are generally acceptable, they do not contain enough details to supersede or fully discharge those conditions (8 and 9).

Condition 18 (landscaping): It should be noted that any trees close to adoptable roads and footways may complicate and/or delay a Section 38 road adoption agreement. Whilst we do not object to the discharge of this condition, the above comments should be noted as it may result in future adoption or planning complications. No comments on the other conditions listed above.

Floods and water

The following submitted documents have been reviewed and we recommend approval of the reserved matter application and a partial discharge condition 12 a) to f) only at this time:

- Planning Layout Ref BRA3 003 Rev C
- Soft Landscape Proposals 1 of 4 Ref LA5019 002 Rev E
- Soft Landscape Proposals 4 of 4 Ref LA5019 005 Rev E
- Drainage Strategy Ref 216203 P04

The points below detail the action required in order to overcome our current refusal: -

1. Submit a completed construction surface water management plan (item g) by the principal contractor a. It shall include.
 - i. Construction Surface Water Drainage System Design
 - ii. Construction Management, Maintenance and Remediation Schedules
 - iii. Required Consents (e.g. Land Drainage Act, Environmental Permit etc)
 - iv. Flood Risk Controls
 - v. Pollution, Water Quality & Emergency Control Measures
 - vi. Phasing Plan (if required)
 - vii. Construction Site Plan showing compounds, material storage areas, temporary site parking etc

Public Rights of Way

The proposed site does contain a public right of way (PROW): Bramford Public Footpath 34 and Bramford Public Footpath 35.

We have the following comments:

- We welcome Bramford Public Footpath 34 being set in a green corridor.
- However, where the estate road crosses Bramford Public Footpath 34 dropped curbs are required to ease movement across the road.
- In addition, the northern section of Bramford Public Footpath 34 between the path junction immediately east of plot 89, and where Bramford Public Footpath 34 meets the junction of Fitzgerald Road and Vicarage Lane, needs to be tarmac. This is to accommodate the significantly higher footfall the path will receive as a result of this development, with the obvious desire line being towards The Street in Bramford.

Officer note: the above comments have now been satisfied.

Fire and Rescue Service

The Suffolk Fire & Rescue Service do not need to comment on the Reserved Matters.

Travel Officer

No comments

Internal Consultee Responses (Appendix 6)

Heritage

No comments

Environmental Protection – Land Contamination

No objections

Environmental Protection – Noise, odours etc

Recommend conditions

Environmental Protection – Air Quality

No objections

Environmental Protection – Sustainability

No comments

Public realm

No objection to this development as the level of open space and play provision is appropriate for this location. We welcome the natural grassland and native hedgerow choices. We would recommend that any new hedging is planted at a sufficient distance from garden fences so that householders have a maintenance strip between the hedge and their fence. This also prevents the hedge from damaging the fences as it grows.

Landscaping

Several points raised in our previous letter are still to be resolved, as listed below:

- Materials have now been specified for the circulatory footpaths, however we would recommend that the entirety of PROW 3156 should be the same material for continuity and to help direct the users along its length through the site.
- It is still our recommendation that where private gardens of plots abut the public realm and no external planting is provided to provide offset that these boundaries should be formed of 1.8m high walls. We recommend that the boundaries be reviewed and revised accordingly.
- We welcome the indicative section in the Drainage report, though would recommend that sections of this site are submitted showing the context of the basins. Furthermore proposed finished levels of the site are yet to be provided.
- The previously raised point regarding tree lined streets has not been addressed.
- Details of inlets and outlets for the SuDS basins are still to be provided. We are still unable to support this application to discharge of Reserved Matters, Conditions 15 and 18.

Officer note: the above comments except comment two have now been satisfied.

Anglian Water

No comments

Mid Suffolk Disability Forum

Would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in this planning application. All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

It is our view that in housing developments of over 10 dwellings, at least one of the dwellings should be built to wheelchair standard Part M4(3).

We note that some bungalows are to be provided and these should also meet Part M4(2) to assist people with mobility problems and to assist people who wish to downsize from larger dwellings.

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access. Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used

B: Representations

At the time of writing this report at least 6 letters/emails/online comments have been received. It is the officer opinion that this represents 6 objections and 2 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Lacking information but from details provided appears to be acceptable quality
- Inadequate provision of renewable energy proposals, no pv solar panels, no alternative to gas boilers Proposed dwellings to not provide alternative means for energy
- Not clear what the requirements for attenuation basins are
- Inadequate parking
- Excessive lighting
- Loss of greenfield land
- Dangerous access
- Not in a sustainable location
- Dwellings are too close to Fitzgerald Road
- Lack of healthcare for new residents
- Requires bat boxes, owl boxes and swift boxes
- Traffic calming required along Fitzgerald Road
- Lack of cycle links through and out of the development
- Lack of archaeological/ heritage desk based assessment
- Result in additional water runoff
- Result in additional traffic
- New dwellings will not comply with government regulations relating to energy efficiency and renewal energy

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/19/01401	Outline Planning Application (some matters reserved)- Residential development of up to 115 dwellings and access, including open space and landscaping.	DECISION: GTD 02.09.2021
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PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The application site comprises 9.08 hectares of agricultural land situated on the southern edge of Bramford (a Key Service Centre). The site forms the entirety of a field parcel, extending from the village edge south towards Sproughton. The site is located in the countryside as defined by Mid Suffolk Local Plan

and Core Strategy at this time, but is allocated (Ipswich fringe) for 100 dwellings in the emerging Local Plan.

1.2 The topography of the site is predominately flat, although there is a gentle decline towards the south towards river and commercial stables. In terms of ground cover, the site is relatively open to the centre with established hedgerows and trees to the periphery.

1.3 Fitzgerald Road (from which the site is proposed to be accessed) serves a number of mainly post war properties situated north of the site, which extends from an arterial vehicular highway known as the B1113 which flanks the site west. The site lies within the immediacy of existing development, with residential properties positioned to the north and north-east of the site. Residential units, stables and farmyard are also situated to the south.

1.4 The site is identified as being within Grade 2 and 3 agricultural land, divided centrally, and located west of the Gipping Special Landscape Area. The site is not in a vulnerable flood zone area and is not within or adjacent to a Conservation Area, nor is it within or adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Air Quality Management Area, Local Green Space, Area of Visual/Recreational Amenity, or any other land. The site is otherwise visually unconstrained.

2. The Proposal

2.1. The application seeks reserved matters planning permission for the appearance, layout, scale and landscaping for the erection of to 115 no. new dwellings on the site. This would consist of 75 no. market dwellings and 40 no. affordable dwellings.

2.2 The accommodation schedule would be as following:

Market dwellings:

2 bedroom: 25 (3 bungalows)

3 bedroom: 23

4 bedroom: 24

5 bedroom: 3

Affordable dwellings:

1 bedroom: 6 (4 flats)

2 bedroom: 22 (6 shared ownership) of which 3 will be bungalows

3 bedroom: 12 (5 shared ownership)

2.3 Parking spaces will be provided for the dwellings including spaces within garages, in addition there are 30 visitor parking spaces. The parking provision (including garages) is above that required in the Suffolk Parking Guidance. 11 of the dwellings would have triple parking provision, however none of these are located on the spine road.

2.4 The proposed materials for the development are principally red and buff bricks with some rendered and weatherboard elevations and red and black pantiles and fibre cement slate.

2.5 Access was approved at outline stage, with two accesses located off Fitzgerald Road to the West of the site. Footpath 3156 bisects the site, the layout shows this within a green corridor of public open space. There would be additional informal footpaths, mainly consisting of mown grass located through the open space including on the west of the site providing an alternative route close to the B1113.

2.6 A very large area of public open space is proposed within the site which will include a local area of play. The attenuation basin would be located on the south side of the site

2.7 The dwellings would be located in two blocks, the larger of which would contain 90 houses located on the north side of the site. The dwellings would be sited along the curved spine road and facing onto the open space and Fitzgerald Road. Two clusters of affordable dwellings would be provided in this section of the estate.

2.8 The small section of development would be to the south east of the site, comprising 25 dwellings including a cluster of affordable dwellings. Here the properties would overlook the public open space and the boundary of the site.

3. The Principle Of Development

3.1. The Principle of Development was determined with the granting of the outline planning consent under planning application no. DC/19/01401. The key test is whether the proposed appearance, landscaping, layout and scale of development responds appropriately to the character and amenity of the area, having regard to relevant guiding development plan policies. Considerations also include housing mix and affordable housing provision and layout.

4. Nearby Services and Connections Assessment Of Proposal

4.1. This matter was dealt with at Outline.

5. Site Access, Parking And Highway Safety Considerations

5.1. Site access / egress has been established by the grant of outline planning permission DC/19/01401. Parking will be provided in line with Suffolk Parking Standards.

5.2 A 2 metre wide footway will be provided to the front of the site, this will become a 3 metre wide cycle/footway between the access to the site and Lorraine Way where it will join the proposed cycle way along Lorraine Way which this development, amongst others is funding. The Highway Authority consider that the internal roads within the site are suitable for cycling.

6. Design And Layout [Impact On Street Scene]

6.1 Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.

6.2 Policy H13 of the Local Plan requires new housing development to be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings, whilst Policy H15 of the Local Plan similarly requires new housing to be consistent with the pattern and form of development in the area and its setting.

6.3 Policy GP1 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.

6.4. The development layout is generally consistent with the indicative layout considered at the time of the outline application. The generous amount of open space provides key views across the site, from the corner of Fitzgerald Road and Lorraine Way to the open countryside and the river gipping and from Lorraine Way to the St Mary the Virgin Church, Bramford.

6.5 The development layout also provides public open space on the southern section of the site, protecting the setting of the Grade II Runcton Farm located to the south of the site. The spine road through the site would be tree lined and there would also be a hedge and trees along the boundary with Fitzgerald Road. The LEAP would be provided within the centre of the open space between the two sections of housing. This would allow the LEAP to be easily accessible from the development. It will also be located just off the public footpath, providing wider access to the LEAP.

6.6 The development will provide a mix of 2, 3 and 4 and 5 bedroom dwellings, both private and affordable. The development provides a reasonable amount of smaller dwelling of which there is a known need. The development is therefore considered to be in accordance with Paragraph 130 of the NPPF which states that development must provide appropriate amount and mix of development and Policy CS 9 of the Mid Suffolk Local Plan states that new housing development should provide a mix of house types, sizes and affordability to cater for different accommodation needs. The affordable dwellings all meet National Space Standards.

6.7 There will be three clusters of affordable dwellings, 11 social rented and shared ownership dwellings, include a two storey block of flats located on the east side of the spine road, 15 social rented dwellings in the centre of the site, diagonally opposite the first cluster, and 15 social rented and shared ownership dwellings in the South East corner of the site.

6.5 The dwellings are of a traditional design, with brick features and chimneys. Although there are some examples of half boarding, which is not a traditional feature of Suffolk villages, this will provide some variety and is also used on other new developments within the vicinity

7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

7.1. Existing boundary trees and hedges on the east, west, and south of the site would be retained and supplemented especially along the Western elevation. Additional landscaping in the form of a hedge and trees will be provided along the southern edge of the site, where it adjoins Fitzgerald Road. Within the public open space, new trees will be added. In addition street trees will be provided along the spine road.

7.2 Ecology, biodiversity and protected species were dealt with at outline stage. This application includes details to discharge conditions 15 Landscape and Ecology Management Plan and condition 16 Biodiversity Enhancement Strategy. These details are currently being considered by consultees and the acceptability of these details will be verbally reported to committee.

8. Land Contamination, Flood Risk, Drainage and Waste

8.1 These details were considered at outline stage; Condition 19 of the outline planning application requires a land contamination assessment. Conditions 12 and 7 of the outline planning application covers Surface Water Management. The Flood and Water Officer has confirmed that Condition 12 can be partially discharged.

9. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

9.1. The proposed layout closely follows the indicative layout provided for the outline application. The layout at outline was designed to retain the setting of the Grade II Runcton House, by not developing the southern part of the site and key views of the Grade I listed Church of St Mary. While the Heritage Officer has not commented on the reserved matters, the layout is acceptable from a Heritage consideration as it follows the advice given at outline stage.

10. Impact On Residential Amenity

10.1. The nearest neighbouring property are the dwellings located of the opposite side of Fitzgerald Road, the nearest of which would be located approximately 28metres from the proposed dwellings. To the front of the site is proposed a hedge and a footway. Although the outlook for the dwellings of Fitzgerald Road would radically change, the proposal is not considered to be detrimental to the amenity of the neighbouring properties.

10.2 The new dwellings will all have private amenity space. The layout of the individual dwellings will ensure that there is limited overlooking from the development.

11. Parish Council Comments

11.1 The majority of matters raised by Bramford Parish Council have been considered in the above report, but the following issues have also been raised:

- Cycle provision: A short section of cycle path from the development to Lorraine Way has been provided. The full application included a financial contribution, to be pooled with other development contributions to provide a cycle path along Lorraine Way between Bramford and Sproughton
- Footpaths: It is accepted that the Junction of PROW meeting Vicarage Lane lacks visibility, therefore an alternative footpath has been provided to Fitzgerald Road. It is proposed to have dropped curbs where the PROW meet the spine road and this has been accepted by the Highway Authority. The bulk of the dwellings are located prior to the road crossing for the PROW which will limit the number of cars using this element of the scheme.
- Plot 64 is a flat over garage, which is a typical feature in new built developments and has the benefit of providing more interest than a row of single storey garages. It is within the centre of the site and would not be visible outside of the development
- The play area would provide 7 different pieces of equipment which is considered acceptable for a development of 115 dwellings.
- Although the trees are not as requested by the Parish Council they are native trees and considered acceptable. The public open space within the development is likely to be maintained by a private management company.
- Energy efficiency. Condition 21 of the outline application requires agreement of a scheme of water, energy and resources efficiency.

12. Discharge of Conditions

12.1 The application also includes details to discharge concurrently required details relating to Surface Water Drainage (Condition 12), Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

12.2 As stated within the body of the report the Flood and Water Officer is recommending approval of the reserved matters and partial discharge of the Surface Water Drainage details as the Construction Water Surface Water Management Plan has not yet been received. A response from Place Services: Ecology

regarding the Ecological Management and Biodiversity Enhancement Strategy is awaited and will be provided verbally to the Committee. Details of Landscaping and Housing Mix have been provided and as set out in this report are considered acceptable.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

13.1. The principle of the 115 dwelling development is established by the grant of outline planning permission. The quantum of development accords with the outline approval DC/19/01401.

13.2 There are elements of the scheme that are endorsed by Officers, which include: the retention of existing landscape features, protection of the setting of the listed buildings and view of the church, location of the PROW within a green corridor the significant amount of public open space standard compliant affordable housing provision,

13.3 On the whole, the details submitted in support of the reserved matters application and conditions are deemed acceptable. The reserved matters are recommended for approval.

RECOMMENDATION

That the application is GRANTED planning permission and discharge of conditions subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation of scheme/Outline/Reserved/Section73?)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)

And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement



Application No: DC/21/05669

Location: Land to the South of Fitzgerald Road, Bramford

Page No.

Appendix 1: Call In Request		
Appendix 2: Details of Previous Decision	DC/19/01401	
Appendix 3: Town/Parish Council/s	Bramford Parish Council Sproughton Parish Council	
Appendix 4: National Consultee Responses	Natural England National Highways	
Appendix 5: County Council Responses	Highways Flooding and Water Public Rights of Way Fire and rescue service Travel Officer	
Appendix 6: Internal Consultee Responses	Heritage Environmental Protection – Land contamination Environmental Protection – Noise, odours etc Environmental Protection – Air quality Environmental Protection – Sustainability Public Realm Landscaping	
Appendix 7: Any other consultee responses	Anglian water Mid Suffolk Disability Forum	
Appendix 8: Application Site Location Plan		



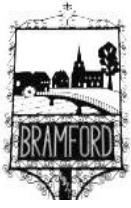
Babergh and Mid Suffolk District Councils



Appendix 9: Application Plans and Docs		
Appendix 10: Further information		

The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.





BRAMFORD

PARISH COUNCIL



Bramford Parish Council, The Parish Room, Ship Lane, Bramford, Suffolk, IP8 4AN
Tel: 01473 747433 e-mail: bramfordparishcouncil@btinternet.com

DC/21/05669- DC/21/05669 – Application for approval of outstanding reserved matters following grant of Outline Planning DC/19/01401 – Residential development of up to 115 dwellings and access, and landscaping to Land to the South of Fitzgerald Road, Bramford.

The proposed trees for the green space on the estate South of Fitzgerald Road are as follows:

Fagus sylvatica Beech
Betulus Nigra River Birch
Alnus Glutinosa Common Alder
Sorbus Aucuparia Rowan
Prunus Avium Flowering Cherry
Pinus Sylvestris Scots Pine
Betula Pendula Silver Birch
Acer Campestre Field Maple

I don't feel this is a good choice of species apart from the last two on the list. Beech isn't a common tree in the area, River Birch and Common Alder are riverside trees and will need a lot of watering to establish and into maturity because although the field is close to the flood plain it gets very dry in a standard summer and those species need constant moisture. Neither Rowan nor Scots Pine are locally indigenous and the Flowering Cherry whilst a lovely decorative tree has little wildlife value.

I would prefer the following species list instead which would be a better fit with the local ecology, encourage a greater wildlife biodiversity value to the area and in the majority provide a local food source for the village.

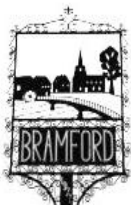
Tilia Cordata Small Leaved Lime
Prunus Avium Wild Cherry
Prunus Domestica Damson
Malus Domestica Apple/Crab Apple
Corylus Avellana Hazel
Castanea Sativa Sweet Chestnut
Sorbus Torminalis Wild Service
Acer Campestre Field Maple

Quercus Robur English Oak.

Most of these Suffolk Tree Wardens can supply and in the case of the last two in the list there are already saplings onsite at the eastern boundary. I would also echo the Place Services recommendation for species to be included in any mixed species hedges to be planted on the boundary. All these species are in the locality: 20% Field maple (*Acer campestre*) - 10% Hazel (*Corylus Avellana*) - 5% Trees (wild cherry, oak or hornbeam) - 5% made of holly, spindle, crab apple, dogwood, blackthorn and guelder rose

In addition a plan should be instituted to provide proper care and watering for any new planted trees to establish strongly. We would also ask that close attention is paid to the grassland mix and that a suitable mowing regime is recommended to encourage wildflowers and benefit local pollinating insects.

Ian Dicker Bramford Parish Council - Tree Warden



BRAMFORD

PARISH COUNCIL



Bramford Parish Council, The Parish Room, Ship Lane, Bramford, Suffolk, IP8 4AN
Tel: 01473 747433 e-mail: bramfordparishcouncil@btinternet.com www.bramford.suffolk.cloud

DC/21/05669 | Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22). | Land To The South Of Fitzgerald Road Bramford Suffolk

Bramford Parish Council wishes to add further objections and comments to the outstanding Reserved Matters.

The proposed development was strongly opposed by the community in 2018/19, however the Parish has come to accept the decision to grant permission to develop this green field but wish to have some involvement in its detail. We have been very disappointed that there has been no engagement with the community by Hopkins Homes since the public exhibition in July 2018 and only today, 23rd November 2021 has a meeting taken place after the Parish Council approached Hopkins requesting communication.

Communication is key to ensure a development such as this is successful in a small village, we hope to work closely with the applicant to ensure this development is the best it can be for the new and existing residents of Bramford, the environment and ecology.

There is no Landscape and Ecological Management Plan (Condition 15) or Biodiversity Enhancement Strategy (Condition 16) provided with this application. Therefore, these conditions still remain outstanding.

Cycle provision

The application has no mention of cycle provision on site, or any cycle links to other cycle paths in the local area. Popular National Cycle routes run very close to this site, we trust that the developer will improve the existing plan to accommodate cyclists providing safe access to Ipswich for commuting to reduce car journeys, and also pleasure cyclists.

Outline Planning Permission DC/19/01401 reads ‘The applicant is advised that the local planning authority will have particular regard to the importance of prioritising cycling infrastructure and its delivery in considering the layout of the development in order to ensure that appropriate cycling infrastructure may be secured for future residents to connect with services and facilities within the locality and within the Ipswich cycle route

network.' Also it is stated on the Planning Committee Action Sheet a cycling infrastructure should be provided. This has not been considered.

Footpaths

Pedestrian connectivity is poor, paths are not continuous and do not provide safe pedestrian routes on or off site. There is no provision for pedestrians to cross over Fitzgerald Rd to access schools, shops etc. Junction of PROW meeting Vicarage Lane is a danger, no visibility, an obvious accident spot. What alternatives are there?

No paths are in place at road junctions on/off site.

More detailed plans are required on this matter.

PROW that passes through development has a road crossing over it. No details of how the developer intends to make this safe for pedestrians. This path has high usage currently due to access to Sproughton and circular river walks, it must be clarified.

No details provided on how pedestrians using PROW will be kept safe during construction phase.

Could path running parallel to Fitzgerald Road on development be a shared path and cycle provision? NPPF Para 112 states '*Within this context, applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas*'

There is also no provision for safe road crossing to access bus stop on Fitzgerald Road.

The development is not encouraging walking to amenities with lack of safe provision for pedestrians.

Access roads and levels

Whilst the access roads have been agreed in previous application, Hopkins are unable to provide information on how they plan to construct the roads at the junctions of Fitzgerald Road as there is a change of ground levels. This information is not available and must be clarified.

Concerns are raised that residents of street facing properties of Fitzgerald Rd may choose the park in the street which has happened on other developments in the village and caused hazards. Bramford Parish Council requires reassurance this will not be possible due to design, but information is not currently available. It must be considered that double yellow lines are completed on development side of Fitzgerald Road.

Inappropriate road surface

Some of the road surfaces to homes have been designed with a non-permeable 'tar spray and shingle finish in buff colour' Bramford Parish Council raise concerns that this surface is not in keeping with the sensitive rural location and requests an alternative dark colour permeable surface is used in all areas where this tar spray is located. The colour is of great concern.

Place Services comment 'The SuDS systems proposed is heavily engineered, in order to reduce the need for engineered surface water management solutions and improve the green infrastructure and ecological offering we recommend: - that the proposed impervious 'tar spray & shingle' should be changed to a permeable surface such as block paving or a specification permeable bonded aggregate.'

House Type 886

Bramford Parish Council do not feel the house type 886 is in keeping with the local area. It consists of 3 open carports below and a 2-bed home above. We request an alternative design for this plot in character with the village.

Play Area

Whilst Bramford Parish Council are pleased with the provision of a large green space, we feel the play area is not large enough for the potential footfall being so close to the busy PROW. We would encourage developer to enhance the play area further providing more equipment for all ages and seating for the local community.

Maintenance of Green Space

There appears no plan regarding maintenance of the green space and trees. These must be maintained by the developer or a third party, and a plan in place for the period when this ceases.

Basins

There are no details of the inlet/outlet pipes for the SuDS basin, we request that due to prominent location they are not precast concrete with galvanised handrail as in other Hopkins development in the village. These are unsightly and constantly a target of vandalism. There is no detail of depth of these ponds or fencing. We require more details on this matter as they are very close to PROW and children's play area and have potential to cause harm. Developer states they are creating a 'natural wetland area' but there are no specifics regarding this.

Tree species and numbers.

We wish to have some discussions about the tree species listed in the application. Whilst they are native, many are not local, we wish to see more trees and wildlife hedgerows planted with an edible landscape approach including local apple and pear.

NPPF Para 131 requests tree lined streets, which are not part of this application. Climate control requires us to plant more trees, and this is an opportunity to do so.

Greater number of trees would be preferred on the far boundary that runs parallel with the River Gipping. Comments from DC/19/01401 state the development should not have a visible impact of walkers on the River Gipping public footpath. With current design the new development will be visible, any trees planted will take many years to soften this view, therefore it is important they are planted as soon as possible and as large as possible.

Ecology/Wildlife Friendly Construction

Bramford Parish Council would like to request a wildlife-friendly construction. The developers must understand the delicate environment they will be building in near our beautiful river and meadows, and the nature and wildlife that has called it home all these years. We support growth and development but not at the destruction of species, we request some simple amendments to the construction to support the ecology of this site, the developer could be trailblazers in this field, and we would be very happy to support them in achieving this.

1. Swift bird-friendly bricks: the style of modern construction has put swift populations under pressure. The swift brick developed with the RSPB helps the birds during summer months when they stay in the UK to raise their young. Cracks and crevices of our old buildings have been homes for these birds for thousands of years. A recent scheme in neighbouring Claydon installed swift boxes and bricks in homes to support our local summer population. Would you consider the same please? A small cost involved that would provide a safe area to allow Swifts to nest.
2. Hedgehog Highways: Developers in new developments now have to include 'hedgehog highways' following a petition organised by the British Hedgehog Preservation Society in 2019. Small holes must be cut in bases of fences, allowing

hedgehogs to move freely between properties. Numbers have declined in recent years but we have a large population in our village and we would like to continue to support these precious creatures as they search for food at night, space to roam is crucial.

3. Bee Bricks: Cast tubes in bricks provide nesting sites for solitary bees. They are slowly appearing on more biodiversity planning guidance documents across the country, and we would very much welcome them in your development.
4. Amphibian-friendly kerbing: With the location near flood plain, streams, ditches and River Gipping, amphibians are present on this site. In developments these creatures make their way along our roads naturally following the line of the kerb as they travel. The wildlife kerbs prevent frogs etc falling through into the gully to die of starvation. This kerbing avoids gully's and provides a 'bypass pocket' that amphibians can follow.
5. Bat boxes.

Bramford has had, and continues to have huge development agreed, but taking a few moments to think about our environment rather than housing and profit would be very much appreciated by the residents, both humans and creatures of the village. We all need to support each other, and we know what they say about the bees, no bees, the end of civilisation shortly follows!! This plan would complement the wildflower meadows, natural wetland and green spaces created by the developer.

New homes producing less carbon.

In January 2021 the government issued its response to the Future Home Standard (FHS) consultation. Setting out the building regulations changes in England on conservation, power and ventilation. The FHS is to ensure all homes built after 2025 will produce 75 to 80% less carbon than those currently completed under current regulations, with the commitment that new homes will not require refurbishment to reach zero carbon, and no new home built under FHS will rely on fossil fuels. In the interim homes built from 2022 will produce 31% less CO2 than under current standards ahead of full implementation in 2025.

We ask that whilst legislation does not force the developer on this project to choose alternative heat sources, use of solar, recycling water etc we hope that Hopkins Homes will be a trailblazer moving forward and install appropriate carbon reducing facilities on all new developments moving forward starting with this application.

It is not appropriate new builds are provided with heating etc that would not be compliant only months later. The expense for homeowners to replace out of date systems not even a year old is inappropriate and not forward thinking.

We must all play our part in reducing carbon, and Hopkins have the opportunity to be one of the first to do so.


Bramford Parish Council hope to see amended detailed plans shortly of a future proof development, that is safe for its occupants and visitors, environmentally friendly and supports the wildlife and habitat.

We are keen to work closely with the developer to make this project sustainable and a model for future projects.

Parish Clerk on behalf of
Bramford Parish Council

From: BMSDC Planning Area Team Green <planninggreen@babberghmidsuffolk.gov.uk>
Sent: 08 Nov 2021 03:18:51
To:
Cc:
Subject: FW: DC/21/05669
Attachments:

From: sproughtonpc@gmail.com <sproughtonpc@gmail.com>
Sent: 05 November 2021 18:00
To: BMSDC Planning Area Team Green <planninggreen@babberghmidsuffolk.gov.uk>
Subject: DC/21/05669

 **EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT**

Dear Sirs

Please see below our response to the above application.

We are concerned that the parking provisions appear inadequate and in line with our previous comments, the SUDS facilities are inadequate. We note that the Suffolk County Council flood water team's response remain holding an objection and we would be interested to know what the outcome of that would be'

Kind Regards
Mrs Kirsty Webber
Sproughton Parish Council, Parish Clerk & RFO
Tel: 07538311567

(Please be aware I am contracted for part-time hours. I will therefore respond to your email as soon as I can)

From: BMSDC Planning Area Team Green <planninggreen@baberghmidsuffolk.gov.uk>

Sent: 01 Nov 2021 02:55:14

To:

Cc:

Subject: FW: DC/21/05669

Attachments:

From: sproughtonpc@gmail.com <sproughtonpc@gmail.com>

Sent: 01 November 2021 12:17

To: BMSDC Planning Area Team Green <planninggreen@baberghmidsuffolk.gov.uk>

Subject: DC/21/05669



EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT

Dear Sirs

Please see our comments below on the above application.

Sproughton parish Council are concerned that the parking provisions appear inadequate and in line with our previous comments, the SUDS facilities are inadequate.

We note that the Suffolk County Council flood water team's response remain holding an objection and **we would be interested to know what the outcome of that would be!**

Kind Regards

Mrs Kirsty Webber

Sproughton Parish Council, Parish Clerk & RFO

Tel: 07538311567

(Please be aware I am contracted for part-time hours. I will therefore respond to your email as soon as I can)

Date: 18 November 2021
Our ref: 372944
Your ref: DC/21/05669



planningpink@babberghmidsuffolk.gov.uk
BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Elizabeth Flood,

Planning consultation: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).
Location: Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Thank you for your consultation on the above dated 21 October 2021 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application could:

- have an adverse effect on the integrity of the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site <https://designatedsites.naturalengland.org.uk/>.
- damage or destroy the interest features for which the underpinning Sites of Special Scientific Interest (SSSIs) of the above European sites have been notified.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured:

- A Landscape and Ecology Management Plan and the Biodiversity Enhancement Strategy, as required in order to discharge conditions 15 and 16.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

- We are unable to locate the Landscape and Ecology Management Plan and the Biodiversity Enhancement Strategy required in order to discharge conditions 15 and 16. Submission of these documents at this stage is advised to ensure that public open space and green infrastructure on-site will be high-quality, informal and semi-natural. These qualities will ensure that recreation is suitably retained on-site, away from the Stour and Orwell Estuaries SPA and Ramsar as per our advice at the Outline application stage.

SSSIs

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Other advice

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

Should the proposal change, please consult us again.

Yours sincerely

Sam Kench
Lead Adviser, Norfolk and Suffolk Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the [National Planning Policy Framework](#) (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Best and most versatile agricultural land and soils

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in [GOV.UK guidance](#). Agricultural Land Classification information is available on the [Magic](#) website on the [Data.Gov.uk](#) website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

Guidance on soil protection is available in the Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#), and we recommend its use in the design and construction of development, including any planning conditions. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)². Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

² <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

Ancient woodland, ancient and veteran trees

You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. Natural England and the Forestry Commission have produced [standing advice](#) for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered

where appropriate.

Rights of Way, Access land, Coastal access and National Trails

Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

National Highways Planning Response (NHPR 21-09) Formal Recommendation to an Application for Planning Permission

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@highwaysengland.co.uk

To: Babergh and Mid Suffolk District Councils FAO, Elizabeth Flood

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: DC/21/05669 **National Highways Ref:** A14-M123460

Proposal: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

Location: Land to the South of Fitzgerald Road, Bramford, Suffolk

Referring to the consultation on a planning application dated 21 October 2021, referenced above, in the vicinity of the A14, that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature: S. H.	Date: 10 November 2021
Name: Shamsul Hoque	Position: Assistant Spatial Planner
National Highways Highways England Woodlands Manton Lane Bedford MK41 7LW	

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This proposed development application site is located in the westbound direction of the A14, at the north-west side of junction 54 within Bamford area.

I have reviewed the details and information provided in relation to a number of planning conditions (for example, No. 12, 15, 16, 18 and 22). Due to the location and scale of this proposed development site, National Highways do not have any objection to those planning conditions.

In addition, with respect to the reserved matters application (for Appearance, Landscape, Layout and Scale), it is unlikely to have any severe impact upon the A14, part of the Strategic Road Network (SRN).

Therefore, we offer no objection.

Your Ref: DC/21/05669
Our Ref: SCC/CON/0222/22
Date: 24 January 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/05669

PROPOSAL: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

LOCATION: Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Notice is hereby given that the County Council as Highway Authority make the following comments:

The proposed layout is acceptable to the Highway Authority.

All of the necessary highway related conditions were included in the outline permission (DC/19/01401) and whilst the parking and bin collection elements of this proposal are generally acceptable, they do not contain enough details to supersede or fully discharge those conditions (8 and 9).

Condition 18 (landscaping): It should be noted that any trees close to adoptable roads and footways may complicate and/or delay a Section 38 road adoption agreement. Whilst we do not object to the discharge of this condition, the above comments should be noted as it may result in future adoption or planning complications.

No comments on the other conditions listed above.

Notes:

Note: The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long term maintenance, of the new streets.

For further information please visit:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Please note that this development may be subject to the Advance Payment Code and the addition of non statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

Your Ref: DC/21/05669
Our Ref: SCC/CON/5698/21
Date: 12 January 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/05669

PROPOSAL: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

LOCATION: Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Notice is hereby given that the County Council as Highway Authority make the following comments:

Whilst the proposal is now generally acceptable to the Highway Authority, there is a lack of provision for cycle links to existing and future cycle routes from the development. In accordance with LTN1/20, the internal estate roads are considered suitable for cycling but the layout should provide facilities to enable cyclists to transition onto cycle routes from the development as included in Note 4 of the outline planning permission.

Details of how this will be accommodated should be shown in the layout and/or information provided.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

Your Ref: DC/21/05669
Our Ref: SCC/CON/4848/21
Date: 10 November 2021
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/05669

PROPOSAL: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

LOCATION: Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Notice is hereby given that the County Council as Highway Authority make the following comments:

There are a number of highway related issues with the proposed layout:

1. Pedestrian connectivity:

Most local amenities are located to the north of the development site and in most cases would be accessed via Fitzgerald Road to the north west of the site. The proposed layout does not provide sufficient pedestrian (or cycle links) to the north via footway connections and there are very limited opportunities to access the existing footway network to the north west, due to the footway being set back from the road with the only link being via a narrow PROW that meets the road at an unsuitable crossing location.

It should also be considered how the large area of tree lined verge between the proposed footway and road would be managed in the future, because it is unlikely that the Highway Authority would take on the full extent of this area.

2. Development Layout:

These comments only need to be addressed if the estate roads and footways will be adopted by the Highway Authority.

Junction stagger - minimum stagger of 20 metres is required.

Lengths of straight road without speed restraints - no straight lengths exceeding approx. 60 metres are permitted to control vehicle speeds.

Shared surface road junctions - footway crossovers are not suitable as junctions into shared surface roads. The western end junction area of the central shared surface road is not an acceptable radius and the necessary ramp would not be perpendicular to the flow of traffic entering the junction.

Shared surface roads - these require a ramp at the entry point to control vehicle speeds.

Footway provision - estate roads serving this number of dwellings should have footways on both sides of the road and consideration should be given to who will manage large areas of tree lined verge between roads and footways, and whether utilities can be located within these areas.

3. Parking:

Triple tandem parking layouts for 4-5 bedroom dwellings onto or close to adoptable roads are shown in several locations. This is not supported.

4. Other comments:

Bin collection points at plots 22 - 25 are not shown.

There appear to be several gaps in the internal footpath network, that provides key links and recreational walks within the site.

Holding objection until the above comments have been addressed.

Yours sincerely,

Ben Chester

Senior Transport Planning Engineer

Growth, Highways and Infrastructure

Dear Elizabeth Flood,

Subject: Land To The South Of, Fitzgerald Road, Bramford, Suffolk Ref DC/21/05669 - Reserved Matters Application & Discharge of Conditions Surface Water Drainage (Condition 12)

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/05669.

The following submitted documents have been reviewed and we recommend approval of the reserved matter application and a partial discharge condition 12 a) to f) only at this time:

- Planning Layout Ref BRA3 003 Rev C
- Soft Landscape Proposals 1 of 4 Ref LA5019 002 Rev E
- Soft Landscape Proposals 4 of 4 Ref LA5019 005 Rev E
- Drainage Strategy Ref 216203 P04

Condition 12

Concurrent with the submission of the first reserved matters application(s) a surface water drainage scheme shall be submitted to, for approval 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 Q_{bar} or 2l/s/ha 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:

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

- Temporary drainage systems

- Measures for managing pollution / water quality and protecting controlled waters and watercourses

- 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 in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

The points below detail the action required in order to overcome our current refusal:-

1. Submit a completed construction surface water management plan (item g) by the principal contractor
 - a. It shall include.
 - i. Construction Surface Water Drainage System Design
 - ii. Construction Management, Maintenance and Remediation Schedules
 - iii. Required Consents (e.g. Land Drainage Act, Environmental Permit etc)
 - iv. Flood Risk Controls
 - v. Pollution, Water Quality & Emergency Control Measures

- vi. Phasing Plan (if required)
- vii. Construction Site Plan showing compounds, material storage areas, temporary site parking et

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

****Note I am remote working for the time being****

-----Original Message-----

From: planningpink@baberghmidsuffolk.gov.uk <planningpink@baberghmidsuffolk.gov.uk>

Sent: 17 December 2021 15:34

To: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Subject: MSDC Planning Re-consultation Request - DC/21/05669

Please find attached planning re-consultation request letter relating to planning application - DC/21/05669 - Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Kind Regards

Planning Support Team

Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council.

From: GHI Floods Planning
Sent: 27 October 2021 08:24
To: BMSDC Planning Area Team Pink
Cc: Elizabeth Flood; Grace Waspe
Subject: 2021-10-27 JS reply Land To The South Of, Fitzgerald Road, Bramford Ref DC/21/05669 VAR & DoC

Dear Elizabeth Flood,

Subject: Land To The South Of, Fitzgerald Road, Bramford, Suffolk Ref DC/21/05669 - Reserved Matters Application & Discharge of Conditions Surface Water Drainage (Condition 12)

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/05669.

The following submitted documents have been reviewed and we recommend a **holding objection** to the reserved matter application and a **refusal** to discharge condition 12 at this time:

- Planning Layout Ref BRA3 003 Rev A
- Soft Landscape Proposals 1 of 4 Ref LA5019 002 Rev C
- Soft Landscape Proposals 4 of 4 Ref LA5019 005 Rev C
- Adoptable Drainage General Layout Ref 216203-CCL-XX-00-DR-C-3000 P01
- Adoptable Drainage Surface Water Schedule Ref 216203-CCL-XX-00-DR-C-3005 P01
- Adoptable Drainage Construction Details Sheets 1 Ref 216203-CCL-XX-XX-DR-C-3900 P01
- Drainage Strategy Ref 216203 P03

Reserved Matters Application

A holding objection is necessary because the proposed layout and the surface water drainage strategy drawings are different and there needs to be additional information regarding the landscaping of the infiltration basins.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection.

The points below detail the action required in order to overcome our current objection:-

1. Demonstrate how the basin base will be planted
2. Ensure that the surface water drainage strategy drawings and the proposed layout depicted the same layout

Surface Water Drainage (Condition 12)

Concurrent with the submission of the first reserved matters application(s) a surface water drainage scheme shall be submitted to, for approval 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 Q_{bar} or 2l/s/ha 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:
 - Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - Temporary drainage systems
 - Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - 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 in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

The points below detail the action required in order to overcome our current refusal:-

1. Updated some of the surface water drainage strategy drawings as they do not reflect the proposed planning layout
2. Resubmit the flood exceedance plan to demonstrate where water goes if the infiltration basins design capacity is exceeded
3. Submit a designer's risk assessment for all open SuDs features
4. Submit a construction surface water management plan (item g)).
 - a. A template can be found here, [Construction Surface Water Management Plan | Suffolk County Council](#)

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council
Growth, Highway & Infrastructure

From: BMSDC Planning Area Team Pink <PlanningPink@babberghmidsuffolk.gov.uk>

Sent: 23 Nov 2021 11:58:28

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/05669

Attachments:

From: GHI PROW Planning <PROWplanning@suffolk.gov.uk>

Sent: 23 November 2021 11:48

To: BMSDC Planning Area Team Pink <PlanningPink@babberghmidsuffolk.gov.uk>

Cc: GHI PROW Planning <PROWplanning@suffolk.gov.uk>; Sharon Berry (MSDC) <Sharon.Berry@babberghmidsuffolk.gov.uk>; Ben Chester <Ben.Chester@suffolk.gov.uk>; Kevin Verlander <Kevin.Verlander@suffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/21/05669

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: DC/21/05669

Thank you for your consultation concerning the above application.

The proposed site does contain a public right of way (PROW): Bramford Public Footpath 34 and Bramford Public Footpath 35. The Definitive Map for Bramford can be seen at: <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Bramford.pdf>. A more detailed plot of public rights of way can be provided. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We have the following comments:

- **We welcome Bramford Public Footpath 34 being set in a green corridor.**
- **However, where the estate road crosses Bramford Public Footpath 34 dropped curbs are required to ease movement across the road.**
- **In addition, the northern section of Bramford Public Footpath 34 between the path junction immediately east of plot 89, and where Bramford Public Footpath 34 meets the junction of Fitzgerald Road and Vicarage Lane, needs to be tarmac. This is to accommodate the significantly higher footfall the path will receive as a result of this development, with the obvious desire line being towards The Street in Bramford.**

Furthermore, we ask that the following is taken into account:

1. PROW are divided into the following classifications:

- Public Footpath – only for use on foot or with a mobility vehicle
- Public Bridleway – use as per a public footpath, and on horseback or by bicycle
- Restricted Byway – use as per a bridleway, and by a ‘non-motorised vehicle’, e.g. a horse and carriage
- Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

2. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.

3. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It **DOES NOT** give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
 - To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. **PLEASE NOTE** that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
 - To apply for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
4. **To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible** to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> **PLEASE NOTE** that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
5. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
6. Any hedges adjacent to PROW must be planted a minimum of 1 metre from the edge of the path in order to allow for annual growth and cutting, and should not be allowed to obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metres from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.
7. **There may be a requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information.**

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/.

Thank you for taking the time to consider this response.

Public Rights of Way Team
Growth, Highways and Infrastructure
Suffolk County Council
Phoenix House, 3 Goddard Road, Ipswich IP1 5NP
PROWplanning@suffolk.gov.uk

From: BMSDC Planning Area Team Pink <PlanningPink@babberghmidsuffolk.gov.uk>
Sent: 12 Nov 2021 12:02:29
To:
Cc:
Subject: FW: DC/21/05669 Land to the South of Fitzgerald Road Bramford- Res Matters
Attachments:

From: Water Hydrants <Water.Hydrants@suffolk.gov.uk>
Sent: 12 November 2021 11:34
To: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Subject: FW: DC/21/05669 Land to the South of Fitzgerald Road Bramford- Res Matters

Fire Ref.: F216255

Good Morning,

Thank you for your reminder of the above planning application.

The Suffolk Fire & Rescue Service do not need to comment on the Reserved Matters detailed in this letter. Condition 13 is relevant to us.

If you have any queries, please let us know, quoting the ref number above.

Thank you.

Kind regards,
A Stordy
Admin to Water Officer
Fire and Public Safety Directorate, SCC
3rd Floor, Lime Block, Endeavour House
Russell Road, IP1 2BX

Tel.: 01473 260564
Team Mailbox: water.hydrants@suffolk.gov.uk

Our Mission Statement: We will make a positive difference for Suffolk. We are committed to working together, striving to improve and securing the best possible services.



Our Values: Wellbeing, Equality, Achieve, Support, Pride, Innovate, Respect, Empower

From: Chris Ward
Sent: 21 October 2021 14:33
To: Elizabeth Flood
Cc: BMSDC Planning Area Team Pink
Subject: RE: MSDC Planning Consultation Request - DC/21/05669

Dear Elizabeth,

Thank you for notifying me about the reserved matters application for the residential development at Land to the South of Fitzgerald Road in Bramford. On reviewing the documents submitted, I have no comment to make.

Kind regards

Chris Ward
Active Travel Officer
Transport Strategy
Strategic Development - Growth, Highways and Infrastructure
Suffolk County Council

From: Vanessa Pannell <Vanessa.Pannell@babberghmidsuffolk.gov.uk>
Sent: 12 Nov 2021 01:11:40
To:
Cc:
Subject: DC/21/05669 Land to the South of Fitzgerald Road Bramford- Res Matters
Attachments:

From: BMSDC Heritage Team Mailbox <heritage@babberghmidsuffolk.gov.uk>
Sent: 11 November 2021 16:02
To: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: RE: DC/21/05669 Land to the South of Fitzgerald Road Bramford- Res Matters

Good Afternoon,

No comments to be made by the heritage team.

Kind Regards

Kirsty Nicholls

(Part Time) Technical Support Officer- Development Management

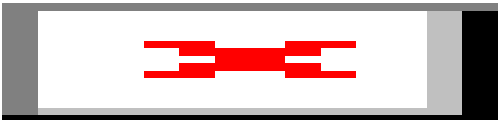
Sustainable Communities

Working for Babergh District Council and Mid Suffolk District Council

Tel: 0300 1234000 For all Council services

Email: planningblue@babberghmidsuffolk.gov.uk
Websites: www.babergh.gov.uk www.midsuffolk.gov.uk

Please note, the advice given in this email is informal advice only. Should you wish to obtain formal advice please visit our website <https://www.midsuffolk.gov.uk/planning/> where there are a number of options available. Please be aware formal advice is chargeable.



The Public Sector Transformation Awards

Please be advised that any comments expressed in this email are offered at an officer level as a professional opinion and are given without prejudice to any decision or action the Council may take in the future. Please check with the emails author if you are in any doubt about the status of the advice given within this email

From: BMSDC Planning Mailbox <planning@babberghmidsuffolk.gov.uk>
Sent: 11 November 2021 15:33
To: BMSDC Planning Area Team Pink <PlanningPink@babberghmidsuffolk.gov.uk>
Subject: DC/21/05669 Land to the South of Fitzgerald Road Bramford- Res Matters

Good Afternoon ,

We would have sent yourself a consultation request for the above application on 21/10/2021. Your consultation request is due to expire on the 11/11/2021.

If you do not wish to comment, please respond to this email. If you intend to provide comments, we look forward to receiving these at your earliest convenience.

Regards

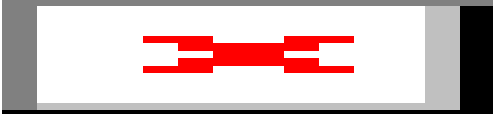
Vanessa Pannell
(Part Time) Technical Support Officer- Development Management

Sustainable Communities
Working for Babergh District Council and Mid Suffolk District Council

Tel: 01449 724547
Tel: 0300 1234000 For all Council services

Email: planningblue@babberghmidsuffolk.gov.uk
Websites: www.babergh.gov.uk www.midsuffolk.gov.uk

Please note, the advice given in this email is informal advice only. Should you wish to obtain formal advice please visit our website <https://www.midsuffolk.gov.uk/planning/> where there are a number of options available. Please be aware formal advice is chargeable.



The Public Sector Transformation Awards

Please be advised that any comments expressed in this email are offered at an officer level as a professional opinion and are given without prejudice to any decision or action the Council may take in the future. Please check with the emails author if you are in any doubt about the status of the advice given within this email

From: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Sent: 09 Nov 2021 01:44:31

To:

Cc:

Subject: FW: (299656) DC/21/05669. Land Contamination

Attachments:

From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>

Sent: 09 November 2021 11:26

To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Cc: Elizabeth Thomas <Elizabeth.Thomas@baberghmidsuffolk.gov.uk>

Subject: (299656) DC/21/05669. Land Contamination

EP Reference: 299656

DC/21/05669. Land Contamination

Land To The South Of, Fitzgerald Road, Bramford, IPSWICH, Suffolk.

Application for approval of the outstanding Reserved Matters following grant of Outline Permission

DC/19/01401- Residential development of up to 115 dwellings and access, including open space ...

Many thanks for your request for comments in relation to the above application. I can confirm that I have no further comments to make with respect to land contamination over those made at the outline planning application stage.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD

Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk

Work: 01449 724715

websites: www.babergh.gov.uk www.midsuffolk.gov.uk

I am working flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours

From: Susan Lennard
Sent: 08 November 2021 12:23
To: Elizabeth Flood
Cc: BMSDC Planning Area Team Pink
Subject: APPLICATION: DC/21/05669

APPLICATION: DC/21/05669

OUR REFERENCE: 299657

PROPOSAL: Reserved Matters following granting of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

CONSULTEE COMMENTS IN RESPECT OF NOISE, ODOUR, LIGHT, SMOKE.

Dear Sirs

I write with regard to the above application for planning approval. Having reviewed the application documentation and original application I understand that;

- Outline planning permission was granted in 2019 under **DC/19/01401** FOR which relates to the reserved matters following the outline permission and details regarding Conditions 1 – 2 (appearance, landscaping and layout), Condition 12 (Surface Water), Condition 15 (Landscape and ecological management plan), Condition 16 (Biodiversity strategy) Condition 18 (landscaping) and condition 22 (Housing mix).
- A noise assessment was submitted with the outline proposal by SRL Technical Services, report number C14740A/T01/TWR, dated 13/06/2018 which outlined that
 - The dominant noise source affecting the proposed development is road traffic from the B1113 (Lorraine Way). The dwellings to the north will also be exposed to road traffic noise from Fitzgerald Road. Noise from the A14 (more than 700m to the west) is audible during lulls in road traffic on Lorraine Way and Fitzgerald Road.
 - The criteria for indoor ambient noise levels for proposed dwellings facing Lorraine Way and Fitzgerald Road can be met by installing standard thermal double-glazing windows and non-acoustic trickle ventilators. The criteria for indoor ambient noise levels for dwellings which are shielded from the roads can be achieved with open windows. This is subject to the final layout of the scheme.
 - Noise levels in external living areas are predicted to be within the recommended criteria.
- Environmental protection provided comments in respect of this outline application with regard to noise as follows;

'The Final layout of the scheme should be designed to meet the recommendations in the SRL report to ensure that the internal and external noise levels are within the BS

8233:2014 criterion for both internal ambient noise levels and those for outdoor amenity spaces. I would suggest that a condition requiring pre-occupation independent testing would be required to ensure that WHO and BS8233 internal values are met'.

There was also a requirement for a Construction Management Plan to be submitted. No details have been provided to this as per Condition 7 DC/19/01401..

Having regard to the above, we would recommend the following conditions;

CONDITION

NOISE

All noise mitigation measures undertaken in connection with this application shall be implemented in accordance with the recommendations within the SRL Technical Services, report number C14740A/T01/TWR, dated 13/06/2018 and shall ensure that **internal and external noise levels are within the BS 8233:2014 criterion for both internal ambient noise levels and those for outdoor amenity spaces** . Furthermore we shall require confirmation of this by way of pre-occupation independent testing to ensure that WHO and BS8233 internal values are achieved. Should the post testing and measurements demonstrate mitigation does not accord to the agreed levels a further migration scheme shall be submitted to and agreed in writing by the LPA to be undertaken prior to first occupation of the dwellings.

CONDITION

CONSTRUCTION MANAGEMENT PLAN

No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:

- Details of the scheduled timing/phasing of the development for the overall construction period
- Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors)
- protection measures for footpaths surrounding the site
- Loading and unloading of plant and materials
- Wheel washing facilities
- Lighting
- Location and nature of compounds, pottraloos and storage areas (including maximum storage heights) and factors to prevent wind-whipping of loose materials
- Waste storage and removal
- Temporary buildings and boundary treatments
- Dust management measures
- Method of any demotion to take place, including the recycling and disposal of materials arising from demolition.
- Noise and vibration management (to include arrangements for monitoring, and specific method statements for piling) and;
- Litter and waste management during the construction phases of the development. Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall cover both demotion and construction phases of the above development. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

CONDITION

CONSTRUCTION HOURS

The hereby permitted development/use shall only operate between the hours of 08.00 and 18.00hrs Mondays to Fridays and between the hours of 09.00 and 13.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

CONDTION

BURNING

No burning shall take place on site during the site clearance/demolition or construction phases of the development.

From: Jennifer Lockington
Sent: 03 November 2021 09:51
Subject: DC/21/05669 - Air Quality

Dear Elizabeth

YOUR REF: 21/05669

OUR REF: 299655

SUBJECT: Land To The South Of, Fitzgerald Road, Bramford, Suffolk
Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

Please find below my comments regarding air quality matters only.

Thank you for your consultation on the above application.

I have no objections with regard to air quality.

Regards

Jennifer Lockington (Mrs)
Senior Environmental Management Officer
Babergh & Mid Suffolk District Councils - Working Together

From: Peter Chisnall
Sent: 01 November 2021 18:15
To: BMSDC Planning Area Team Pink; Elizabeth Flood
Subject: DC/21/05669

Dear Elizabeth,

APPLICATION FOR RESERVED MATTERS - DC/21/05669

Proposal: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

Location: Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Many thanks for your request to comment on the Sustainability/Climate Change mitigation related aspects of this application.

Conditions 8 and 21 would be relevant to my response, they are not included in this application therefore I have no comments to make.

Thanks

Regards,

Peter

Peter Chisnall, CEnv, MIEMA, CEnvH, MCIEH
Environmental Management Officer
Babergh and Mid Suffolk District Council - Working Together

From: BMSDC Public Realm Consultation Mailbox
Sent: 03 November 2021 15:13
To: BMSDC Planning Area Team Pink
Subject: RE: MSDC Planning Consultation Request - DC/21/05669

Public Realm Officers have no objection to this development as the level of open space and play provision is appropriate for this location. We welcome the natural grassland and native hedgerow choices. We would recommend that any new hedging is planted at a sufficient distance from garden fences so that householders have a maintenance strip between the hedge and their fence. This also prevents the hedge from damaging the fences as it grows.

Regards

Dave Hughes
Public Realm Officer



Planning Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

10/11/2021

For the attention of: Elizabeth Flood

Ref: DC/21/05669; Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Thank you for re-consulting us on the Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

This response relates to revised plans and documents submitted 16/12/2021. Several points raised in our previous letter are still to be resolved, as listed below:

- Materials have now been specified for the circulatory footpaths, however we would recommend that the entirety of PROW 3156 should be the same material for continuity and to help direct the users along its length through the site.
- It is still our recommendation that where private gardens of plots abut the public realm and no external planting is provided to provide offset that these boundaries should be formed of 1.8m high walls. We recommend that the boundaries be reviewed and revised accordingly.
- We welcome the indicative section in the Drainage report, though would recommend that sections of this site are submitted showing the context of the basins. Furthermore proposed finished levels of the site are yet to be provided.
- The previously raised point regarding tree lined streets has not been addressed.
- Details of inlets and outlets for the SuDS basins are still to be provided.

We are still unable to support this application to discharge of Reserved Matters, Conditions 15 and 18. If you have any queries regarding the matter raised above, please let me know.

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils.

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



Planning Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

10/11/2021

For the attention of: Elizabeth Flood

Ref: DC/21/05669; Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Thank you for consulting us on the Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

This response relates to the Reserved Matters of landscaping and concurrent discharge of Condition 15 Landscape and Ecological Management Plan and Condition 18 Landscape. Currently the application is not supported by the submission of a LEMP, there is information missing and there are discrepancies between several drawings for example the surface treatment of paths, location of features such as swales. We recommend that these are review and amended as necessary prior discharge of the above conditions.

Further to this we have the following comments in relation to the landscape of the proposed scheme:

- House type 886 Flat over garage is not provided with the house types drawings, therefore we are unable to assess the relationship to the private garden space provided.
- Surface materials for the circulatory footpaths within the POS needs to be confirmed, the materials will inform the aesthetic nature of the space, influence the year round use of the network and have an impact on surface water management . Formal routes should be placed to meet a connection need and should join the roadside network within the housing areas.
- Where plot boundaries abuts the public realm we would recommend the use of 1.8m high walls instead of timber fencing.
- No indication of proposed changes in levels have been provided.
- We are satisfied that the plant species chosen are suitable for the development however we would prefer to see the proposed trees planted at a variety of sizes depending on whether they are pioneering or successional species. Where trees are used within hard landscaped areas or as feature/focal points, we would advise that heavy/extra heavy standards are used with appropriate tree pit construction and support.
- A significant proportion of the street trees on approved the Indicative Landscape Masterplan have not been translated onto the details landscape proposals. The opportunity to provide

tree-line streets as recommended by NPPF Paragraph 131 has been missed.

- The inclusion of the existing boundary hedge with the plots of 91,102-104 and 115 raises concerns with regards to maintenance and future retention, therefore, should be avoided.
- Subject to ecological advice we would recommend the following species mix for the proposed native mixed hedge:
 - 60% Hawthorn (*Crataegus monogyna*)
 - 20% Field maple (*Acer campestre*)
 - 10% Hazel (*Corylus Avellana*)
 - 5% Trees (wild cherry, oak or hornbeam)
 - 5% made of holly, spindle, crab apple, dogwood, blackthorn and guelder rose (only a few % each IF they are present in the locality).
- The SuDS systems proposed is heavily engineered, in order to reduce the need for engineered surface water management solutions and improve the green infrastructure and ecological offering we recommend:
 - that the proposed impervious ‘tar spray & shingle’ should be changed to a permeable surface such as block paving or a specification permeable bonded aggregate.
 - the opportunity to provide roadside side swales and bioretention within the verges should be more fully explored, especially within the area marked as “green/blue infrastructure” on Dwg Ref: BRA3-022-RevA External Works.
- No details of appearance of the inlets and outlets for the SuDS basins were noted. The aesthetic appeal of the attenuation areas play an important role in ensuring it is integrated within green open spaces and provides multiple benefits. The ground contouring, planting and inlet and outlet design should be carefully considered to maximise the amenity value. A standard approach of precast concrete and galvanised handrail for inlets/outlets should be avoided.
- No provision for vehicular access to the SuDS basins for maintenance is evident on the plans.
- The swale proposed with the Drainage Strategy (Dwg Ref 216203_CCL_XX_00_DRC_3110_P03) is not evident within the Soft Landscape Proposals. In order to improve the visual amenity and biodiversity we would expect to see a level of planting associated with the feature.

In light of the above comments we are currently unable to support the application to discharge of Reserved Matters, Conditions 15 and 18.

If you have any queries regarding the matter raised above, please let me know.

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils.

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

From: Planning Liaison
Sent: 30 October 2021 07:12
To: BMSDC Planning Area Team Pink
Subject: Land To The South Of, Fitzgerald Road, Bramford, Suffolk - DC/21/05669

Dear Elizabeth,

Our Reference: PLN-0134340

Please see below our response for the planning application- Land To The South Of, Fitzgerald Road, Bramford, Suffolk - DC/21/05669

Foul Water

N/A

Surface Water

We have reviewed the applicant's submitted surface water drainage information and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

Please do not hesitate to contact the Planning & Capacity Team on the number below or via email should you have any questions related to our planning application response.

Kind Regards,
Sushil



Planning & Capacity Team
Development Services

Consultee Comments for Planning Application DC/21/05669

Application Summary

Application Number: DC/21/05669

Address: Land To The South Of Fitzgerald Road Bramford Suffolk

Proposal: Application for approval of the outstanding Reserved Matters following grant of Outline Permission DC/19/01401- Residential development of up to 115 dwellings and access, including open space and landscaping - Details for Appearance, Landscaping, Layout and Scale required under Conditions 1 and 2 and concurrently required details of Surface Water Drainage (Condition 12); Landscape and Ecological Management Plan (Condition 15); Biodiversity Enhancement Strategy (Condition 16); Landscaping (Condition 18) and Housing Mix (Condition 22).

Case Officer: Elizabeth Flood

Consultee Details

Name: Mrs Linda Hoggarth

Address: 26 Gipping Way, Bramford, Ipswich, Suffolk IP8 4HP

Email: Not Available

On Behalf Of: Mid Suffolk Disability Forum

Comments

The Mid Suffolk Disability Forum would like to remind the applicant that the Forum would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in this planning application.

All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2). It is our view that in housing developments of over 10 dwellings, at least one of the dwellings should be built to wheelchair standard Part M4(3).

We note that some bungalows are to be provided and these should also meet Part M4(2) to assist people with mobility problems and to assist people who wish to downsize from larger dwellings.

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access.

Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr Paul Sutton
Strutt And Parker
66-68 Hills Road
Cambridge
CB2 1LA

Applicant:

Mrs R M Wintour & Hopkins Homes Ltd
Hopkins Homes Limited
Melton Park House
Melton
Woodbridge
IP12 1TJ
UK

Date Application Received: 21-Mar-19

Application Reference: DC/19/01401

Date Registered: 22-Mar-19

Proposal & Location of Development:

Outline Planning Application (some matters reserved)- Residential development of up to 115 dwellings and access, including open space and landscaping.

Land To The South Of, Fitzgerald Road, Bramford, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled 003G SITE PLAN received 17/03/2020 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:

Defined Red Line Plan 003G SITE PLAN - Received 17/03/2020

Indicative Planning Layout 001 - Received 16/04/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** 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. The reserved matters application shall be in general accordance with the Indicative Planning Layout 001 and Indicative Landscape Masterplan GUA-DR-L-001 REV P01.

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. The reserved matters shall be in general accordance with the Indicative Landscape Masterplan accompanying the Outline application and all/any areas of difference therewith shall be clearly indicated within the application for approval of the Reserved Matter to which they relate.

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. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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

4. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - HIGHWAYS

Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage), shall together with a timetable for their delivery be submitted to and approved in writing by the Local Planning Authority. The agreed details shall thereafter be implemented as approved concurrent with the timetable as approved .

Reason: To ensure that roads/footways are constructed to an acceptable standard.

5. ACTION REQUIRED BEFORE USE OF ACCESS - HIGHWAYS - VISIBILITY SPLAYS

Before the access is first used visibility splays shall be provided with an X dimension of 2.4m and a Y dimension of 70m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall thereafter be erected, constructed, planted or permitted to grow within the areas of the visibility splays at all times the access is available to use.

Reason - In the interests of highways safety and to safeguard safe and suitable access at all time.

6. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - HIGHWAYS - SURFACE WATER DISCHARGE

Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form at all times the access is available to use.

Reason: To prevent hazards caused by flowing water or ice on the highway

7. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - CONSTRUCTION MANAGEMENT PLAN REQUIRED

Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of operations/construction and deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety

- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials and location and management of wheel washing facilities,
- location and nature of compounds and storage areas (including maximum storage heights)

The construction management plan shall include appropriate contact details of site management operatives to enable direct and immediate liaison at all times the site is under construction.

Reason: In the interest of local amenity and highway safety to avoid the hazard caused by construction traffic and mud etc on the highway. To ensure minimal adverse amenity and other adverse impact on the the community and local residents and other public highway users at all times during the construction phase. To safeguard safe and suitable access for all persons using the highways in the locality of the site during the construction phase.

8. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - HIGHWAYS & ELECTRIC VEHICLE CHARGING

Before the development is commenced details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the occupation of the dwelling to which those details relates and the details as agreed and delivered shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety. To enable the provisions of electric vehicle charging in the interests of sustainable development and transport.

9. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - BIN PRESENTATION 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 prior to the occupation of the dwelling to which those details relates and the areas as agreed and delivered shall be retained thereafter and used for no other purpose.

Reason: To ensure the appropriate provision for occupier waste management as an element of good design within the development and to ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

10. 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 loss due to 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 THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved, in writing, by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation as may be agreed by the Local Planning Authority. Provision shall be made for analysis, publication and dissemination of results and archive deposition.

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. CONCURRENT WITH RESERVED MATTERS - SURFACE WATER DRAINAGE SCHEME

Concurrent with the submission of the first reserved matters application(s) a surface water drainage scheme shall be submitted to, for approval 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 Q_{bar} or 2l/s/ha 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:

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

- Temporary drainage systems

- Measures for managing pollution / water quality and protecting controlled waters and watercourses

- 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 in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

13. ACTION REQUIRED PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of the site, details of the provision of fire hydrants and a timetable for their provision shall have been submitted to and approved, in writing, by the Local Planning Authority. The fire hydrants shall be delivered in accordance with these details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants.

14. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

Concurrent with and not later than the commencement of development the relevant mitigation measures and/or works shall be carried out in accordance with the details contained in the Phase 2 Ecological Surveys and Assessment (Southern Ecological Solutions, February 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

15. CONCURRENT WITH RESERVED MATTERS: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

Concurrent with the first submission of reserved matters a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

16. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY

Concurrent with the first submission of reserved matters a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to the local planning authority which shall following the recommendations of the Phase 2 Ecological Surveys and Assessment (Southern Ecological Solutions, February 2019) concurrent with the application for the first reserved matters.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works of enhancement shall thereafter be implemented in accordance with the approved details and the enhancements shall be retained in in accordance with that strategy thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

17. WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

A lighting design scheme to safeguard biodiversity within the development shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The scheme shall identify those features on site that are particularly sensitive for bats during construction and then occupation and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting through the construction and occupation phase will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that those areas to be lit appropriately so as not to will not disturb or prevent bats using their territory.

All external lighting within the scheme shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. There shall be no should any other external lighting be installed within the development without the prior written consent of the local planning authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

18. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - LANDSCAPING SCHEME TO BE AGREED

Concurrent with submission of the reserved matter for landscaping, a scheme of hard, soft and boundary treatment landscaping works for the site shall be submitted, in writing, for approval by the Local Planning Authority. The scheme shall include management details of all landscaped areas, proposed changes in ground levels, advance planting, landscaping details for SuDs and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, .

Reason - In the interests of visual amenity and the character and appearance of the area.

19. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

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

The dwelling/s hereby permitted shall not exceed two storeys of living accommodation in design only with no living accommodation within the roof space/s.

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

21. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: SCHEME FOR WATER ENERGY AND RESOURCE EFFICIENCY

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with the agreed details and timetable as may be agreed.

Reason - In the interest of reducing contributions to Climate Change, in accordance with development plan policies CS3 and CS4.

22. ACTION REQUIRED - MARKET MIX TO BE AGREED

Not later than concurrent with the submission of the first reserved matters, details of the market housing including tenure, floorspace and mix shall be submitted to the Local Planning Authority for agreement in writing, which shall reflect the needs identified in the Strategic Market Housing Needs Assessment 2019 (or subsequent document). The details as agreed shall be adhered to and delivered as agreed within the reserved matters.

Reason - To ensure an appropriate market housing mix to meet housing need and demand.

23. ACTION PRIOR TO OCCUPATION - TRAVEL PLAN SCHEME TO BE AGREED

Prior to the occupation of any dwelling hereby permitted details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan in shall be submitted and agreed in writing by the local planning authority in consultation with the highway authority.

This Travel Plan shall contain the following:

- Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
- A commitment to monitor the vehicular trips generated by the residents and submit a revised (or Full) Travel Plan on first occupation of the dwellings
- A further commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority until five years has passed after occupation of the final dwelling

- A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process
- A Travel Plan budget that covers the full implementation of the Travel Plan
- A copy of a residents travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

Reason: In the interest of sustainable development as set out in the NPPF.

24. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - UPGRADE OF BUS STOPS

Prior to the commencement of development details of the raised bus stop kerbs and associated works to upgrade the existing bus stops on Fitzgerald Road shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling shall be occupied on the site until an agreement made under Section 278 of the Highways Act 1980 has been entered into with the Highway Authority in relation to the approved details and notice in writing thereof provided to the local planning authority and the works have been carried out pursuant to such Section 278 agreement.

Reason: To ensure the raised bus stop kerbs are provided and constructed to an acceptable standard in the interest of highway safety and to secure appropriate public transport works.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

- FC01 - Presumption In Favour Of Sustainable Development
- FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
- FC02 - Provision And Distribution Of Housing
- CS01 - Settlement Hierarchy
- CS02 - Development in the Countryside & Countryside Villages
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change
- CS05 - Mid Suffolk's Environment
- CS06 - Services and Infrastructure
- GP01 - Design and layout of development
- HB14 - Ensuring archaeological remains are not destroyed
- H07 - Restricting housing development unrelated to needs of countryside
- 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
- H17 - Keeping residential development away from pollution
- T09 - Parking Standards
- RT04 - Amenity open space and play areas within residential development
- CL08 - Protecting wildlife habitats
- NPPF - National Planning Policy Framework

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. **Highways**

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out.

These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/. A public footpath is recorded through the proposed development area. The applicant is reminded the granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way, including the authorisation of gates, temporary closures and diversions etc. These consents are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

3. **Section 106 Agreement Note**

This planning permission has been granted having regard to a related Section 106 planning obligation. Reference should be made to that planning obligation in conjunction with this decision notice.

4. **Cycling Infrastructure**

The applicant is advised that the local planning authority will have particular regard to the importance of prioritising cycling infrastructure and its delivery in considering the layout of the development in order to ensure that appropriate cycling infrastructure may be secured for future residents to connect with services and facilities within the locality and within the Ipswich cycle route network.

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

This relates to document reference: DC/19/01401

Signed: Philip Isbell

Dated: 2nd September 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

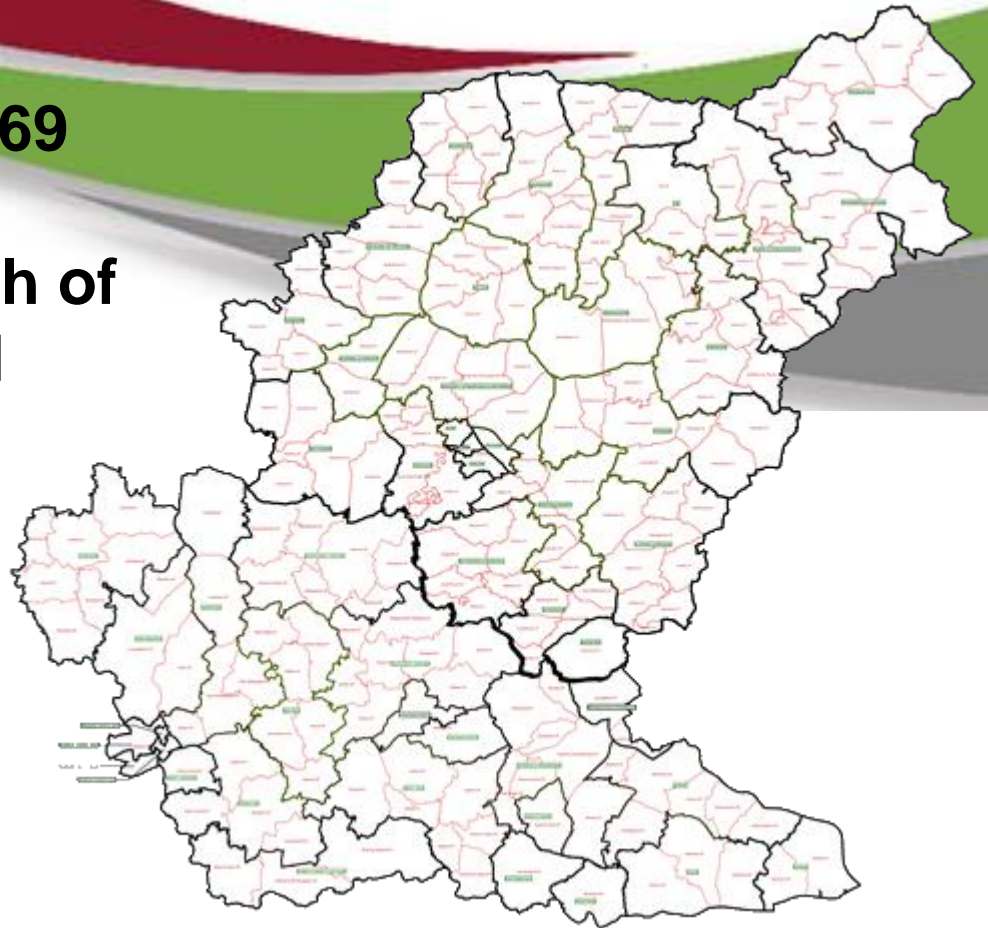
*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

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Application No: DC/21/05669

**Address: Land to the South of
Fitzgerald Road, Bramford**

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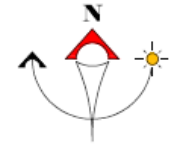
Aerial Map – wider view

Slide 3



Site Location Plan

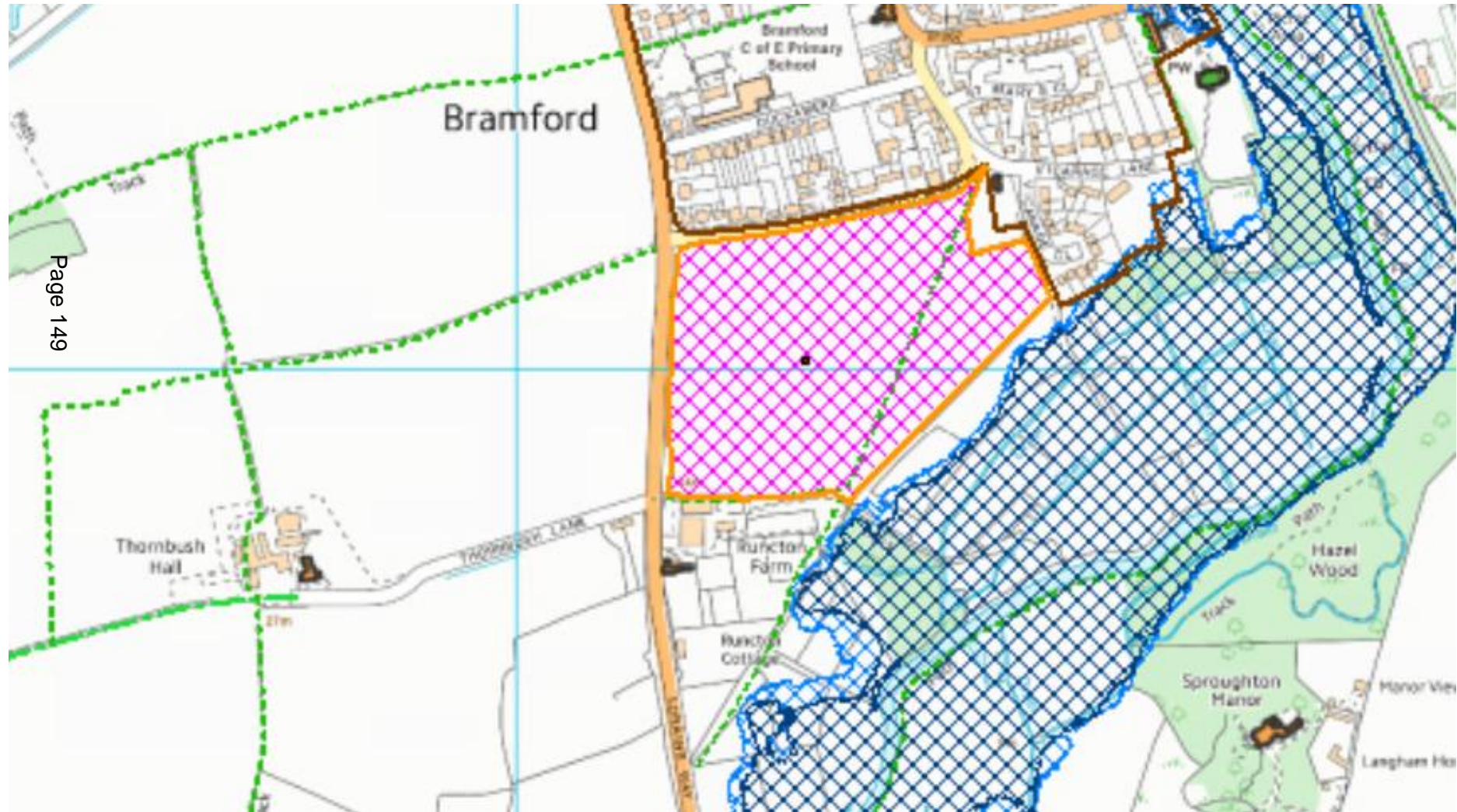
Slide 4



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Constraints Map

- ⋯ Footpath
- Built Up Area Boundaries
- Flood Zone 2
- Flood Zone 3
- Grade II





Refer to door canopy detail HH DET. 12.36

Refer to door canopy detail HH DET. 12.36

Side Elevation

Front Elevation



Rear Elevation

Side Elevation

Notes:
 Do not scale from this drawing to ascertain dimensions.
 Copyright for all designs and drawings shall remain with Hopkins Homes Ltd. in accordance with the Copyright act.

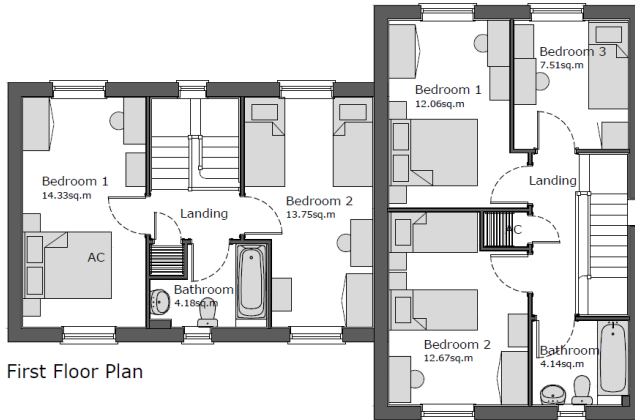
Rev	Date	Details

- Notes:
- > Proposed Levels subject to final engineers designs.
 - > Materials Finished shown indicative only. Refer to materials plans for finishing.
 - > Placement of fences/walls indicative only. Refer to External Works layout for position.
 - > Termination of plinths indicative only. Refer to External Works layout for position.

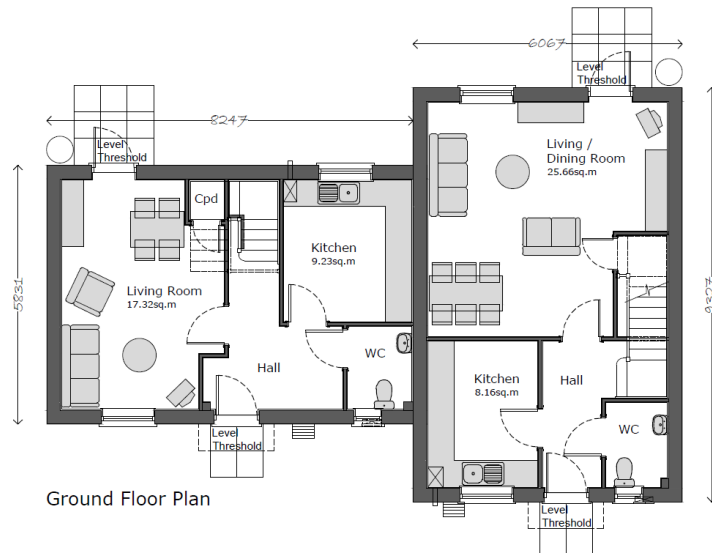


PLANNING

Project no	BRAS
Project	224
Scale	1:100 @ A3
Project Name	HOUSE TYPES 878 & 1009 (Affordable) ELEVATIONS
Drawn by	ST
Checked by	SR
Date	29.11.21



First Floor Plan

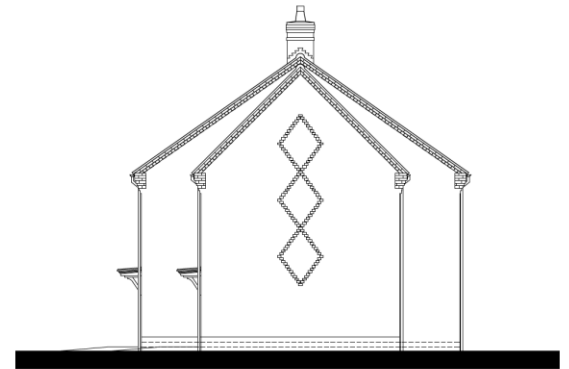


Ground Floor Plan



Refer to door canopy detail HH/DET. 12.36
Refer to door canopy detail HH/DET. 12.36
Refer to door canopy detail HH/DET. 12.36
Refer to door canopy detail HH/DET. 12.36

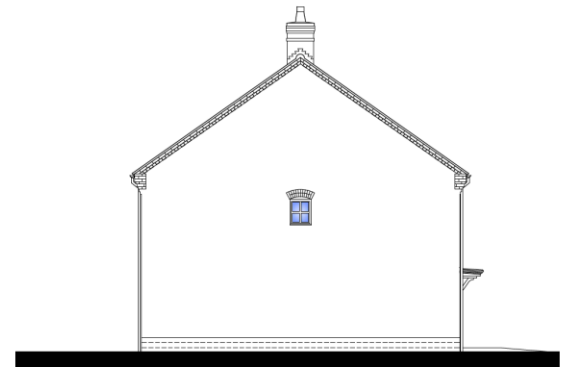
Front Elevation



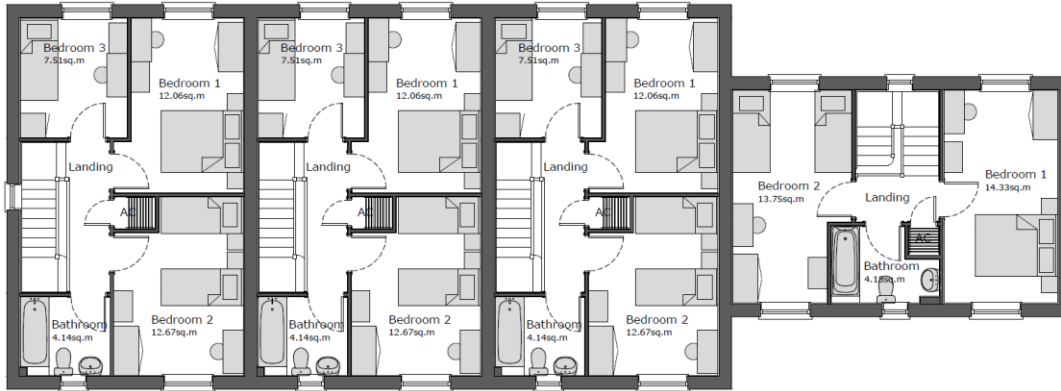
Side Elevation



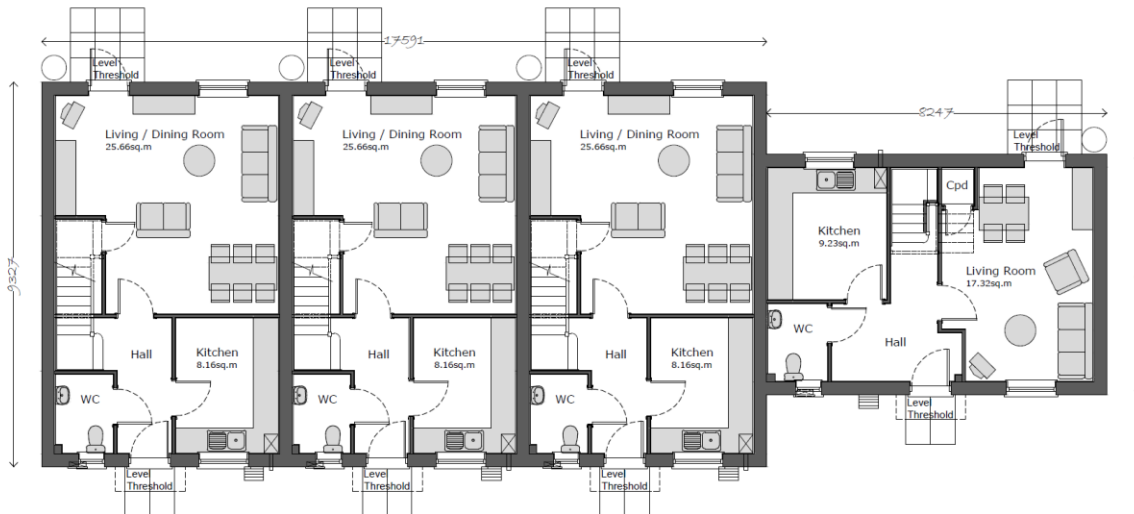
Rear Elevation



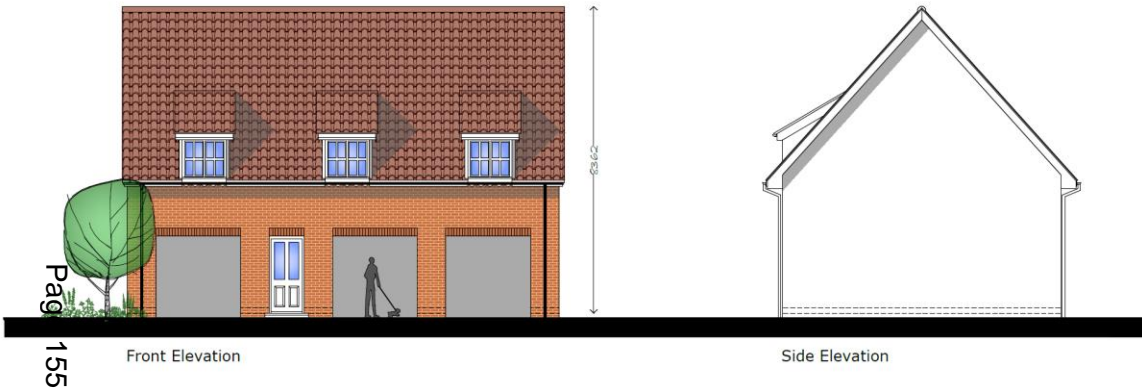
Side Elevation



First Floor Plan

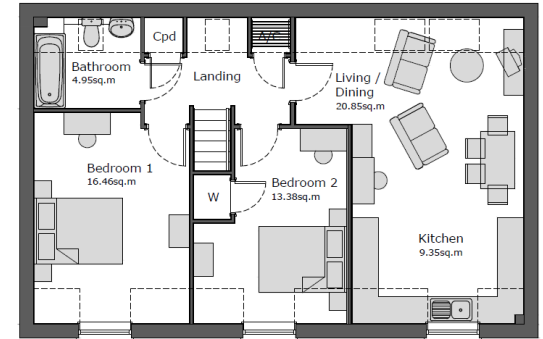


Ground Floor Plan

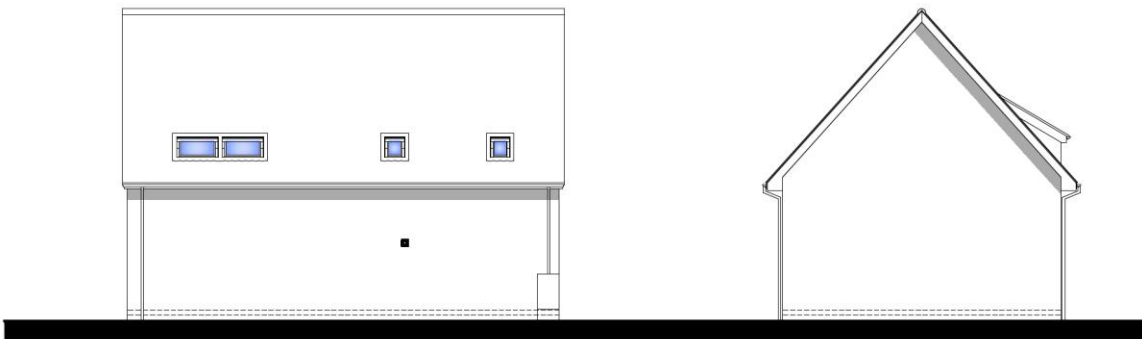


Front Elevation

Side Elevation

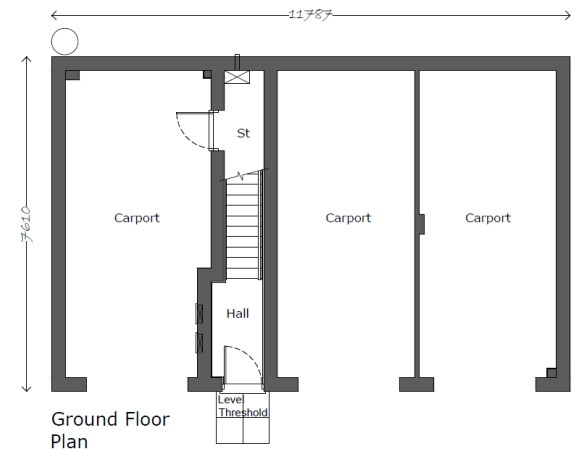


First Floor Plan



Rear Elevation

Side Elevation



Ground Floor Plan



Roadside Elevation

For door canopy refer to Detail 12.36

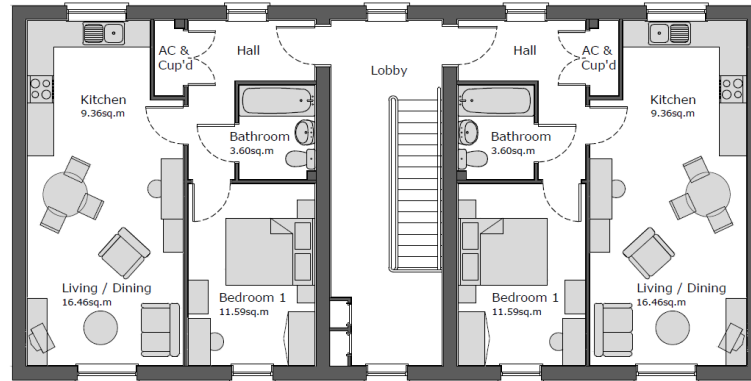
Side Elevation



Rear Elevation

For door canopy refer to Detail 12.36

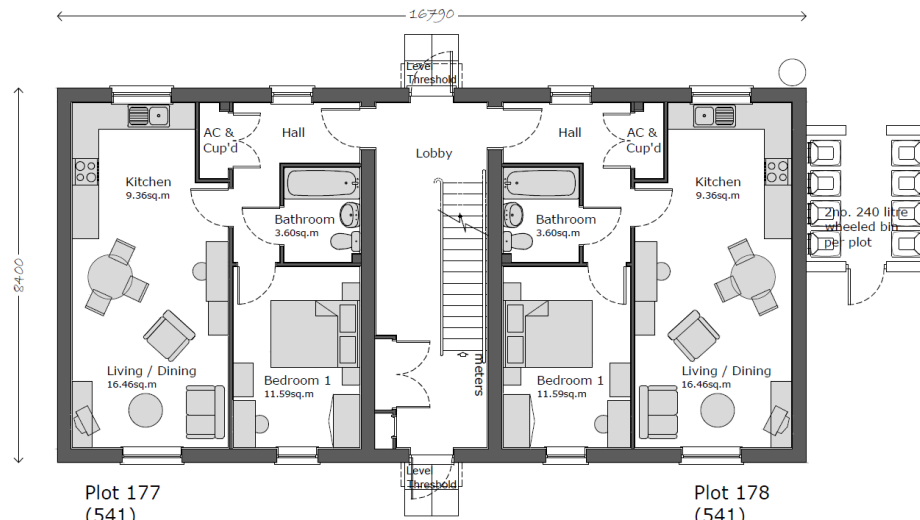
Side Elevation



Plot 179
(541)

Plot 180
(541)

First Floor Plan



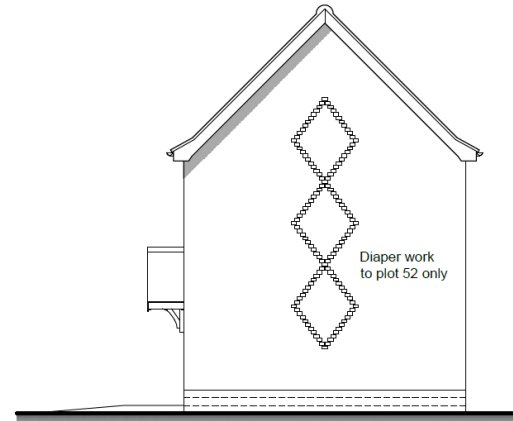
Plot 177
(541)

Plot 178
(541)

Ground Floor Plan



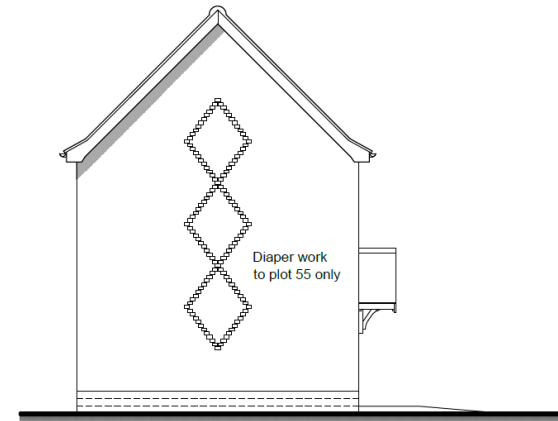
Front Elevation



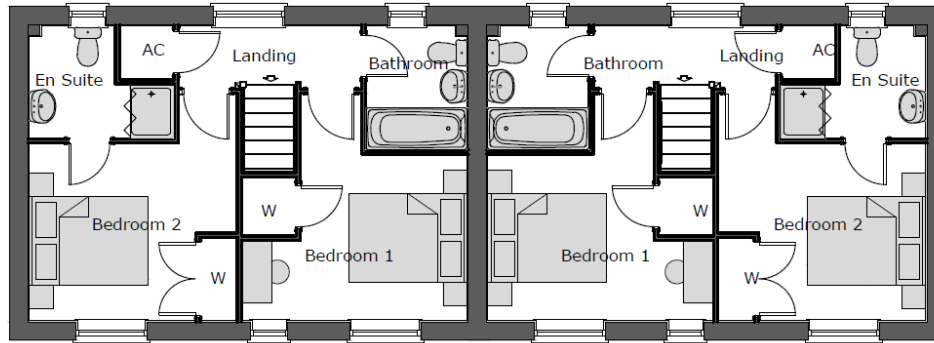
Side Elevation



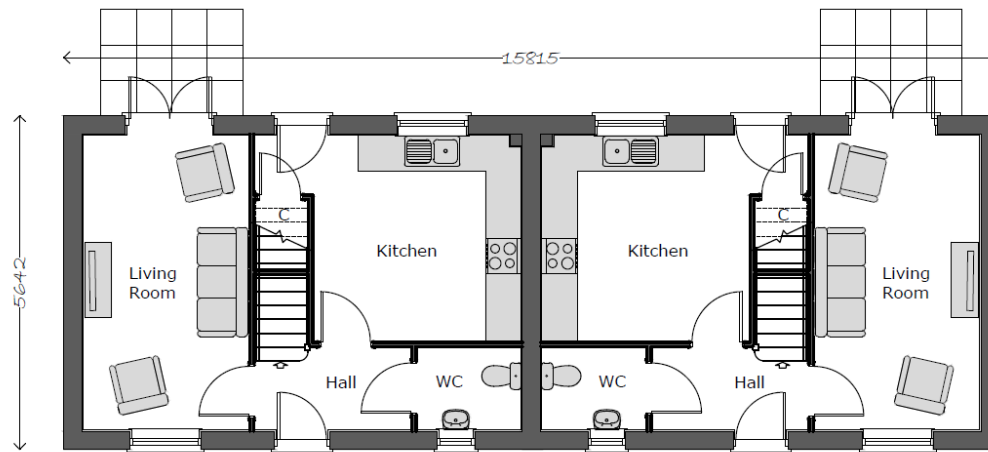
Rear Elevation



Side Elevation



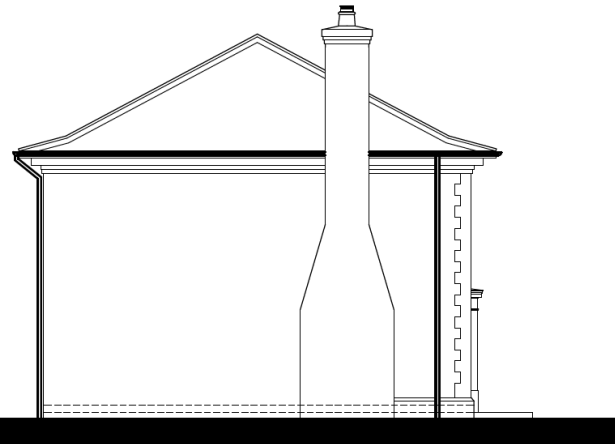
First Floor Plan



Ground Floor Plan



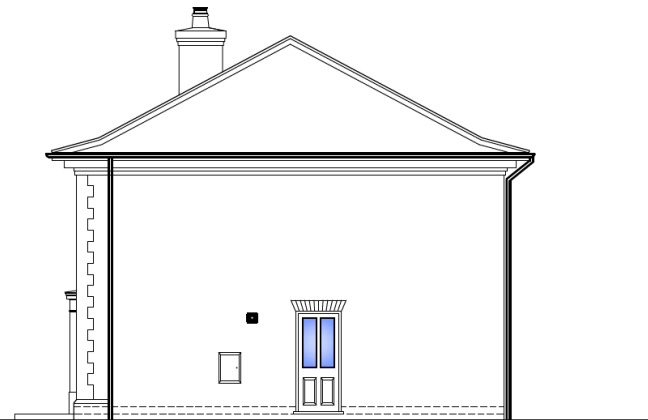
Front Elevation Refer to door surround detail HH.Det. 12.10



Side Elevation

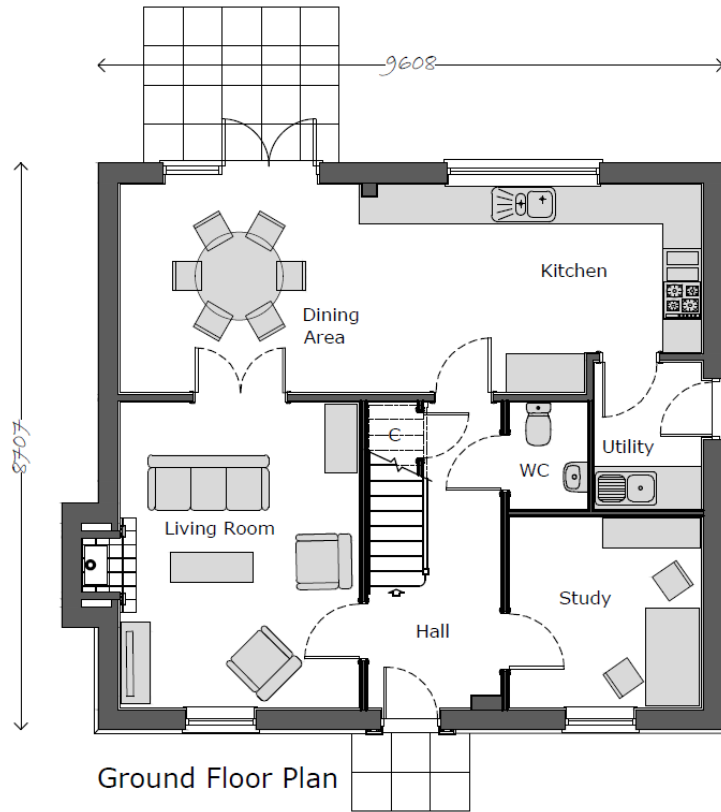


Rear Elevation

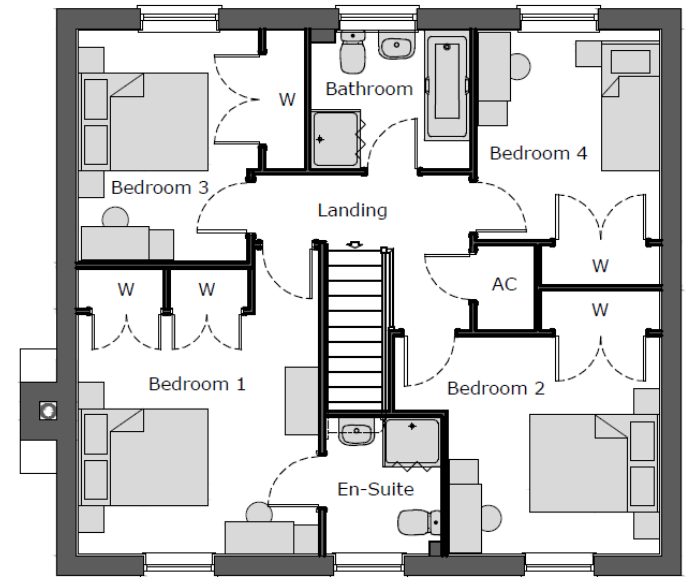


Side Elevation

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Ground Floor Plan

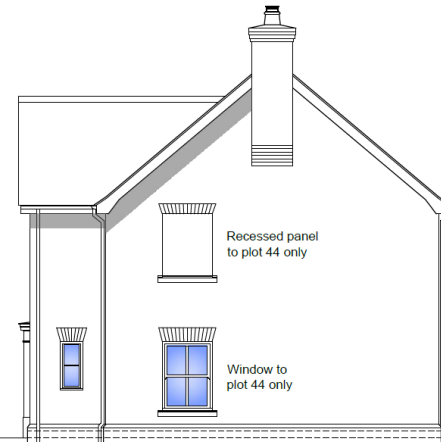


First Floor Plan

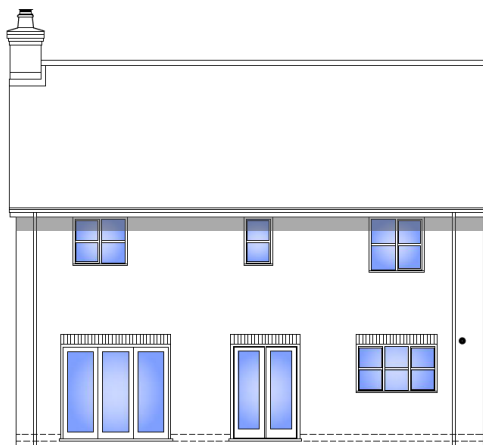


Front Elevation

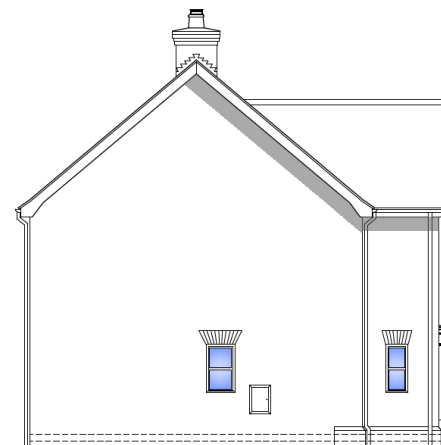
Refer to door surround
detail HH.Det. 12:10



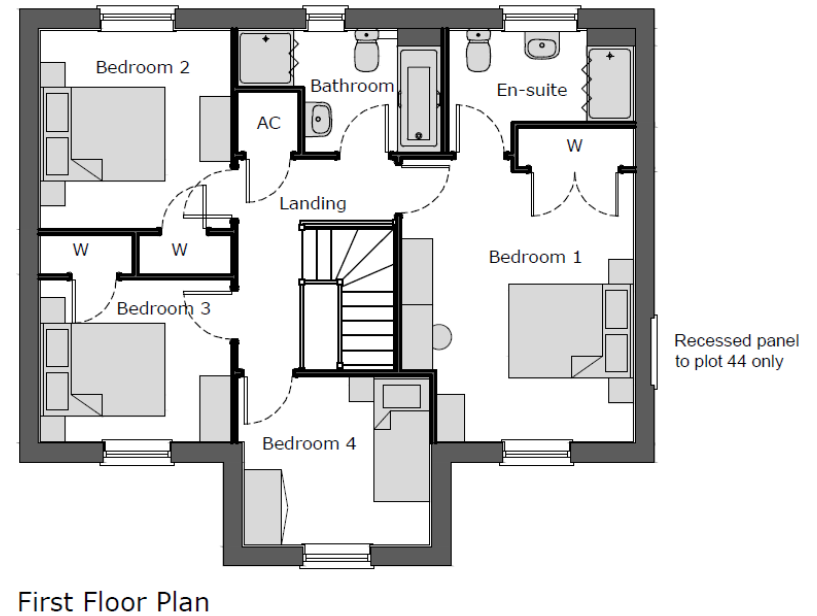
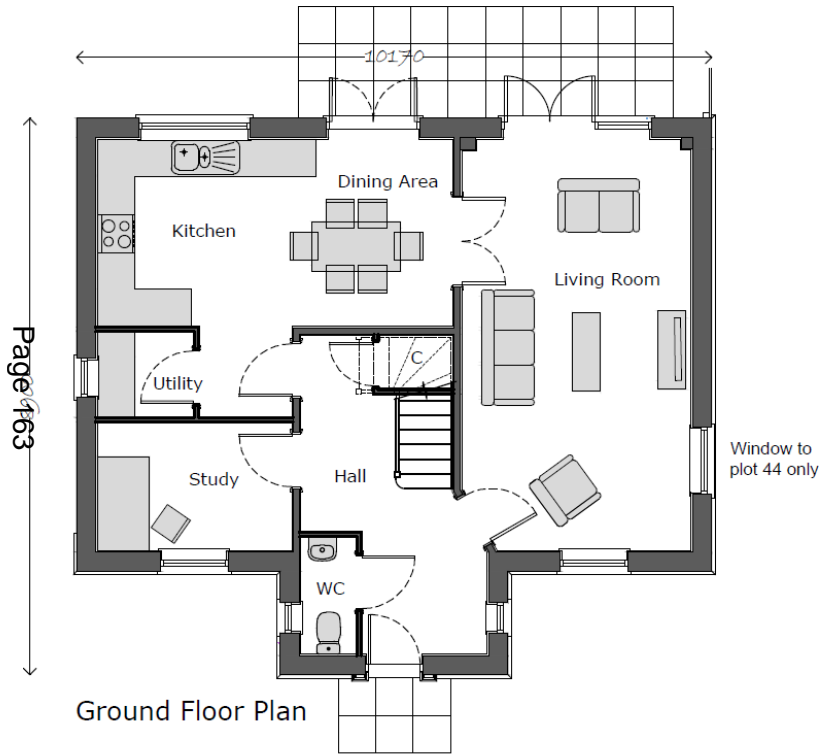
Side Elevation



Rear Elevation



Side Elevation



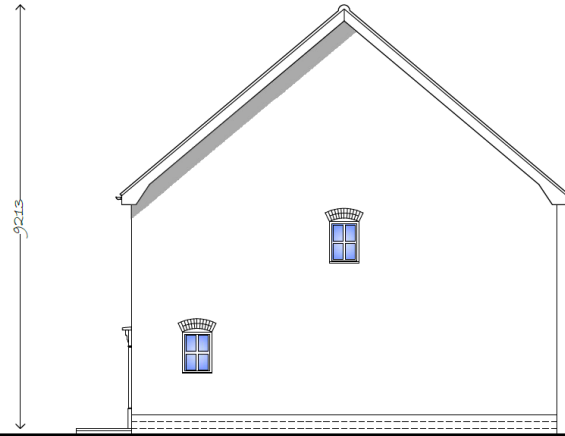


Refer to door surround detail HH.Det. 12:30

Refer to door surround detail HH.Det. 12:30

Refer to door surround detail HH.Det. 12:30

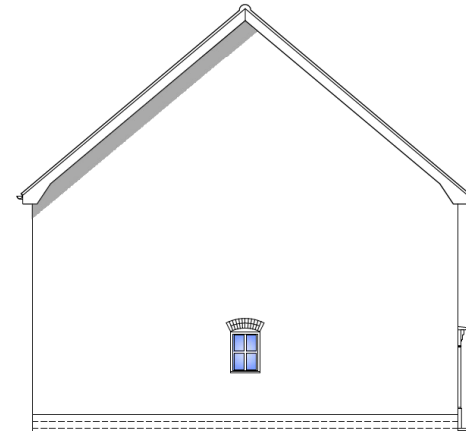
Front Elevation



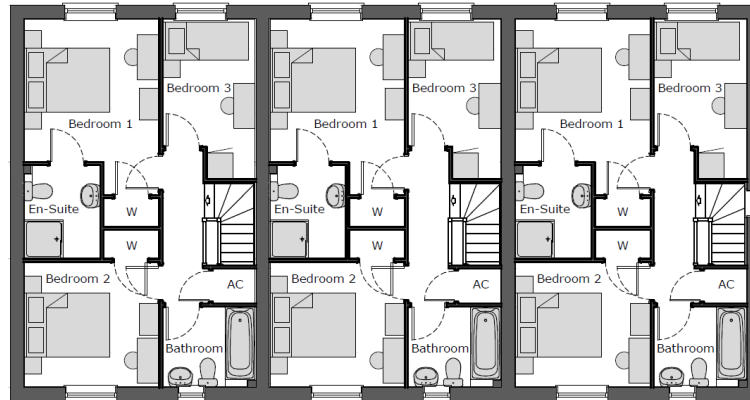
Side Elevation



Rear Elevation



Side Elevation



First Floor Plan



Ground Floor Plan



Refer to door surround detail HH.Det. 12:10

Refer to door surround detail HH.Det. 12:10

Side Elevation

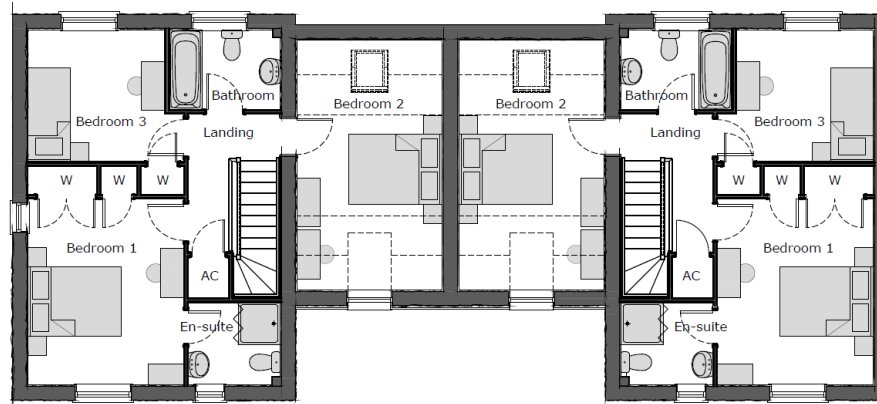
Refer to External Works Site Plan for fence line position.

Front Elevation

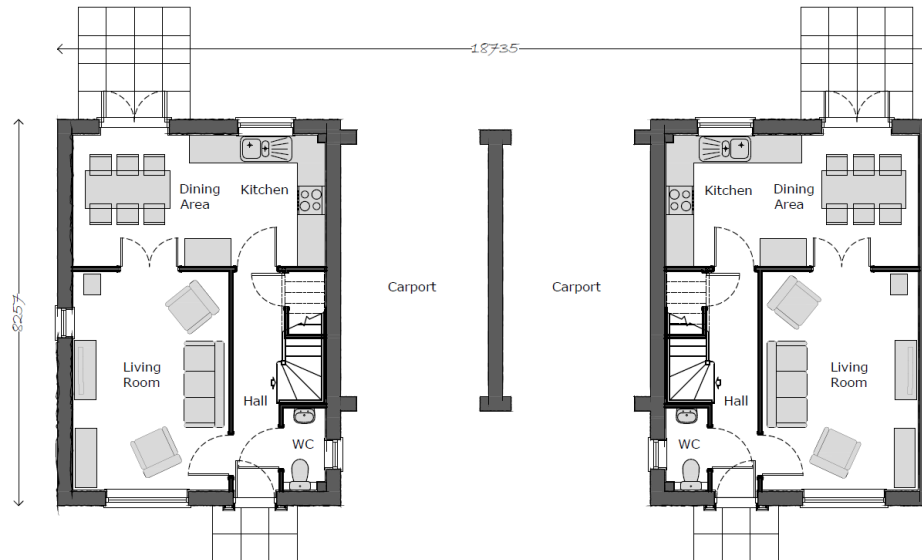


Rear Elevation

Side Elevation



First Floor Plan



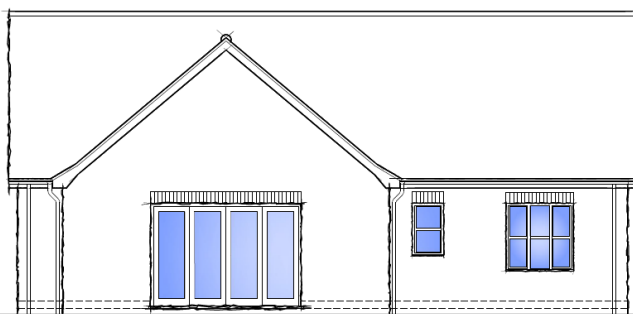
Ground Floor Plan



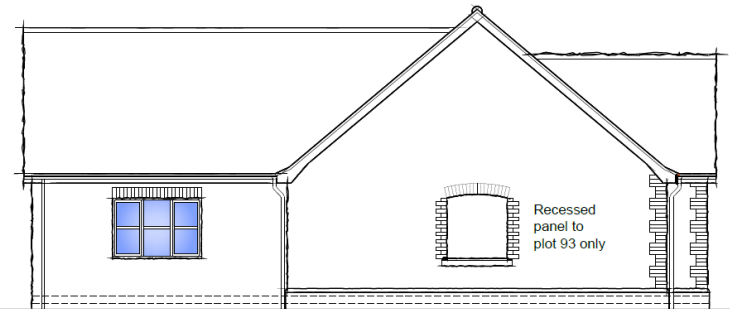
Front Elevation



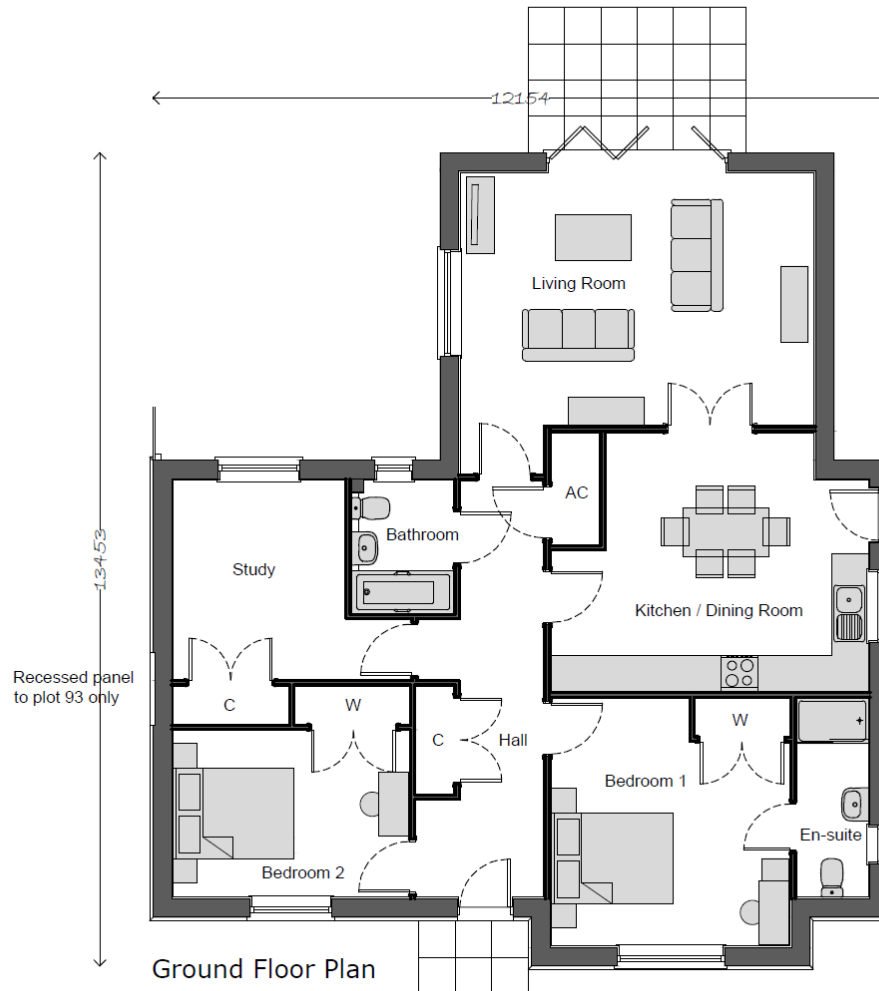
Side Elevation



Rear Elevation



Side Elevation

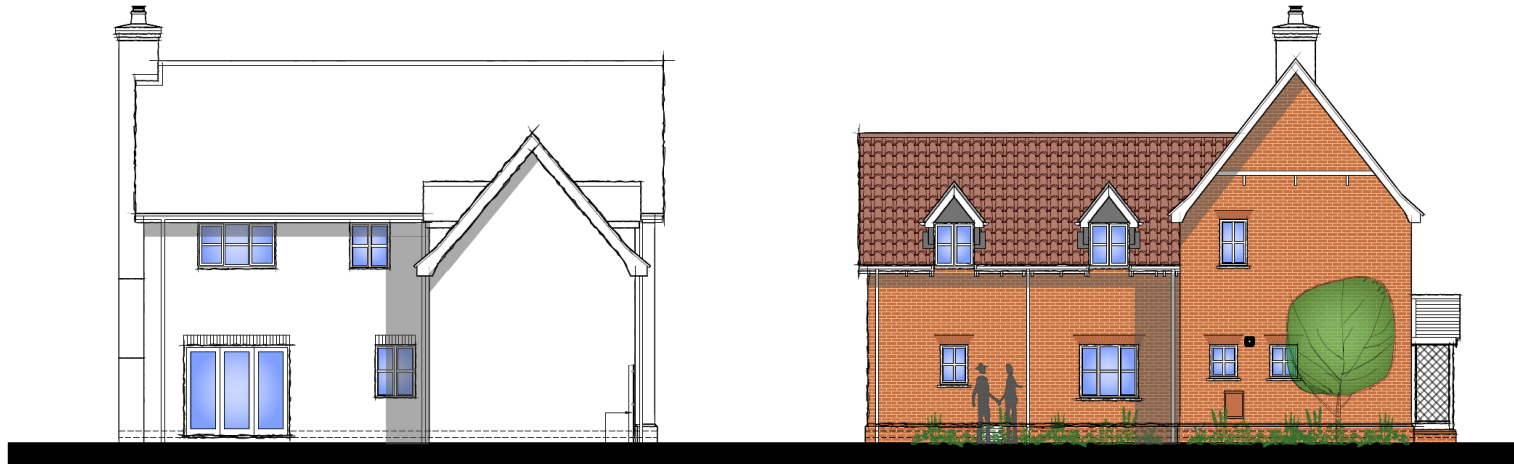




Front Elevation

For porch canopy refer to HH.Det. 12.51

Side Elevation

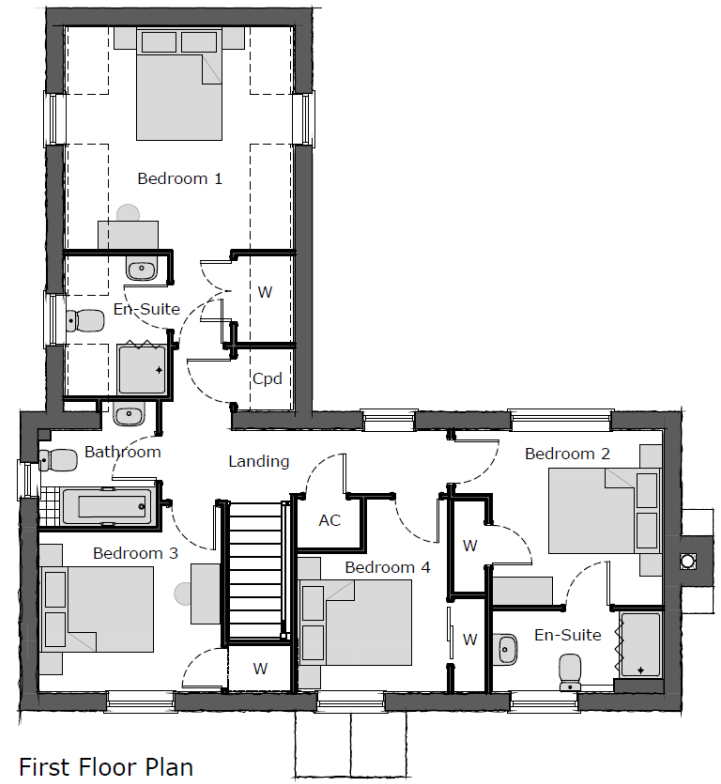
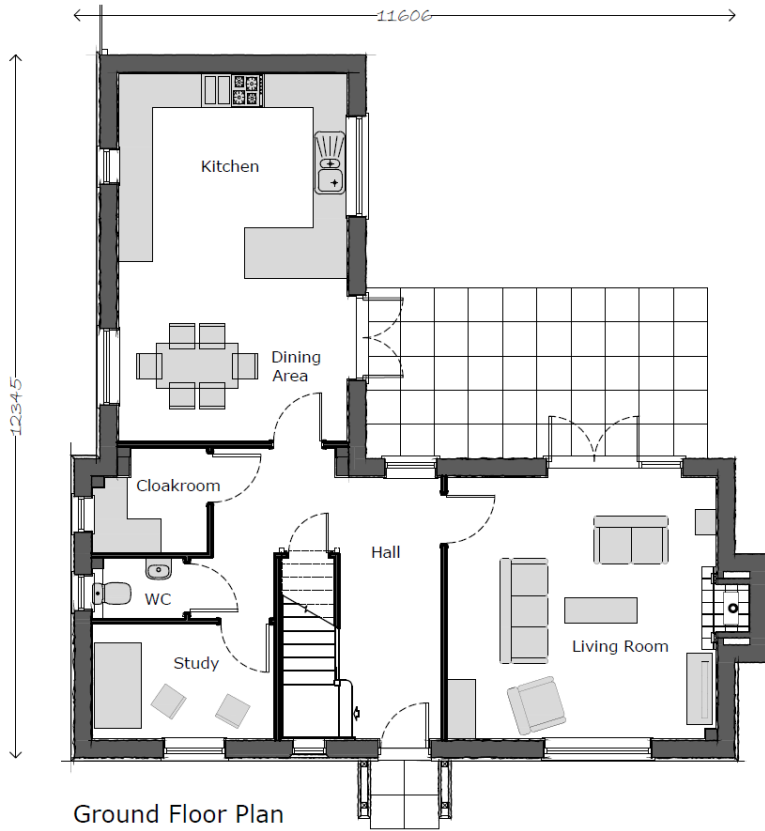


Side Elevation

Refer to External Works Site Plan for fence line position.

Rear Elevation

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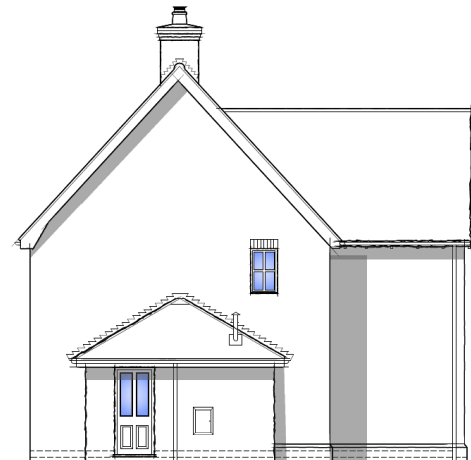
Front Elevation



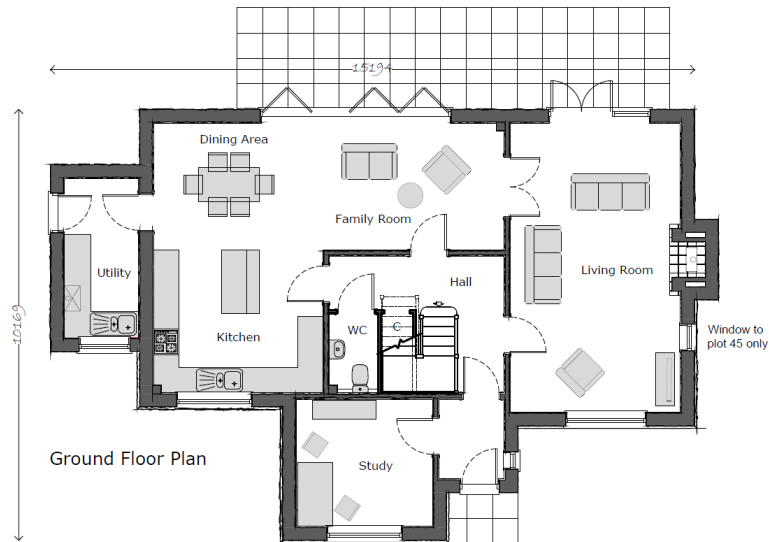
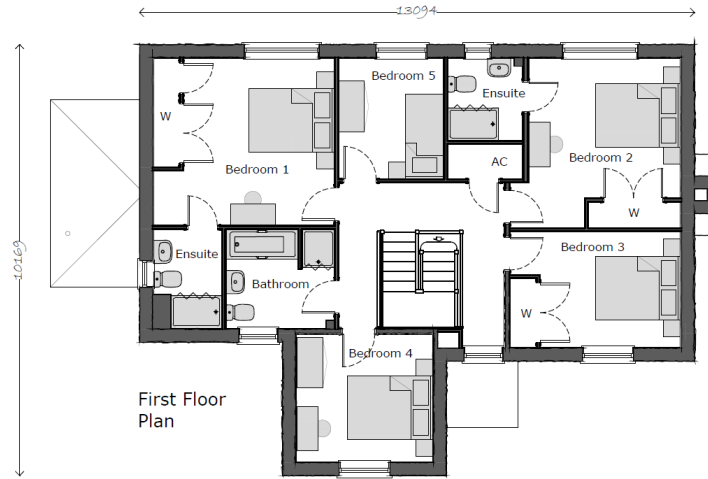
Side Elevation



Rear Elevation



Side Elevation



Page 174



Front Elevation



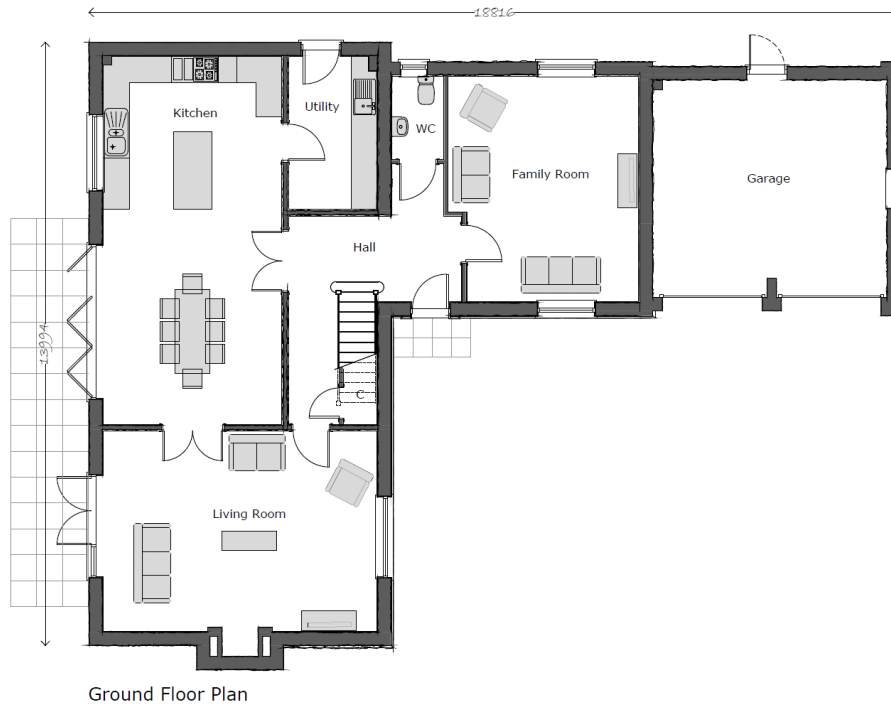
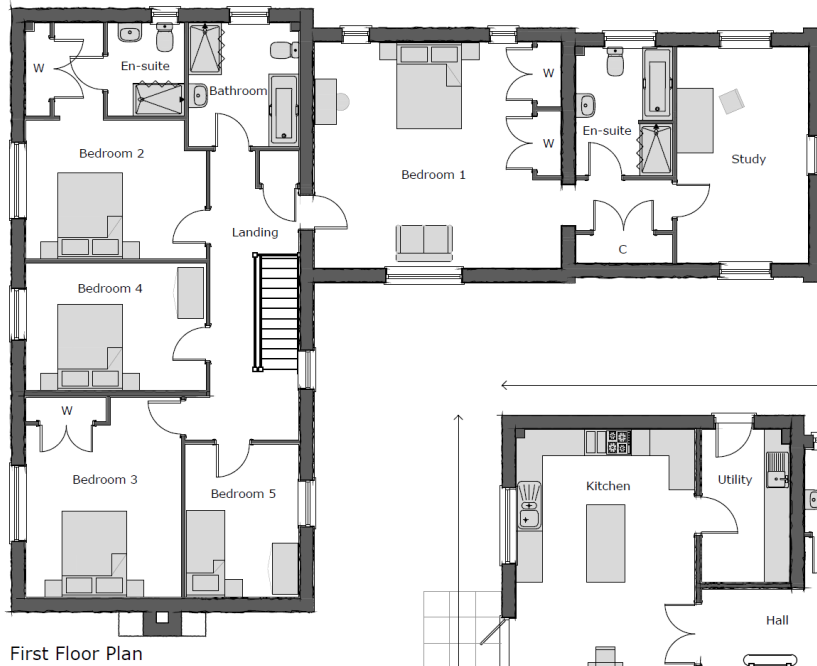
Rear Elevation



Side Elevation



Side Elevation





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All dimensions to be checked on site and landscape architect notified of any discrepancies prior to commencement.
Do not scale

Notes.

1. Bins
(Broxap Winchester canopied timber litter bin (BX17 4035) or similar.)
2. Bench
(Broxap Deeside cast iron seat (treated hardwood) or similar)
3. Carousel
(Carousel with seats (NRO120-0901))
4. Balance Beam
(KOMPAN Play trail: Balance Plus (NRO871-1001FSC))
5. Balance beam on springs
(KOMPAN Play equipment from Play trail: (NRO827-0401FSC))
6. Playground Boulders
(KOMPAN NRO813-1011)
7. Climbing Net
(KOMPAN NRO813-1011)
8. Sway Alley
(Play equipment from KOMPAN (EXPB KPL855-0001))
9. Swing Module Seat Baby
(Play equipment from KOMPAN Frame Swing - frame for two swing seats, to include: 1x Swing Module Seat Baby H:2,5 (SSW990021-00Y) & 1x standard seat.)

Surfacing: Grasslock matting by Playscene; seeded with Emorsgate EG22C Strong grass mixture with clover

Rev.	date	comment(s)	EC	KC
A	21/09/21	Play equipment amended		

IDP ARCHITECTS.
URBAN DESIGNERS.
PROJECT MANAGERS.
LANDSCAPE ARCHITECTS.
WE ARE IDP

IDP LANDSCAPE

Client: Hopkins Homes
Job: Fitzgerald Road, Bramford
Title: Play Area Design

Drawn: EC/TW Date: March 2021
Checked: EC Scale: @ A3: 1:200
Job no: LA5019 Drg no: 001A



Materials Plan



Project:
 Development of a new housing development at
 The Old Mill, 1000m² of new housing at 1000m² of new housing
 Home Ltd, in accordance with the City Agreement

No. | Date | Details
 1. | 01/12/2021 | Revised to reflect amendments

KEY

Walls

- █ Traditional Brickwork
- █ Traditional Brickwork with Red
- █ Modern Brickwork with Red
- █ Modern Brickwork with Red
- █ Contemporary Brickwork with Red
- █ Modern Concrete
- █ Modern Concrete

Roofs

- █ Traditional Brickwork with Red
- █ Modern Brickwork with Red
- █ Contemporary Brickwork with Red

Plinths & Quoins

- █ Modern Brickwork with Red
- █ Modern Brickwork with Red
- █ Modern Brickwork with Red
- █ Modern Brickwork with Red
- █ Modern Brickwork with Red

Boarding

- █ Modern Brickwork with Red
- █ Modern Brickwork with Red

Contrasting Brickwork

- █ Modern Brickwork with Red
- █ Modern Brickwork with Red

Garage Door Colours

- █ Modern Brickwork with Red
- █ Modern Brickwork with Red

PLANNING	
Project:	BRAS
Site:	BRAS
Scale:	1:500 & A1
Drawing:	BRAS
Proposed Materials Plan:	BRAS
1st Submitted:	BRAS
1/15:	BRAS



All work to be carried out in accordance with the Building Regulations and the relevant Approved Documents.

External Works Layout

Page 179




HOPKINS HOMES
PLANNING
Hopkins Homes Ltd
111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 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1923, 1925, 1927, 1929, 1931, 1933, 1935, 1937, 1939, 1941, 1943, 1945, 1947, 1949, 1951, 1953, 1955, 1957, 1959, 1961, 1963, 1965, 1967, 1969, 1971, 1973, 1975, 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023, 2025, 2027, 2029, 2031, 2033, 2035, 2037, 2039, 2041, 2043, 2045, 2047, 2049, 2051, 2053, 2055, 2057, 2059, 2061, 2063, 2065, 2067, 2069, 2071, 2073, 2075, 2077, 2079, 2081, 2083, 2085, 2087, 2089, 2091, 2093, 2095, 2097, 2099, 2101, 2103, 2105, 2107, 2109, 2111, 2113, 2115, 2117, 2119, 2121, 2123, 2125, 2127, 2129, 2131, 2133, 2135, 2137, 2139, 2141, 2143, 2145, 2147, 2149, 2151, 2153, 2155, 2157, 2159, 2161, 2163, 2165, 2167, 2169, 2171, 2173, 2175, 2177, 2179, 2181, 2183, 2185, 2187, 2189, 2191, 2193, 2195, 2197, 2199, 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2217, 2219, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2237, 2239, 2241, 2243, 2245, 2247, 2249, 2251, 2253, 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2587, 2589, 2591, 2593, 2595, 2597, 2599, 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2

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Agenda Item 7c

Committee Report

Item No: 7C

Reference: DC/22/00494

Case Officer: Averil Goudy

Ward: Stradbroke & Laxfield.

Ward Member/s: Cllr Julie Flatman.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665

Location

Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU

Expiry Date: 29/03/2022

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr and Mrs Martin-Edwards

Parish: Laxfield

Site Area: 0.15 hectares

Details of Previous Committee / Resolutions and any member site visit:

Previous Class Q Committee Decision under reference DC/19/01072

Previous Full Planning Application (Erection of 1no. dwelling) under reference DC/19/05712

Previous Full Planning Application (Erection of 1no. dwelling) under reference DC/20/05665

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Pre-application discussions have taken place for this site (DC/19/03524 and DC/21/02504), but neither relate specifically to the proposed development.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The applicant is an employee of Babergh and Mid Suffolk District Councils.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Adopted Development Plan for Mid Suffolk District Council comprises the Mid Suffolk Core Strategy Focused Review (2012), the Mid Suffolk Core Strategy (2008) and the Mid Suffolk Local Plan (1998), specifically the live list of 'saved policies' (2007). The following are considered the most relevant to the determination of this proposal.

NPPF - National Planning Policy Framework

Adopted Mid Suffolk Core Strategy (2008)

- CS01 - Settlement Hierarchy
- CS02 - Development in the Countryside & Countryside Villages
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change
- CS05 - Mid Suffolk's Environment

Adopted Mid Suffolk Core Strategy Focused Review (2012)

- FC01 - Presumption In Favour Of Sustainable Development
- FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

Adopted Mid Suffolk Local Plan (1998)

- GP01 - Design and layout of development
- H07 - Restricting housing development unrelated to needs of countryside
- H15 - Development to reflect local characteristics
- H16 - Protecting existing residential amenity
- H17 - Keeping residential development away from pollution
- CL08 - Protecting wildlife habitats
- T09 - Parking Standards
- T10 - Highway Considerations in Development

Laxfield Neighbourhood Plan

- Policy LAX 1 - Spatial Strategy for Laxfield Neighbourhood Plan Area
- Policy LAX 2 - Housing Development
- Policy LAX 9 - Design Considerations
- Policy LAX 11 - Protection of Landscape Setting of Laxfield
- Policy LAX 12 - Biodiversity
- Policy LAX 18 - Public Rights of Way

Neighbourhood Plan Status

This application site is within Laxfield Neighbourhood Plan Area. The Neighbourhood Plan is currently due at Referendum on 24th March 2022. Accordingly, the Neighbourhood Plan has significant, but not full, weight.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Parish Council (Appendix 3)

Laxfield Parish Council

“Laxfield Parish Council has no objections to this application.”

National Consultee (Appendix 4)

British Horse Society

No response received to date.

Waveney Group - Patch 6

No response received to date.

County Council Responses (Appendix 5)

SCC – Highways

Recommends conditions

“Visibility on drawing condition.

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-182-32A with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

Parking as per drawing condition.

Condition: The use shall not commence until the area(s) within the site shown on drawing no. LDA-182-32A for the purposes of manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and manoeuvring would be detrimental to the safe use of the highway.

Refuse bins conditioned as per drawing.

Condition: The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. LDA-182-32A shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

Cycle parking to be submitted condition.

Condition: Before the development is occupied details of the areas to be provided for the secure, covered and lit cycle storage 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 use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.”

SCC - Rights Of Way Department

No objection, informative given.

Internal Consultee Responses (Appendix 6)

Environmental Health - Land Contamination

“Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.”

Ecology - Place Services

“We have reviewed the Update to Ecological surveys (JP ecology Ltd, December 2022), submitted by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Update to Ecological surveys (JP ecology Ltd, December 2022) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS “All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.

PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY “A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) persons responsible for implementing the enhancement measures; e) details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.”

B: Representations

At the time of writing this report no letters/emails/online comments have been received. A verbal update shall be provided as necessary.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: 2603/14	Change of use of domestic storage building to a micro dairy to produce goats cheese (Use Class B2)	DECISION: GTD 24.11.2014
REF: DC/18/01597	Application for Lawful Development Certificate for Existing Use – Continued occupation of Little Meadows Farm (C3) in breach of the original agricultural occupancy condition W/7537 condition 4.	DECISION: LU 08.06.2018
REF: DC/18/02777	Application under Section 73 of the Town and Country Planning Act. Removal of	DECISION: GTD 20.08.2018

Condition 4 (Agricultural Occupancy) relating to planning application W/7537. Erect bungalow and garage for occupation by farmer).

REF: DC/19/01072	Notification for Prior Approval for a Proposed Change of Use of Existing Barn to a Single Dwellinghouse (Class C3), and for Associated Operation Development. Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q.	DECISION: AFDR 25.04.2019
REF: DC/19/05712	Full Planning Application – Erection of 1no Dwelling (following demolition of existing barns),	DECISION: GTD 07.02.2020
REF: DC/20/05665	Planning Application – Erection of 1no dwelling (following demolition of barn, alternative scheme approved DC/19/05712).	DECISION: GTD 17.03.2021

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site is situated to the north-east of Laxfield and relates to an existing barn at Little Meadows Farm. The barn is 'L' shaped in appearance and lies adjacent to the farmhouse.
- 1.2 The surrounding area is predominantly rural in character with agricultural fields surrounding the site.
- 1.3 There are no specific constraints on the site.

2.0 The Proposal

- 2.1 The proposal seeks planning permission for the demolition of the existing barn and replacement with 1no. dwelling (as alternative scheme to DC/20/05665).
- 2.2 The amendments sought include relocating the dwelling with the plot, changing the design of the dwelling and altering the residential curtilage.
- 2.3 The dwelling would be one and a half storey (rooms in the roof) with a ridge height of 6.25m and an eaves height of 2.55m.
- 2.4 The footprint of the proposed dwelling would be 157.61m², which is less than the previously approved Class Q application (232.94m²) and previously approved new dwelling (216.76m²).
- 2.5 The proposed materials would include timber cladding stained grey and white brick, metal sheeting roofing, aluminium windows and bi-folding doors.

- 2.6 The parking provision on site would include three parking spaces and a moderate driveway/turning area.

3.0 The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2021.
- 3.2 Mid Suffolk currently benefits from a housing land supply in excess of five-years, as set out in the Council's Housing Land Supply Position Statement (February 2022) and Joint Annual Monitoring Report (December 2021). There is, therefore, no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant development policies generally conform to the NPPF. Where they do not, they will carry less statutory weight.
- 3.3 The NPPF requires the approval of proposals that accord with an up-to-date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 219 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old, and weight can be attributed to policies based on their compliance with the requirements of the NPPF.
- 3.4 Due regard is had to the planning history attached to the site insofar as the "fallback" permitted development position. Under application reference DC/19/01072 prior approval was granted under Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the creation of one dwelling within the current agricultural building on site. This application is still extant and may be implemented to create a new dwelling in this countryside location.
- 3.5 Case Law has accepted the principle of new dwellings as a replacement of Class Q applicable sites providing the criteria is met. The existing building on site has proven the criteria has been met by the approved application DC/19/01072. Class Q criteria does not include the need to consider sustainable development or a range of other considerations and so officers to date have considered it reasonable that while Class Q may allow in law some development in unsustainable locations, development above and beyond the criteria of Class Q, including any exceeded permitted floorspace and level of development, should be carefully considered if appropriate and against the full weight of all planning considerations.
- 3.6 As a further material planning consideration, there are extant consents for new-build dwellings on the site under references DC/19/05712 and DC/20/05665, such that the principle of development is already established. The footprints of these consented dwellings overlap the proposed dwelling such that only one permission could be built out.
- 3.7 Given that this application seeks revisions to the siting, design of the dwelling and the residential curtilage, the principle of development is considered acceptable in light of the extant permissions.

4.0 Nearby Services and Connections Assessment Of Proposal

- 4.1 Laxfield is listed as a primary village within the Core Strategy Settlement Hierarchy. This means that the village is capable of limited growth where local need has been established.
- 4.2 The village of Laxfield has limited services, including a village hall, church and co-operative village shop.
- 4.3 The connections between the site and the services available within Laxfield are limited, with off road foot paths leading from the settlement boundary to the corner of Bickers Hill Road and Cratfield Lane, beyond this point wide grass verges bound the road, making pedestrian access possible. Due to the limited services available in Laxfield, it is considered that some reliance on the private vehicle is to be expected to access wider services.
- 4.4. While this location on this basis might weigh against the development, the material weight of the fallback position under Class Q together with the previously approved applications is applicable. As such it is recognised that whatever the considerations may be in respect of the sustainability of the site significant material consideration also has to be given to the potential fall-back position for residential development on this site, available under Class Q, and extant planning permission with regards to consents DC/19/01072, DC/19/05712 and DC/20/05665.

5.0 Site Access, Parking and Highway Safety Considerations

- 5.1 Access to the site would be off an unnamed road off Bickers Hill Road. The proposed access is the same as previously approved under application reference DC/20/05665.
- 5.2 Suffolk County Council Highways have been consulted and raise no objection to the proposed access as it is considered that the visibility has been improved with this proposed access and as such recommend conditions be attached to any approval.
- 5.3 The proposal is not considered to have a detrimental impact on highway safety or significantly increase the amount of traffic on the road such that the application would warrant refusal. The proposal is therefore considered to be in accordance with the NPPF and the development plan.

6.0 Design and Layout

- 6.1 The proposed dwelling would be located slight further northeast on the plot than the previous approved dwelling but will still overlap the footprint of the original barn.
- 6.2 The revised design is for a chalet-style bungalow. The use of timber cladding stained grey, white brick and metal sheeting roofing would offer a contemporary flare to the dwelling.
- 6.3 The dwelling is modest in scale and due to the reduced footprint, would have no greater visual impact than the approved dwelling. The design is not offensive and would not harm the rural character of the area.

7.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather

than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.

- 7.2 Paragraph 174 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 The application site does not form part of a designated landscape.
- 7.4 The predominant character of the surrounding area is strongly rural and in particular, agricultural. This character aspect is formed by the large field patterns visible through aerial photography.
- 7.5 The proposal would be viewed together with the farmhouse known as Little Meadows Farm. Some limited harm to the quality of the rural landscape would occur given that the development would remove an area with an agricultural character from the wider landscape, although noting the extant consent for Class Q conversion and dwelling this is not considered to be significant to consider refusal.
- 7.6 An approx. 25m stretch of hedgerow to the rear of the site is to be removed to facilitate the residential curtilage. A new length of hedgerow (approx. 28m) is to be planted to the north western boundary using saplings taken from the existing. The hedgerows to the southern and eastern boundaries are to be retained, along with the trees within the site. The landscape impact is therefore considered negligible.
- 7.7 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 7.8 Paragraph 180 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 7.9 Consultation with the Council's Ecology consultation shows no objections to the proposed works provided that mitigation and enhancement of the site can be secured via planning conditions.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Local Plan policy H17 requires that residential development be kept away from sources of pollution. Analysis of the site has found no contamination in the soil that would adversely affect the health of future residents of the site which has been confirmed by the Council's Environmental Health Team.
- 8.2 The site is located within Flood Zone 1, such that specific consideration as to the impacts of river and surface water flooding are not required. It is considered that due to large areas of soft land surrounding the site, any issues relating to surface water drainage are unlikely to result in significant levels of flooding within the locality.

9.0 Impact on Residential Amenity

- 9.1 Local Plan policy H16 seeks to protect the existing amenity of adjacent dwellings and to avoid development which erodes the character of the surrounding area.
- 9.2 The closest neighbouring residential property to the application site is that of Little Meadows Farm, a single storey bungalow, located to the North-West. Both the proposal site and the neighbouring property face out onto Bickers Hill Road.
- 9.3 Due to the revised design and siting, the dwelling has been moved further from Little Meadows Farm. The fenestration proposed to the north-west elevation is limited to a single access door, glazing panels and a window at ground floor and three rooflight serving a landing/hallway. A new hedgerow is to be planted to the shared boundary.
- 9.3 The proposal is not considered to give rise to any detrimental impact on residential amenity due to the limited fenestration proposed to the north-west elevation, its one and a half storey design and the separation distances involved between the proposed dwelling and the existing neighbouring property.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1 Given the extant planning permissions which already exist under the previous Class Q and planning applications (DC/19/05712 and DC/20/05665), the principle of development in this location is considered acceptable.
- 13.2 As such the question at hand is whether the revised siting, design and residential curtilage would cause any detrimental impacts by way of design, highway safety or residential amenity.
- 13.3 The contemporary chalet-bungalow design and amended residential curtilage is not detrimental to the locality. The revised siting on the plot overlaps the footprint of the previous consents but is further from trees to avoid foundation conflict and need for deeper foundations. The proposal would cause no harm to residential amenity due to its form, scale and design and is an improvement overall. SCC Highways raised no objection to the proposed access and parking provision.
- 13.4 The proposal is therefore not considered to result in any material harm. The proposal accords with the NPPF and policies within the development plan and is therefore considered acceptable.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT planning permission.

(1) That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation of scheme from date of issue)
- Approved Plans (Plans submitted that form this application)
- Cycle Storage to be located within existing secured shed on site
- Refuse and recycling bins as approved
- Wildlife Lighting Strategy
- Work in accordance with Ecological Appraisal Recommendations
- Biodiversity Enhancements Strategy to be agreed
- Removal of PD Rights (Class A-D)
- Provision for parking provided prior to occupation
- Visibility splays and no obstruction over 0.6 metres

(2) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles
- Right of Way Consent

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Application No: DC/22/00494

Location: Little Meadows Farm, Banyards Green,
Laxfield, IP13 8EU

Page No.

Appendix 1: Call In Request	N/A	
Appendix 2: Details of Previous Decision	DC/19/01072 DC/19/05712 DC/20/05665	
Appendix 3: Town/Parish Council/s	Laxfield Parish Council	
Appendix 4: National Consultee Responses	N/A	
Appendix 5: County Council Responses	SCC Highways SCC Rights of Way Department	
Appendix 6: Internal Consultee Responses	Environmental Health - Land Contamination Place Services Ecology	
Appendix 7: Any other consultee responses	No letters/emails/online comments received.	
Appendix 8: Application Site Location Plan	Yes	
Appendix 9: Application Plans and Docs	Yes	
Appendix 10: Further information	N/A	

The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



Babergh and Mid Suffolk District Councils

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LAXFIELD PARISH COUNCIL CONSULTEE COMMENTS

APPLICATION FOR PLANNING PERMISSION - DC/22/00494

Proposal: Planning Application - Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665

Location: Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU.

Case Officer: Mahsa Kavyani

Consultee Details:

Name: Mrs Karen Gregory

Address: Hill Farm Barn, Framlingham Road, Badingham IP13 8JL

Email: laxfieldparishclerk@gmail.com

On Behalf Of: Laxfield Parish Council

COMMENTS

Laxfield Parish Council has no objections to this application.

All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Mahsa Kavyani - MSDC

Dear Mahsa Kavyani - MSDC,

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/22/00494PROPOSAL:
Planning Application - Demolition of existing barn and replace with 1no new dwelling
as alternative scheme to DC/20/05665

LOCATION: Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Visibility on drawing condition.

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-182-32A with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

Parking as per drawing condition.

Condition: The use shall not commence until the area(s) within the site shown on drawing no. LDA-182-32A for the purposes of manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and manoeuvring would be detrimental to the safe use of the highway.

Refuse bins conditioned as per drawing.

Condition: The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. LDA-182-32A shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

Cycle parking to be submitted condition.

Condition: Before the development is occupied details of the areas to be provided for the secure, covered and lit cycle storage 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 use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

Louis Majewski

Civil Engineering Technician

Growth, Highways and Infrastructure

From: GHI PROW Planning
Sent: 17 February 2022 13:14
Subject: RE: MSDC Planning Consultation Request - DC/22/00494 - FUL

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: DC/22/00494

Thank you for your consultation concerning the above application.

The proposed site does not contain any public rights of way (PROW) but Laxfield Public Footpath 17 is adjacent to the southern edge of the site. The Definitive Map for Laxfield can be seen at: <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Laxfield.pdf> but a more detailed plot of public rights of way can be requested by the Applicant to accurately plot PROW on relevant plans. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We accept this proposal but ask that the following is taken into account:

1. **PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period.** If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).
2. PROW are divided into the following **classifications**:
 - Public Footpath – only for use on foot or with a mobility vehicle
 - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
 - Restricted Byway – use as per a bridleway, and by a ‘non-motorised vehicle’, e.g. a horse and carriage
 - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the **Definitive Map** and described in the **Definitive Statement** (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact DefinitiveMaps@suffolk.gov.uk.

3. The applicant, and any future owners, residents etc, must have **private rights to take motorised vehicles over a PROW** other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
4. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as

a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- **To apply for permission to carry out work on a PROW**, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
 - **To apply for permission for structures** such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
5. **To apply for permission for a PROW to be stopped up or diverted** within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
6. Under Section 167 of the Highways Act 1980 any **structural retaining wall** within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
7. Any **hedges adjacent to PROW** must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any **fencing** should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.
8. **There may be a further requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information.**

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/.

Thank you for taking the time to consider this response.

Public Rights of Way Team
Growth, Highways and Infrastructure

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 14 Feb 2022 01:20:27

To:

Cc:

Subject: FW: 303289 DC/22/00494. Land Contamination

Attachments:

From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>

Sent: 14 February 2022 09:26

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>

Subject: 303289 DC/22/00494. Land Contamination

EP Reference : 303289

DC/22/00494. Land Contamination

Little Meadows Farm, Banyards Green, Laxfield, WOODBRIDGE, Suffolk, IP13 8EU.

Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665.

Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.

For the purposes of clarity these comments **only** relate to matters of Land Contamination.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk

Work: 01449 724715

websites: www.babergh.gov.uk www.midsuffolk.gov.uk

I am working flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. *All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*
2. *A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*

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 if 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 based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be 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 a 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 it can be re-used without treatment; or • treatment of material on site to meet compliance 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 for the work.*



02 March 2022

Mahsa Kavyani
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/22/00494
Location: Planning Application - Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665
Proposal: Barn At Little Meadows Farm Banyards Green Laxfield IP13 8EU

Dear Mahsa,

Thank you for consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Update to Ecological surveys (JP ecology Ltd, December 2022), submitted by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Update to Ecological surveys (JP ecology Ltd, December 2022) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.



This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Ecological Consultant

placeservicesecology@essex.gov.uk



Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr And Mrs Jamie And Anna Martin-Edwards
Barn At Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Applicant:

Mr And Mrs Jamie And Anna Martin-Edwards
Barn At Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Date Application Received: 10-Dec-20

Application Reference: DC/20/05665

Date Registered: 11-Dec-20

Proposal & Location of Development:

Planning Application - Erection of 1no dwelling (following demolition of barn, alternative scheme approved DC/19/05712).

Barn At Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU

Section A – Plans & Documents:

This decision refers to drawing no./entitled LDA-182-06 received 02/02/2021 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:

Defined Red Line Plan LDA-182-06 - Received 02/02/2021
Block Plan - Proposed Proposed Access LDA-182-06 - Received 02/02/2021
Ecological Survey/Report - Received 10/12/2020
Planning Statement - Received 10/12/2020
Land Contamination Assessment - Received 10/12/2020
Land Contamination Questionnaire - Received 10/12/2020
Plans - Proposed LDA-182-04D - Received 10/12/2020
Plans - Existing LDA-182-01B - Received 10/12/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** 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:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. 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. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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

3. ONGOING REQUIREMENT FOR DEVELOPMENT: REFUSE BINS AND COLLECTION AREAS

The existing shed on site proposed for the cycle storage and the storage of refuse/recycling bins shall be available before the development hereby approved is brought into first use/occupation and shall be retained thereafter for no other purpose.

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

4. ONGOING REQUIREMENT OF DEVELOPMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to any further works for external lighting being installed on the site, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Any lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason - To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority Habitats & Species)

5. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason - To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

6. ONGOING REQUIREMENT OF DEVELOPMENT: BIODIVERSITY ENHANCEMENT

All Biodiversity Enhancement works shall be carried out in accordance with the details contained in the Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason - To allow the Local Planning Authority to discharge its duties under the habitat regulations 2012, the wildlife and countryside act 1981 as amended and s40 of the NERC act 2006 (Priority habitats and species)

7. 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 A to D and Part 2 Class A 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 enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, - no fence, gate, wall or any other means of enclosure, shall be erected, 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.

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

The building 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 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 the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

9. ACTION REQUIRED PRIOR TO FIRST USE OF ACCESS: HIGHWAYS - PROVISION OF VISIBILITY SPLAYS

Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-182-06 with an X dimension of 2.4m and a Y dimension of 43m to the North and 59m to the South and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
H09 - Conversion of rural buildings to dwellings
H08 - Replacement dwellings in the countryside
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
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. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any 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.

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

This relates to document reference: DC/20/05665

Signed: Philip Isbell

Dated: 17th March 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



Mr J Edwards And Miss A Martin
Little Meadows Farm
Banyards Green
Laxfield
Woodbridge
Suffolk
IP13 8EU

Please ask for: Daniel Cameron
Your reference:
Our reference: DC/19/01072
E-mail: planningblue@baberghmidsuffolk.gov.uk
Date: 25th April 2019

Dear Sir/Madam

PRIOR APPROVAL - AGRICULTURAL TO DWELLING - DC/19/01072

Notification under Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015

Proposal: Notification for Prior Approval for a Proposed Change of Use of Existing Barn to a Single Dwellinghouse (Class C3), and for Associated Operation Development. Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q.

Location: Barn At Little Meadows Farm, Banyards Green, Laxfield, Woodbridge Suffolk IP13 8EU

Section A – Plans & Documents:

The plans and documents recorded below are those upon which this decision has been reached:

Plans - Existing LDA-182-01B - Received 04/03/2019
Plans - Proposed LDA-182-02B - Received 04/03/2019

Section B:

The **Mid Suffolk District Council** hereby give notice in pursuance of the above legislation:

- 1) That prior approval to the development is required
- 2) Prior approval has been **GIVEN** subject to the following conditions:
 1. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: TIME LIMIT FOR COMPLETION

The development hereby approved shall be completed within a period of three years starting with the date given on this notice.

Reason - In order to comply with the provisions of Section Q.2 (3) of Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

2. 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.

3. COMPLIANCE REQUIRED: ECOLOGICAL CONSTRUCTION METHODS

The ecological mitigation set out at Section 6.2 and at Appendix 1 of the Ecological Survey submitted in support of this application by JP Ecology dated February 2019 shall be undertaken at all times during the construction of the development hereby approved.

Reason - In order for the Local Planning Authority to have certainty as to the ecological impacts of the development and to ensure these are minimised at all times.

4. ACTION REQUIRED PRIOR TO THE OCCUPATION OF THE DWELLING: ADDITIONAL DETAILS REQUIRED AS TO CYCLE STORAGE AND BIN STORAGE

Prior to the first occupation of the development hereby approved, details relating to vehicle and cycle parking at the property, and bin storage and presentation areas, shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be implemented at the site and retained in their approved form at all times thereafter.

Reason - In order to provide clarity with regards to how the property will function once occupied and to ensure that this does not impede the safe use of the public highway.

NOTES:

The applicant is reminded that this approval is subject to the development being:-

In accordance with Class Q Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended);

1. If you have applied for a change of use only (class Q (a) only) before you begin development you must apply to the local planning authority to determine whether the prior approval of the authority will be required in relation to:
 - a) Highways impacts
 - b) Noise impacts
 - c) Contamination risks

- d) Flooding risk
 - e) Whether the location and siting of the building makes it impractical or undesirable
- The development under class Q (a) and (b) must begin within 3 years of the prior approval date.

Informative 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. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any 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. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.

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

Yours faithfully

Philip Isbell

Acting Chief Planning Officer – Growth & Sustainable Planning

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

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2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr Jamie Edwards And Miss Anna Martin
Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Applicant:

Mr Jamie Edwards And Miss Anna Martin
Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Date Application Received: 09-Dec-19

Application Reference: DC/19/05712

Date Registered: 10-Dec-19

Proposal & Location of Development:

Full Planning Application - Erection of 1no Dwelling (following demolition of existing barns),

Barn At Little Meadows Farm , Banyards Green, Laxfield, IP13 8EU

Section A – Plans & Documents:

This decision refers to drawing no./entitled LDA-182-01B - SITE LOCATION PLAN received 09/12/2019 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:

Floor Plan - Proposed LDA-182-04B - PROPOSED FLOOR PLAN - Received 09/12/2019
Defined Red Line Plan LDA-182-01B - SITE LOCATION PLAN - Received 09/12/2019
Elevations - Existing LDA-182-01B - EXISTING ELEVATIONS - Received 09/12/2019
Floor Plan - Existing LDA-182-01B - EXISTING FLOOR PLANS - Received 09/12/2019
Block Plan - Proposed LDA-182-04B - PROPOSED BLOCK PLAN - Received 09/12/2019
Elevations - Proposed LDA-182-04B - PROPOSED ELEVATIONS - Received 09/12/2019

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** 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:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. 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.

3. ON GOING REQUIREMENT FOR DEVELOPMENT: REFUSE BINS AND COLLECTION AREAS

The existing shed on site proposed for the cycle storage and the storage of refuse/recycling bins shall be available before the development hereby approved is brought into first use/occupation and shall be retained thereafter for no other purpose.

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

4. ONGOING REQUIREMENT OF DEVELOPMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to any further works for external lighting being installed on the site, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Any lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority Habitats & Species)

5. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

6. ONGOING REQUIREMENT OF DEVELOPMENT: BIODIVERSITY ENHANCEMENT

All Biodiversity Enhancement works shall be carried out in accordance with the details contained in the Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason - To allow the Local Planning Authority to discharge its duties under the habitat regulations 2012, the wildlife and countryside act 1981 as amended and s40 of the NERC act 2006 (Priority habitats and species)

7. 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 A to D and Part 2 Class A 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 enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, - no fence, gate, wall or any other means of enclosure, shall be erected, 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.

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

The hereby approved development shall not be occupied until the parking and manoeuvring area within the site for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and made functionally available. Thereafter that area shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

Reason - To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

9. SPECIFIC RESTRICTION ON DEVELOPMENT: BOUND MATERIAL

Prior to the hereby permitted development being first occupied, the access onto the site shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The bound material shall be retained and maintained thereafter.

Reason - To secure appropriate improvements to the existing vehicular access in the interests of highway safety having regard to the increase in its use which will result from the development permitted and to prevent hazards caused by loose materials being carried out into the highway.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
H08 - Replacement dwellings in the countryside
H09 - Conversion of rural buildings to dwellings
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
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.

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

This relates to document reference: DC/19/05712

Signed: Philip Isbell

Dated: 7th February 2020

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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Discharging your obligations under a condition:

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Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

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Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

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2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

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Application No:

DC/22/00494

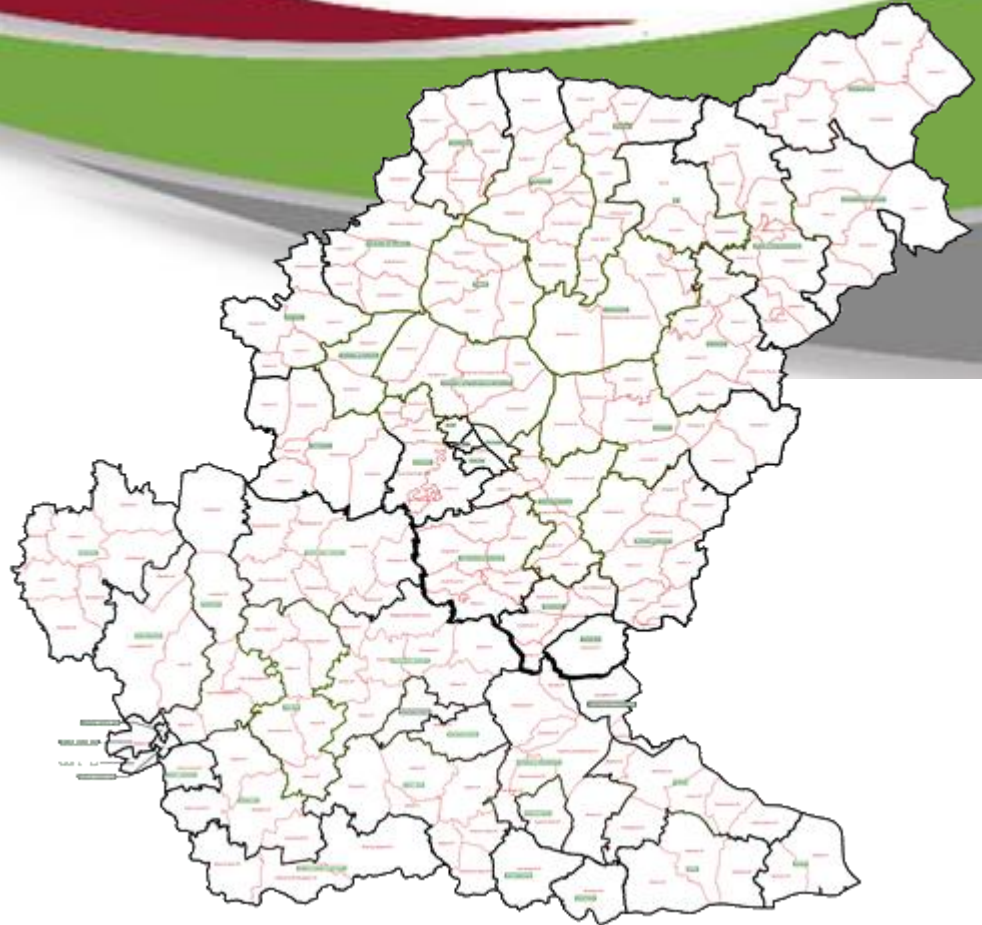
Address:

Little Meadows Farm
Banyards Green
Laxfield

Proposal:

Planning Application

Demolition of existing barn and
replace with 1 no new dwelling as
alternative scheme to
DC/20/05665







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Public Rights of Way

..... Footpath



Site Location Plan

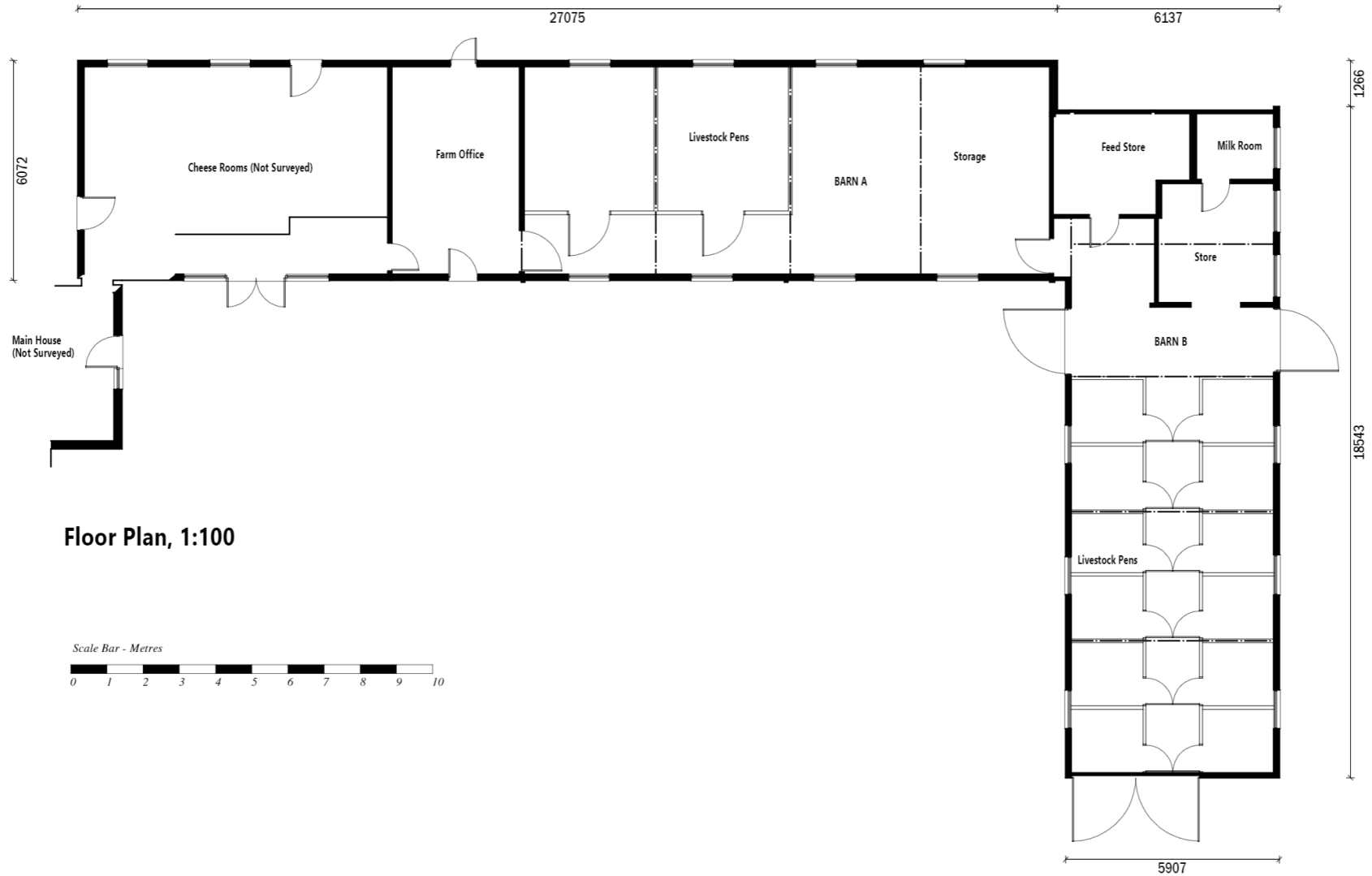
Slide 5



Block Plan

Slide 6



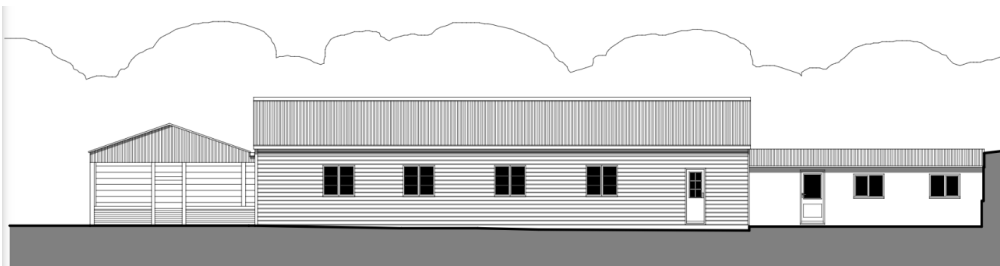


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Floor Plan, 1:100



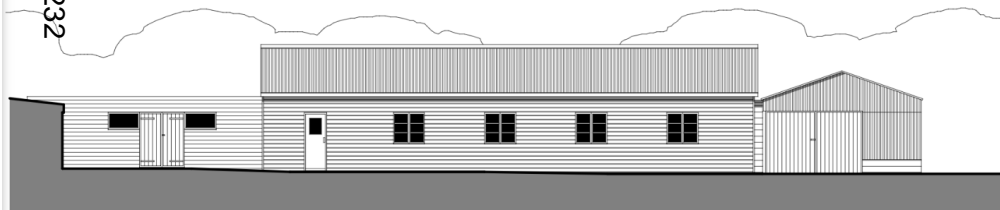
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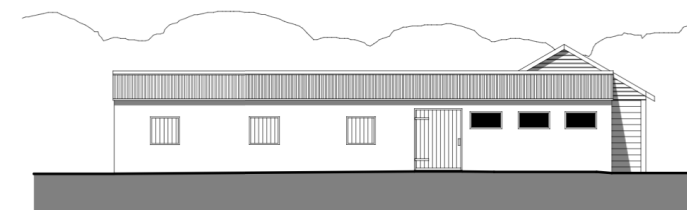
North East Elevation



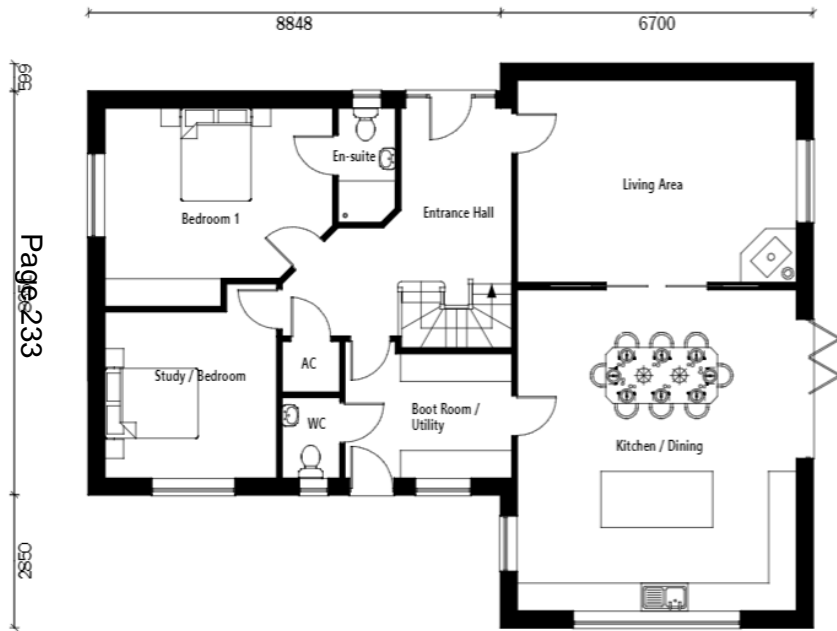
North West Elevation



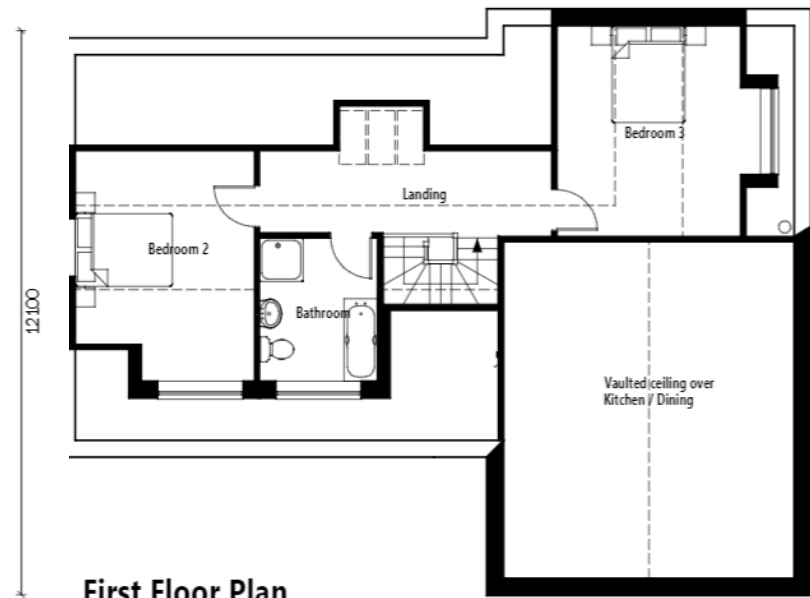
South West Elevation



South East Elevation



Ground Floor Plan





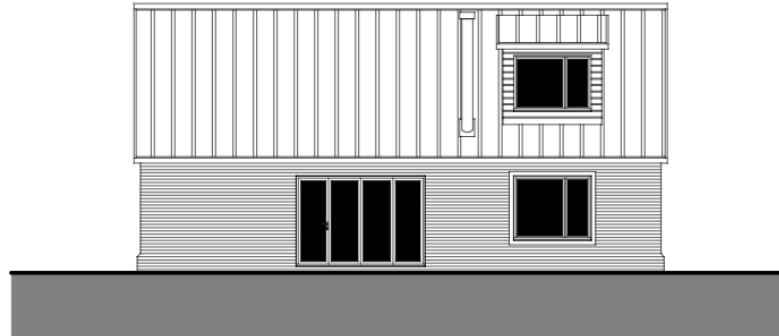
South East Elevation



South West Elevation



North West Elevation



North East Elevation

Agenda Item 7d

Committee Report

Item No: 7D

Reference: DC/22/00349

Case Officer: Gemma Walker

Ward: Stow Thorney.

Ward Member/s: Cllr Terence Carter and Cllr Dave Muller.

RECOMMENDATION – GRANT ADVERTISMENT CONSENT WITH CONDITIONS

Description of Development

Application for Advertisement Consent - Erection of 2No illuminated totem signs.

Location

Gateway 14, Land Between The A1120 And A14, Creting St Peter, Stowmarket, Suffolk

Expiry Date: 19/03/2022

Application Type: ADV - Advertisement

Development Type: Advertisement

Applicant: Gateway 14 Limited

Agent: Miss Hannah Walker, Avison Young

Parish: Creting St Peter

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member

(Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The application is referred to committee as the applicant is Gateway 14 Ltd, owned by the District Council.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

SB02 - Development appropriate to its setting

GP01 - Design and layout of development
H16- Protecting Existing Residential Amenity
H17- Keeping Residential Amenity away from Pollution
T10 - Highway Considerations in Development
SAAP - Stowmarket Area Action Plan
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area, falling instead within the Stowmarket Area Action Plan as noted above.

There is also the Mill Lane Development Brief which provides detailed guidance in respect of the site.

In respect of lighting paragraph 5.7.3 notes:

“Lighting for the new highway network installed by the developer will be designed to minimise any deleterious impact on residential areas. The developer will liaise with the Highways Authority and the local planning authority to produce an adoptable specification having explored options for column height, bulb selection, directional shielding and control equipment.”

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Stowmarket Town Council

No objection

(Creting St Peter and Stowupland Parish Councils were also consulted but no reply received)

National Consultee (Appendix 4)

N/A

County Council Responses (Appendix 5)

SCC Highways

Raise no objection, subject to conditions:

Maximum luminance from the sign number or reference totem signs shall not exceed 600 candela/m²

Reason: In the interests of highway safety and to avoid disability or discomfort glare for either pedestrians or motorists.

Internal Consultee Responses (Appendix 6)

Environmental Health – Noise/Odour/Light/Smoke

No objection as I can see the proposed levels do not exceed 600cdm² in line with the professional lighting guide.

I would ask that the following is conditioned:

The totem lighting shall be installed as described in the supporting plan 20012-FSA-XX-XX-DRA-2130 P01 and maintained throughout the lifetime of the development so that there is no flicker or unnecessary glare and to ensure that the levels emitted do not exceed 600cdm².

The totems shall not be altered or repositioned without the submission of detail to and the prior consent of the LPA.

B: Representations

At the time of writing this report at least 0 letters/emails/online comments have been received.

PLANNING HISTORY

REF: DC/21/00407

Hybrid Application for the phased employment-led redevelopment of Land at Mill Lane, Stowmarket (Gateway 14) including: Full Planning for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works: Outline Planning Permission (all matters reserved, except for access) for the erection of buildings comprising employment and commercial use, open space and landscaping, car and cycle parking,

DECISION: GTD
05.11.2021

highway works, and other associated works (additional plans, documents and EIA information received 08/04/2021) and subsequent ES addendum letter received 17th June 2021.

REF: DC/20/03246	Request for formal Environmental Impact Assessment (EIA) Scoping Opinion	DECISION: EIA 04.09.2020
REF: DC/21/06157	Discharge of conditions application for DC/21/00407 - Condition 70 (Method Statement for Shepherd's Needle), Condition 71 (Skylark Mitigation Strategy)	DECISION: GTD 14.12.2021
REF: DC/21/06624	Discharge of Conditions Application for DC/21/00407- Condition 58 (Phasing Plan)	DECISION: GTD 24.02.2022
REF: DC/21/06726	Discharge of Conditions Application for DC/21/00407- Condition 66 (CEMP Noise)	DECISION: PCO
REF: DC/21/06727	Discharge of Conditions Application for DC/21/00407- Condition 67 (CEMP Landscape)	DECISION: GTD 22.02.2022
REF: DC/21/06728	Discharge of Conditions Application for DC/21/00407- Condition 68 (Construction Environmental Management Plan)	DECISION: PCO
REF: DC/22/00146	Discharge of Conditions Application for DC/21/00407- Condition 64 (Construction Management Plan)	DECISION: GTD 22.02.2022
REF: DC/22/00191	Discharge of Conditions Application for DC/21/00407- Condition 62 (Construction Surface Water Management Plan)	DECISION: GTD 04.03.2022
REF: DC/22/00352	Discharge of Conditions Application for DC/21/00407- Condition 72 (Landscape Management Plan) and Condition 73 (Landscape and Ecological Management Plan)	DECISION: PCO
REF: DC/22/00353	Discharge of Conditions Application for DC/21/00407- Condition 76 (Archaeological Scheme of Investigation)	DECISION: PCO

REF: DC/22/00711	Discharge of Conditions Application for DC/21/00407- Condition 80 (Control of Pollution)	DECISION: GTD 24.02.2022
REF: DC/22/01149	Application for a Non Material Amendment following grant of DC/21/00407 - Amendment to Condition 49, please see cover letter prepared by Avison Young.	DECISION: PCO
REF: 1041/16	Construction of 'Link Road' access between Phase 1 and Phase 2 of The Stowmarket Business & Enterprise Park	DECISION: DIS 23.11.2021
REF: 0371/15	The Planning Application format is a hybrid application seeking: 1) Outline planning permission to establish the principle for employment development on 58ha, Mill Lane, Creeting St Peter in accordance with SAAP Policies and the adopted Development Brief; with 2) Full planning permission for access (and associated sustainable urban drainage), and structural landscaping at Mill Lane, Creeting St Peter	DECISION: GTD 20.06.2018
REF: 3675/14	Business park development	DECISION: EIA 24.11.2014
REF: 2627/14	Request for a scoping opinion for a Business Park development.	DECISION: EIA 11.12.2014
REF: 0556/93	EARTHWORKS AND INFRASTRUCTURE WORKS; LANDSCAPING (INCLUDING SURFACE WATER BALANCING POND AND PUMPING STATION FOR FOUL SEWAGE).	DECISION: GTD 13.10.1993
REF: 0880/91/	PROPOSED ROUNDABOUT AND ASSOCIATED ROADWORKS.	DECISION: GTD 11.12.1991
REF: DC/18/05043	Application for Advertisement Consent - Erection of signage advertising new industrial/distribution units on available 70 acres	DECISION: REF 18.01.2019
REF: DC/19/01840	Application for Advertisement Consent - Erection of signage advertising new	DECISION: GTD 17.05.2019

industrial/distribution units on available
70 acres (re-submission of refused
application DC/18/05353)

REF: 0474/17

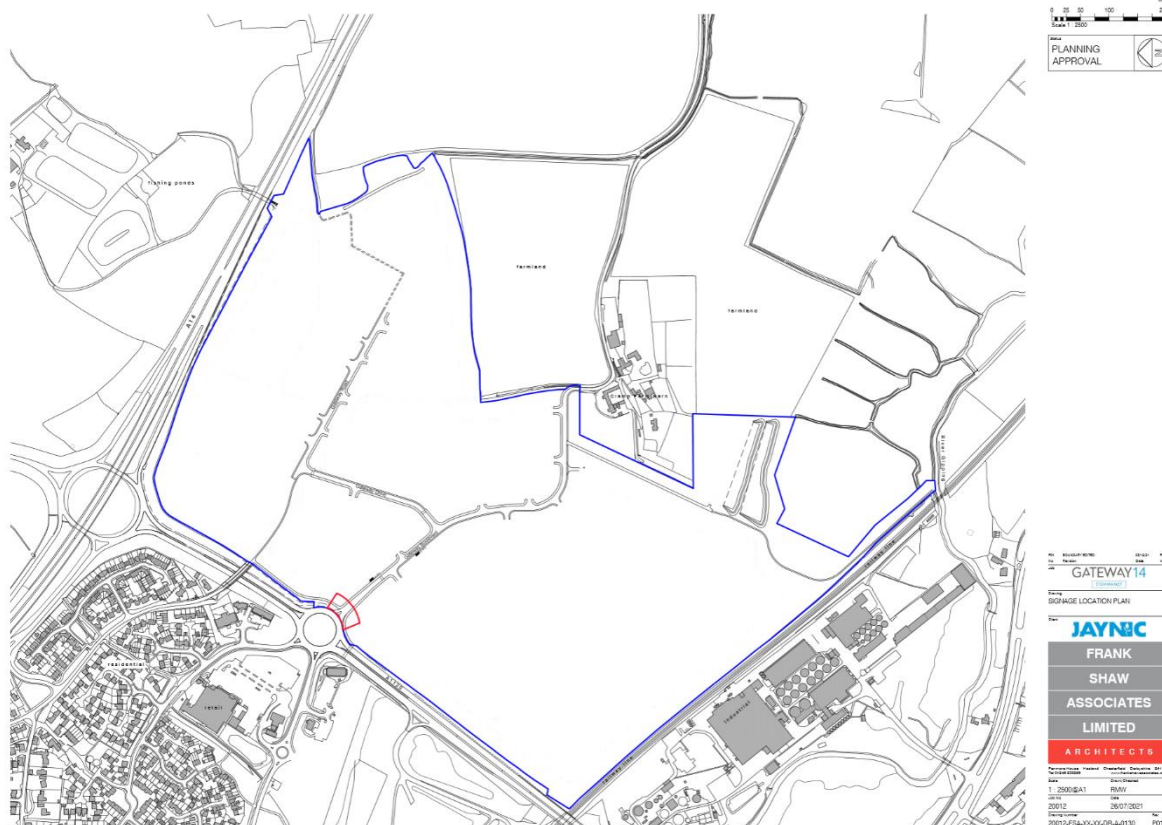
Screening Opinion in accordance with
Regulation 5 of the Town & Country
Planning (Environmental Impact
Assessment) Regulations 2011 for a
proposed commercial development at
Land at Phase 2 of the Stowmarket
Business & Enterprise Park, Mill Lane,
Stowmarket

DECISION: EIA
03.03.2017

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The application site forms an area of land adjacent to the roundabout on the A1120, on land with outline consent for employment land use and full consent for the access road, initial infrastructure, landscaping under DC/21/00407. The pre-commencement conditions for the initial phase are in the process of being discharged, with commencement expected following the final discharge of these.



2. The Proposal

2.1 The proposal is for the erection of 2 illuminated totem signs at the entrance to the Gateway 14 site, from the existing roundabout at the A1120 entrance to the site. The signs would be located either side of this new entrance.



3. The Principle Of Development

3.1 As an advertisement application, the two key considerations are: public safety and amenity.

3.2 With regards to public safety, both SCC Highways and Environmental Health have been consulted, and neither raise objection, subject to conditions to ensure that the light level is controlled and the signs maintained to ensure that there is no flicker or unnecessary glare.

3.3 The signs are located within the site, with sufficient space around them for maintenance and would not affect the highway or footpath.

3.4 With regards to amenity the application site is located adjacent to the existing roundabout which serves a mixture of residential and commercial properties, with a Tesco store, McDonalds and Costa Coffee on the opposite side of the roundabout.

3.5 Whilst the site itself is open countryside consent exists for the change of use for employment use, along with an entrance roadway at the location of the proposed signs. The proposed sign advertises this, so whilst to some degree it currently is in an open area, given

the consents, and in particular subsequent discharge of condition, and the aim of the signage, this is not considered unacceptable.

3.5 The proposed totem signs are each 2m in width, 6m in height and 0.2m in depth. The size of the totem is not considered to be overly large given the entrance to the site that is proposed. The design and colouring is clear and straightforward providing clear information. The proposal is not considered to have an unacceptable impact on visual amenity, and along with the proposed design and colouring would not be unacceptable, or result in significant detrimental impacts to consider refusal.

3.6 The proposed totems are to be lit, via internal illumination. As noted above neither SCC Highways nor Environmental Health raise objection in this regard, subject to conditions. Whilst the site is currently open, noting the imminent commencement of development and the surrounding area with existing commercial signage this is not considered to be unacceptable.

4. Residential Amenity

4.1 The proposed sign is located away from residential properties and is not considered to risk harm in this regard.

5. Other Matters

5.1 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." It has been considered that no criminal offence under the 2010 Regulations against any European Protected Species is likely to be committed, and that the proposal would not be unacceptable in this regard.

PART FOUR – CONCLUSION

6. Planning Balance and Conclusion

6.1. The proposed advertisement is in relation to proposed development with existing planning consent and would not be intrusive visually, or cause harm to public safety to consider refusal.

RECOMMENDATION

That the application is GRANTED advertisement consent

(1) That the Chief Planning Officer be authorised to GRANT advertisement consent subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

1. Advertisement time limit
2. Approved plans
3. Illumination restriction as SCC Highways and Environmental Health
4. Standard advertisement conditions 1-5 to control safety, visual amenity, maintenance and remediation on removal.

(2) And the following informative notes as summarised and those as may be deemed necessary:

- SCC Highways notes

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Application No: DC/22/00349

Location:

Gateway 14, Land Between The A1120 And A14, Creeting St Peter, Stowmarket

		Page No.
Appendix 1: Call In Request	N/A	
Appendix 2: Details of Previous Decision	DC/21/00407	
Appendix 3: Town/Parish Council/s	Stowmarket Town Council	
Appendix 4: National Consultee Responses	N/A	
Appendix 5: County Council Responses	SCC Highways	
Appendix 6: Internal Consultee Responses	Environmental Health Noise/Odour/Light/Smoke	
Appendix 7: Any other consultee responses	N/A	
Appendix 8: Application Site Location Plan		
Appendix 9: Application Plans and Docs		
Appendix 10: Further information		

The attached appendices have been checked by the case officer as correct and agreed to be presented to the committee.



Babergh and Mid Suffolk District Councils

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Ref. No.	Details	Site and Applicant	Resolution
DC/22/00349	Erection of 2No illuminated totem signs	Gateway 14, Land Between The A1120 And A14 for Gateway 14 Limited	There is no objection from the Town Council to the grant of planning consent.

Your Ref:DC/22/00349
Our Ref: SCC/CON/0270/22
Date: 25 January 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Gemma Walker - MSDC

Dear Gemma Walker - MSDC,

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/22/00349PROPOSAL:
Application for Advertisement Consent - Erection of 2No illuminated totem signs.

LOCATION: Gateway 14, Land Between The A1120 And A14, Creeting St Peter, Stowmarket, Suffolk, ,

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Condition: The maximum luminance from sign number or reference totem signs shall not exceed 600 candela/m².

Reason: In the interests of highway safety and in order to avoid disability or discomfort glare for either pedestrians or motorists.

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

Louis Majewski
Civil Engineering Technician
Growth, Highways and Infrastructure

From: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Sent: 31 Jan 2022 11:37:22
To:
Cc:
Subject: FW: WK302801 DC2200349
Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@babberghmidsuffolk.gov.uk>
Sent: 28 January 2022 14:21
To: Gemma Walker <Gemma.Walker@babberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>
Subject: WK302801 DC2200349

Environmental Health -
Noise/Odour/Light/Smoke
21st January 2022

Dear Sir/Madam

APPLICATION FOR ADVERTISEMENT CONSENT - DC/22/00349

Proposal: Application for Advertisement Consent - Erection of 2No illuminated totem signs.

Location: Gateway 14, Land Between The A1120 And A14, Creeting St Peter, Stowmarket, Suffolk

Thank you for the opportunity to comment on this application for two totem poles.

I have no objections to this application as I can see the proposed levels do not exceed 600cdm² in line with the professional lighting guide.

I would ask that the following is conditioned: The Totem lighting shall be installed as described in the supporting plan: 20012-FSA-XX-XX-DR-A-2130 P01 and maintained throughout the lifetime of the development so that there is no flicker or unnecessary glare and to ensure that the levels emitted do not exceed 600cdm². The Totems shall not be altered or repositioned without the submission of detail to and the prior consent of the LPA

Andy

Andy Rutson-Edwards, MCIEH AMIOA
Senior Environmental Protection Officer
Babergh and Mid Suffolk District Council - Working Together
Tel: 01449 724727
Email andy.rutson-edwards@babberghmidsuffolk.gov.uk
www.babergh.gov.uk www.midsuffolk.gov.uk

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:
Miss Hannah Walker
65 Gresham Street
London
EC2V 7NQ

Applicant:
Gateway 14 Limited
C/O Agent

Date Application Received: 21-Jan-21
Date Registered: 27-Jan-21

Application Reference: DC/21/00407

Proposal & Location of Development:

Hybrid Application for the phased employment-led redevelopment of Land at Mill Lane, Stowmarket (Gateway 14) including: Full Planning for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works: Outline Planning Permission (all matters reserved, except for access) for the erection of buildings comprising employment and commercial use, open space and landscaping, car and cycle parking, highway works, and other associated works (additional plans, documents and EIA information received 08/04/2021) and subsequent ES addendum letter received 17th June 2021.

Gateway 14, Land Between The A1120 And A14, Stowmarket, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled 20012-FSA-XX-XX-DR-A-0100-P03 received 08/04/2021 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:

Elevations - Proposed 1902 01 Substation - Received 21/01/2021
Drainage Details 60417 PP 001 - Received 21/01/2021
Highway Access Plan 60417/PP011 - Received 21/01/2021

Highway Access Plan ROAD SECTIONS SHEET 1 60417-C--008B - Received 21/01/2021
Highway Access Plan ROAD SECTIONS SHEET 2 60417-C-009B - Received 21/01/2021
Sectional Drawing PROPOSED BUND SECTIONS 60417-C-011A - Received 21/01/2021
Highway Access Plan HIGHWAY GENERAL ARRANGEMENT 60417-C-SK05-C - Received 21/01/2021
Drainage Details OUTLINE SURFACE WATER STORAGE 60417-PP-004 - Received 21/01/2021
Sectional Drawing 60417-PP-07 RAIL EASEMENT SECTIONS - Received 30/07/2021
Drainage Details STORAGE AREA CROSS SECTION 60417-PP-007 - Received 21/01/2021
PROPOSED ROAD MARKINGS A14 JUNCTION 50 WESTBOUND 60417-PP-012 - Received 21/01/2021
Sectional Drawing 60417-C-055 Earthwork Sections 5 of 7 - Received 09/08/2021
Design Code Plan 20012-FSA-XX-XX-RP-A-0101-P07 - Received 28/05/2021
Plans - Proposed Parameters Plan 20012-FSA-XX-XX-DR-A-0105-P16 - Received 14/04/2021
Landscape Parameters Plan JBA-20-104 REV D 1-18 - Received 08/04/2021
Defined Red Line Plan 20012-FSA-XX-XX-DR-A-0100-P03 - Received 08/04/2021
Sectional Drawing 60417-C-051-P01-Earthwork Section 1 of 7 - Received 09/08/2021
Sectional Drawing 60417-C-052-P01-Earthwork Section 2 of 7 - Received 09/08/2021
Sectional Drawing 60417-C-53-Earthwork Sections 3 of 7 - Received 09/08/2021
Sectional Drawing 60417-C-054-Earthwork Sections 4 of 7 - Received 09/08/2021
Sectional Drawing 60417- C-056-Earthwork Sections 6 of 7 - Received 09/08/2021
Sectional Drawing 60417-C-057-P01 Earthwork Sections 7 of 7 - Received 09/08/2021
Floor Plan - Proposed 1902 01 Substation - Received 21/01/2021
Highway Access Plan 60417-PP-013 - Highway General Arrangement - Received 09/03/2021

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** 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 the approval of reserved matters for the first plot 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 on any development area or phase, approval of the details of the appearance, scale and layout of the building(s) and the landscaping for that part or phase (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

The reserved matters application for landscaping adjacent to the A1120 and A14 boundaries of the site shall demonstrate supplementary landscaping measures to address the landscape impact in relation to views from Creting St Peter, Cedars Park and the A14.

The reserved matters application for the scale of each part or phase of the development shall include details of the maximum heights of storage of any goods, chattels, materials, or waste in relation to that plot.

All landscape reserved matters applications shall include details of the inclusion of appropriate local planting species within those details.

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. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased and managed planning of the development in accordance with the principles and information accompanying the Outline application.

4. ACTION REQUIRED PRIOR TO SUBMISSION OF FIRST RESERVED MATTERS: APPROVAL OF PHASING OF DEVELOPMENT

Not later than the submission of the first Reserved Matters Application for each Plot (1000, 2000, 3000 or 4000) a phasing plan for that plot shall be submitted to the Local Planning Authority. The phasing plan must be approved in writing by the LPA before work commences above slab level.

The submission shall include appropriate alternative phasing plans as necessary. The development shall be implemented in accordance with the phasing plan, unless otherwise subsequently approved within any other submission of Reserved Matters lodged thereafter.

Where any Reserved Matters Application is made in relation to a part of a plot, the submission shall be accompanied by a statement setting out the relationship of the on plot infrastructure to relevant previous phases, or part phases, within that plot, together with a

statement setting out the approach to coordinating the delivery of infrastructure and landscaping in relation to both.

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

5. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF OTHER DEVELOPMENT: CREATION OF BUND

No development hereby permitted shall commence until the construction of the Clamp Farm bund proposed in the full part of this application, has been completed and provides mitigation of construction and site noise, unless otherwise agreed in writing with the Local Planning Authority.

Reason - In order to minimise the adverse impacts of the proposal on neighbouring properties with particular regards to noise and visual amenity impacts.

6. ACTION REQUIRED: CONCURRENT WITH RESERVED MATTERS: DESIGN, MATERIALS AND LANDSCAPING

Concurrent with the submission of the Reserved Matters application(s), in any development area or phase details of design, materials and landscaping for that area or phase shall be submitted to and approved in writing by the Local Planning Authority.

Such details shall include colour, type and finish of facing and roofing materials, signage, parking, boundary treatments (including the details of walls and fences for individual buildings), lighting, outdoor spaces, security principles and waste bin storage and presentation arrangements.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to minimise the adverse impacts of the proposal on the character of the development with regards to the landscape and local visual amenity having particular regard for Policy CS5 and saved policy CS2.

7. PERMITTED USES: RESTRICTION ON CHANGES OF USE PLOTS 1000, 2000 AND 4000

The use of the land on Plots 1000, 2000 and 4000 hereby permitted shall fall within Class E(g), B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification) and no other use except pursuant to the grant of planning permission on an application made in that regard.

Except as provided for within Class I, notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and reenacting that Order with or without modification), there shall be no change to the approved use(s) 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 local amenity.

8. PERMITTED USES: RESTRICTION ON CHANGES OF USE PLOT 3000

Plot 3000 shall only be used for Class E(g) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other use. Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and reenacting that Order with or without modification), there shall be no change to the approved use(s) 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 local and residential amenity.

9. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS: CUT AND FILL

Concurrent with the first submission of any reserved matters application for each part or phase of development, details of the cut and fill levels for that part or phase shall be submitted to and approved in writing by the Local Planning Authority.

There shall be no change of levels within Flood Zones 2 or 3.

Such works shall be carried out in full in accordance with the approved details prior to the commencement of any other development within that part or phase of the development.

Reason: In order to minimise the adverse impacts of the proposal on the character of the development with regards to the landscape and local visual amenity having particular regard to policy CS5 and saved policy CS2.

10. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS: FINISHED FLOOR LEVEL

Concurrent with the submission of the Reserved Matters application(s), in any part or phase of the development details of the finished floor level(s) for that part or phase shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details.

Reason: In order to minimise the adverse impacts of the proposal on the character of the development with regards to the landscape and local visual amenity having particular regard to policy CS5 and saved policy CS2.

11. CUT AND FILL AND LIMIT ON BUILDING HEIGHTS

The maximum building heights AOD shall be as detailed on plan 20012-FSA-XX-XX-DR-A-0105 P16 received 9th February 2021.

The maximum building height on plots 1000, 2000 and 4000 shall be 21m.

The maximum building height on plot 3000 shall be 15m.

Reason: In order to minimise the adverse impacts of the proposal on the character of the development with regards to the landscape and local visual amenity having particular regard to policy CS5 and saved policy CS2.

12. LIMIT ON DEVELOPMENT AREAS

As detailed on plan 20012-FSA-XX-XX-DR-A-0105 P16 received 9th February 2021 there shall be no development permitted in the areas shown in pink and a height limitation of 10m to the zone highlighted in blue.

Reason: In order to minimise the adverse impacts of the proposal on the character of the development with regards to the landscape and local visual amenity of the development in its landscape setting and having particular regard to policy CS5 and saved policy CS2.

13. SPECIFIC RESTRICTION ON DEVELOPMENT WITHIN THE FLOODPLAIN

Notwithstanding the provisions 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 structure shall be erected and no changes to levels or landscaping shall take place within the floodplain of the River Gipping.

Notwithstanding the provisions 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 permitted development shall occur within the area shown as Flood Zone 3.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in a range of rainfall events and ensure the system operates as designed for the lifetime of the development. The south of the site, to the north of the main river, is partially located within the functional floodplain, (Flood Zone 3b). This condition is to ensure that there is no additional risk of flooding or alteration of the functional flood plain, which may reduce the functional flood plain and increase the risk of flooding both on and off site.

14. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS: SURFACE WATER DRAINAGE SCHEME

Concurrent with the submission of the Reserved Matters application(s), in any development area or phase a surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority (LPA).

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 Q_{bar} or 2l/s/ha 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 rainfall event including climate change, 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 flow paths 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 the implementation, maintenance and management of the strategy for the disposal of surface water on the site;

h. 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) shall be submitted to and approved in writing by the Local Planning Authority.

The CSWMP shall include:

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

i. Temporary drainage systems

ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses

iii. Measures for managing any on or offsite flood risk associated with construction

i. 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 CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

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.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-developmentand-flood-risk/construction-surface-water-management-plan/>

15. ACTION REQUIRED WITHIN 28 DAYS OF COMPLETION OF FINAL UNIT

Within 28 days of practical completion of the final unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

16. ACTION REQUIRED PRIOR TO FIRST OCCUPATION OF A PHASE: SCHEME FOR DISPOSAL OF FOUL DRAINAGE

Prior to the first use or occupation of each part or phase of the development a scheme to dispose of foul drainage for that part or phase and including a timetable for implementation, shall have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall thereafter be implemented as approved, in accordance with the scheme and timetable.

Reason: There is not capacity for all the wastewater flows from this proposed development to be treated at Stowmarket WRC. AWS has long term plans to upgrade Stowmarket WRC. However these are not yet confirmed and funded. These plans therefore need to be confirmed in the strategy ahead of use of this site to protect the local watercourses and environment.

17. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT; CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of development on any part or phase a Construction Management Plan for that part or phase shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include the following matters:

- o a photographic survey to be carried out to determine the condition of the carriageway and footways prior to commencement of the works
- o Means of access for construction traffic, including details as to how access will be provided via A1120 and A14, and directed and managed away from Cedars Park and Creting St Peter.
- o haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- o provision of boundary hoarding and lighting
- o details of proposed means of dust suppression
- o details of measures to prevent mud from vehicles leaving the site during construction
- o details of deliveries times to the site during construction phase
- o details of provision to ensure pedestrian and cycle safety
- o programme of works (including measures for traffic management and operating hours)
- o parking and turning for vehicles of site personnel, operatives and visitors
- o loading and unloading of plant and materials

- o storage of plant and materials including location and nature of compounds and storage areas
- o litter management
- o maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Construction of the development shall not be carried out other than in accordance with the approved Construction Management Plan.

Reason: To safeguard and protect neighbouring residential amenity and the amenities of residents and recreational users in the locality from the impacts of construction.

18. RESTRICTION ON LOCATION OF STORAGE IN THE FLOODPLAIN

No goods, products, raw materials, scrap material or other materials of any other sort shall be deposited, stacked or stored in the areas of the site within flood plain (areas shown within Flood Zones 2 and 3).

Reason - To ensure that there is no alteration of the functional flood plain which may reduce the functional flood plain and increase risk of flooding both on and off site.

19. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: CEMP NOISE

Prior to the commencement of development on any part or phase a Construction Environmental Management Plan for Noise for that part or phase, in line with the Noise and Vibration assessment of the Environmental Statement (January 2021) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following details:

- o Ensure that modern plant is used, complying with the latest European Commission noise emission requirements;
- o Selection of inherently quiet plant where possible;
- o Use of hoarding around the work site perimeter, where practicable, to assist in the screening of noise generation from low-level sources;
- o Hydraulic techniques for breaking to be used in preference to percussive techniques where practical;
- o Use of rotary bored rather driven piling techniques, where appropriate;
- o Off-site pre-fabrication to be used, where practical;
- o All plant and equipment to be used for the works to be properly maintained, silenced where appropriate, operated to prevent excessive noise and switched off when not in use;
- o Plant to be certified to meet relevant current legislation as defined by BS 5228 standards;
- o All Contractors to be made familiar with current legislation and the guidance in BS 5228 (Parts 1 and 2), which should form a prerequisite of their appointment;
- o Loading and unloading of vehicles, dismantling of site equipment such as scaffolding or moving equipment or materials around the site to be conducted in such a manner as to minimise noise generation and where practical to be conducted away from NSRs;
- o Careful consideration should be given to planning construction traffic haul routes within the Site and along local roads close to existing sensitive receptors, so as to

- o minimise reversing movements and to minimise the number of construction vehicles during peak traffic flows on local roads;
- o Alert residents regarding periods when higher levels of noise may occur during specific operations and providing them with lines of communication where complaints can be addressed, and,
- o Noise complaints should be reported to the Contractor and immediately investigated.
- o Demonstrate how works will comply with the criteria derived in the ES based on BS5228-1 Appendix E criteria, including best practice measures such as using efficient machinery and vehicles.

The approved CEMP Noise shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and protect neighbouring residential amenity and the amenities of residents and recreational users in the locality from the impacts of construction.

20. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: CEMP LANDSCAPE

Prior to the commencement of development on any part or phase a Construction Environmental Management Plan for Landscape in line with the Landscape and Visual Impact Assessment of the Environmental Statement (January 2021) for that part or phase, shall be submitted to and approved in writing by the Local Planning Authority for that part or phase.

The CEMP Landscape shall include the following:

- o Details of the Root Protection Areas of all trees and hedgerows which are to be retained as part of the Proposed Development to be safeguarded by the use of appropriate fencing in line with BS5837:2012
- o Details of where trees and/or sections of hedgerow are to be removed as part of the Proposed Development, details of such works and that these would be undertaken outside of the bird nesting season.
- o The location and arrangement of site access, compounds (including accommodation and cabins) and parking;
- o The use of hoardings and fencing (including temporary fencing);
- o The storage of construction materials and waste;
- o The handling and storage of topsoil (including imported topsoil);
- o Measures for the protection of existing vegetation and landscape areas (in accordance with BS5837:2012);
- o Permitted working hours and use of lighting, including a detailed lighting specification;
- o The implementation of planting (and where necessary proposed protection on the substantial completion of each phase); and
- o Responsibilities, and monitoring/reporting measures including supervision by appropriately qualified personnel

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect existing and proposed landscape features during the construction of the development.

21. ACTION REQUIRED PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (BIODIVERSITY)

Prior to the commencement of development on a part or phase a construction environmental management plan (CEMP: Biodiversity) for that part or phase shall be submitted to and approved in writing by the Local Planning Authority, in line with the Ecology and Nature Conservation of the Environmental Statement (Penny Anderson, January 2021). The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

22. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 14 - Ecology and Nature Conservation of the Environmental Statement (Penny Anderson, January 2021), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

The ECoW will check for active nests including ground nesting farmland species, following best practice methods to safeguard habitats and species during site clearance and construction.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

23. ACTION REQUIRED CONCURRENT WITH SUBMISSION OF ANY RESERVED MATTERS: BIODIVERSITY NET GAIN DESIGN STAGE REPORT

Concurrent with submission of reserved matters for each part or phase a Biodiversity Net Gain Design Stage Report shall be submitted to the Local Planning Authority for approval in writing which provides a minimum of 10% measurable biodiversity net gain, using the Defra Biodiversity Metric 2.0.

The content of the Biodiversity Net Gain Design Stage Report should follow BNG Report & Audit Templates (CIEEM, 2021) or any successor versions and include the following:

- o Baseline data collection and assessment of current conditions on plot and cumulatively;
- o A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;
- o Provision of the full BNG calculations, with detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;
- o Details of the implementation measures and management of BNG proposals to be delivered for 32 years e.g. in Landscape & Ecological Management Plan (LEMP);
- o Details of the monitoring and auditing BNG measures.

The proposed enhancement measures shall be implemented in accordance with the approved Report details and shall be retained in that manner thereafter.

Reasons: In order to demonstrate measurable net gains for biodiversity and allow the LPA to discharge its duties under the NPPF (2021)

24. TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED

If the development hereby approved does not commence within 18 months from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed prior to commencement of development and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of protected and priority species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall have been submitted to and approved in writing by the local planning authority prior to the commencement of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

25. ACTION REQUIRED CONCURRENT WITH FIRST RESERVED MATTERS: SKYLARK MITIGATION STRATEGY

A Skylark Mitigation Strategy shall be submitted to the Local Planning Authority for approval in writing concurrent with the first reserved matters submission.

The Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures
- b) Detailed Methodology for measures to be delivered
- c) Location of the proposed measures by appropriate maps and/or plans
- d) Mechanism for implementation & Monitoring of delivery

The Skylark Mitigation Strategy as approved shall be implemented in the first nesting season following commencement of the development and in accordance with the approved details, or any amendment as may be approved in writing pursuant to this condition, and all features shall be delivered for a minimum period of 10 years.

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species)

26. ACTION REQUIRED PRIOR TO COMMENCEMENT: METHOD STATEMENT FOR SHEPHERD'S NEEDLE

No development shall take place until a Method Statement for Shepherd's needle has been submitted to and approved in writing by the Local Planning Authority. The Method Statement for Shepherd's needle shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans, including the identification of a suitable receptor site.
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- f) Persons responsible for implementing the works.
- g) Details of initial aftercare and long-term maintenance.
- h) Details for monitoring and remedial measures.

The Method Statement for Shepherd's needle shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under s40 of the NERC Act 2006 (Priority habitats & species)

27. ACTION REQUIRED: LANDSCAPE MANAGEMENT PLAN

No development shall commence within a development area or phase, until there has been submitted to and approved in writing by the Local Planning Authority a landscape management plan and associated work schedule for a minimum of 5 years. Both new and existing planting will be required to be included in the plan, along with surface treatments, SuDS features and all other landscape assets (i.e. street furniture).

The management plan shall make provision for the interim landscape management of undeveloped plots or land parcels within plots 1000, 2000, 3000 and 4000 together with a timetable for implementation as required in order to safeguard the landscape amenity of the locality. The interim landscape management plan shall include provision for the details of interim boundary treatments and landscaping and a timetable for implementation of those works where Reserved Matters applications on undeveloped plots or land parcels do not come forward within 5 years of the date of approval of the last Reserved Matters Application on the site.

The management plans shall be implemented in accordance with the agreed landscape management timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area throughout the period of development, in accordance with Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

28. ACTION REQUIRED PRIOR TO DEVELOPMENT ABOVE SLAB LEVEL: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

A Landscape and Ecological Management Plan (LEMP) for each part or phase shall be submitted to and approved in writing by the Local Planning Authority prior to development above slab level of that part or phase. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management including interim management of undeveloped plots within the phase in question.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

29. CONCURRENT WITH RESERVED MATTERS: LIGHTING DESIGN SCHEME

Concurrent with the submission of a reserved matters scheme for a part or phase of development a lighting design scheme for all lighting on that part or phase other than adopted Highways lighting including measures to reduce impacts on night-time light, wildlife/biodiversity and SMART features, such as automatic lighting controls and use of LEDs, for that part or phase shall be submitted to the Local Planning Authority for approval in writing.

The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme as approved in writing and maintained thereafter in accordance with the scheme.

Under no circumstances shall any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

30. ACTION REQUIRED PRIOR TO DEVELOPMENT ABOVE SLAB LEVEL: SWIFT NEST BRICK/BOXES

Prior to the commencement of development above slab level in a part or phase on Plot 3000 a scheme for swift nest bricks/boxes for that part or phase shall be submitted to the Local Planning Authority for approval in writing.

Integral swift nest bricks should be incorporated into buildings that are two storeys or higher.

Such details as may be approved shall be implemented in full prior to the first use or occupation of the part or phase of development to which the scheme relates.

Reason: To provide suitable nesting opportunities to enhance biodiversity.

31. ARBORICULTURAL RECOMMENDATIONS

All works shall be undertaken in accordance with the measures outlined in the accompanying arboricultural report.

Monitoring should be undertaken by a qualified arboriculturist in accordance with the details for monitoring in the Arboricultural Method Statement as set out in Chapter 9 of the January 2021 ES.

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

32. SPECIFIC RESTRICTION ON DEVELOPMENT: DEVELOPMENT AFFECTING OR ADJACENT TO NETWORK RAIL

a) Except for the required trespass proof fence, there shall be no building operations undertaken within 3m of the site boundary with Network Rail land. All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no plant or materials are capable of falling within 3.0m of the boundary with Network Rail.

b) Any scaffold or related structure which is to be constructed within 10m of the boundary of the site with Network Rail land must be erected so that at no time any poles over-sail the railway. Protective netting around any such scaffold must also be installed.

c) No soakaways for storm or surface water drainage shall be constructed within 20m of the boundary of the site with Network Rail.

d) There shall be no alteration to the boundary drainage connections from the site or operations into Network Rails property, culverts or drains unless otherwise agreed in writing with the Local Planning Authority, in agreement with Network Rail.

e) No alterations shall be made which prevent or reduce the provision to continue drainage discharging from Network Rail land unless otherwise agreed in writing with the Local Planning Authority, in agreement with Network Rail.

Reason - To ensure that construction and maintenance can be carried out without adversely affecting the safety of or encroaching upon Network Rail land.

33. ACTION REQUIRED: VIBROCOMPACTION OR DISPLACEMENT PILING

There shall be no use of any vibrocompaction or displacement piling within 200m of the boundary of the site with Network Rail land unless details of the machinery to be used and a method statement have been submitted to and approved in writing by the Local Planning Authority.

Where approved works shall be undertaken in accordance with the submitted details.

Reason: To ensure that construction vibration does not affect the safety of Network Rail operations

34. ACTION REQUIRED PRIOR TO COMMENCEMENT: FENCING

Prior to the commencement of any reserved matters development within 200m of the boundary of the site with Network Rail land a trespass proof fence of at least 1.8m high shall be erected along the development side of the existing boundary fence to Network Rail land, including where necessary intervening structural landscaping, and subsequently maintained and retained as such.

Reason: To ensure that the railway line is not accessible from the application site for reasons of operational safety.

35. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:
ARCHAEOLOGICAL INVESTIGATION

No development shall take place within areas B, C, D or E including the buffer zone areas marked in red on plan 'Mitigation Area Plan Buffer Zone' until the implementation of a programme of archaeological work has been secured for that part or phase, 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. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- h. Mitigation details for the preservation in situ of archaeological features within areas C, D and E, and a management plan for the ongoing protection of these areas in perpetuity.

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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

INFORMATIVE:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site.

In this case, the following will be required for the five archaeological areas:

Area A: Open area excavation has been undertaken in this area. The fieldwork has been completed. The excavation Post-excavation Assessment Report is currently being produced by the client's archaeological contractor for submission to SCCAS. We have no objections to groundworks commencing in Area A.

Area B: Open area excavation, including open area excavation area over medieval archaeological features identified in trench 67.

Area C: Trenched archaeological evaluation in order to establish the archaeological potential. Decisions on the need for any further investigation (excavation before groundworks commence) will be made on the results of the evaluation.

Area D: Open area excavation on the areas threatened by the development.

Area E: Open area excavation on the areas threatened by the development.

In the areas B - E archaeological works will be required before any groundworks commence, this includes site preparation, infrastructure and landscaping works.

36. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: ARCHAEOLOGICAL INVESTIGATION

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under part 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

37. ACTION REQUIRED PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of the site, details of the provision of fire hydrants, including a timetable for implementation, shall be submitted to and approved, in writing, by the Local Planning Authority.

The fire hydrants shall be carried out in accordance with these details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants.

38. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: CONTROL OF POLLUTION

Prior to the commencement of development, if required by the Control of Pollution Act 1974 a S.61 prior consent application shall have been submitted, and details confirming the submission and conditions attached to any consent submitted to the Local Planning Authority. These conditions shall be adhered to throughout the development.

Reason: To protect against on site noise and vibration impacts.

39. ON GOING REQUIREMENT: RESTRICTION ON CONSTRUCTION OPERATION TIMES

The construction working hours in respect of any works undertaken for the hereby permitted development shall be limited to:

0800 to 1800 Mondays to Fridays and 0800 to 1300 Saturdays.

There shall be no working or deliveries outside of these hours or on public holidays.

In the event that working outside these times is necessary for a particular element of works (e.g. a concrete pour), 14 days advance notice must be given in writing to the Local Planning Authority along with contact details in the event of complaint.

Any construction working taking place in such circumstances must not exceed 55dB LA eq (1 hour) between 1900 and 2300 and 45dB LA eq (20 minutes) between 2300 and 0700 as measured 1m from the facade of the nearest noise sensitive premises.

Reason - To protect neighbouring noise sensitive premises from adverse impacts of noise and construction working

40. ACTION REQUIRED: TIMES OF OPERATION TO BE AGREED

Prior to the first use of any part or phase of the development, details of opening times, operation/working times and delivery times for each part(s) shall be submitted to and agreed in writing by the Local Planning Authority.

The times for each building, or part thereof, shall be implemented as agreed unless otherwise subsequently agreed in writing.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of amenity

NOTE: As set out in paragraph 4.2.7 of the Mill Lane, Stowmarket Development Brief, 24-hour working may be acceptable, noting the expectations of paragraph 5.7.4 to ensure that such working offers appropriate mitigation and that the details are required to be secured by this condition.

41. ACTION REQUIRED: USE OF MACHINERY

The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228-1: 2009+A1:2014.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity

42. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: SCHEME FOR WATER ENERGY AND RESOURCE EFFICIENCY DURING CONSTRUCTION

Prior to the commencement of development on a part or phase, a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction elements of that part or phase of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme shall include a clear timetable for the implementation of the measures in relation to the construction of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction ((as per policy CS3, and NPPF)) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day).

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation including water, use of sustainable materials and provision for electric vehicles.

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The scheme for water energy and resource efficiency as approved shall be implemented during all construction works for that part or phase.

Reason - To enhance the sustainability of the development through better use of water, energy and resources. 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 include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF. To ensure that the mitigation measures embedded in the scheme design are appropriately implemented and monitored including the recording and reporting of energy consumption.

43. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
SCHEME FOR WATER ENERGY AND RESOURCE EFFICIENCY DURING
OPERATIONAL PHASE

Prior to the commencement of development on a part or phase, a scheme for the provision and implementation of water, energy and resource efficiency measures, during the operational phase of that part or phase of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during occupation ((as per policy CS3, and NPPF)) including details on environmentally friendly materials, minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105ltr per person per day).

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The scheme shall include an Operational Environment Management Plan (OEMP) to implement climate change mitigation measures to minimise carbon emissions and to include the provision of annual (or other regular) monitoring information of the Local Planning Authority (as set out in para 15.5.16 in Chapter 15 of the Environmental Statement accompanying DC/21/00407) shall be submitted to and approved in writing by the Local Planning Authority.

The OEMP and scheme for water energy and resource efficiency as approved shall be implemented on occupation.

Reason - To enhance the sustainability of the development through better use of water, energy and resources. 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 include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF. To ensure that the mitigation measures embedded in the scheme design are appropriately implemented and monitored including the recording and reporting of energy consumption.

44. ACTION REQUIRED: BREEAM

Concurrent with the first Reserved Matters application for each part or phase a BREEAM pre-assessment estimator (or such equivalent standard that replaces this) shall be submitted to and approved in writing by the Local Planning Authority demonstrating how an Excellent Score has been achieved for units on Plot 3000 and Very Good Score achieved across Plots 1000, 2000 and 4000.

Within 6 months of occupation of each building a BREEAM Post Construction Review certificate and summary score sheet (or such equivalent standard that replaces this) shall be submitted to and approved in writing by the Local Planning Authority to show that an Excellent or Very Good rating, as applicable, has been achieved.

Reason: To ensure that the development makes the fullest contribution to achieving an acceptable level of sustainability in the built environment.

45. ACTION REQUIRED: OFFICE NOISE LEVELS

Office accommodation shall be designed such that internal noise levels as a result of external and internal noise sources comply with the relevant criteria set out in BS8233:2014.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of amenity.

46. CUMULATIVE RATING NOISE LEVEL RESTRICTION

The cumulative rating noise level from all on-site commercial and industrial operations, including noise from HGVs, fixed plant and equipment, should be assessed and controlled such that noise levels when assessed in accordance with BS4142 are no greater than 5dB above the background sound level established in Chapter 8 Noise and Vibration, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of amenity.

47. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS: DESIGN CODE

The proposal hereby permitted shall comply with the Design Code to establish a clear framework for the future design of development. Details of compliance with the Design Code shall be submitted as part of each reserved matters application.

The Design Code confirmed that 20% of each plot shall be delivered as soft landscaping, with soft engineered drainage options delivered where technically feasible. Details setting out compliance with this requirement shall be submitted as part of each reserved matters application.

Reason: To secure an orderly and well designed finish sympathetic to the character of the area and in the interests of visual amenity and the setting of nearby listed buildings.

48. ACTION REQUIRED PRIOR TO COMMENCEMENT: ACCESS

Before the development is commenced on each part or phase, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage) for that part or phase shall be submitted to and approved in writing by the Local Planning Authority.

The works shall thereafter be implemented in accordance with the approved details and including the submitted timescale for implementation.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

49. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: OFF SITE HIGHWAYS WORKS

Prior to the first use or occupation of any part of the development, the off-site works highway improvements to be provided as indicated on Drawing No. 60417/PP/011 and 60417/PP/012 shall be laid out, constructed and made functionally available for use by the occupiers of the development prior to the occupation of the first unit and thereafter retained in the approved form for the lifetime of the development.

Reason: To ensure that suitable mitigation measures are provided prior to occupation.

50. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS ESTATE ROAD AND FOOTPATHS

Concurrent with the submission of the first reserved matters application for each part or phase, (save for site clearance and technical investigations) details of the estate roads and footpaths for that part or phase, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

51. ACTION REQUIRED PRIOR TO OCCUPATION: PROVISION OF CARRIAGEWAYS AND FOOTWAYS

No building in any part or phase shall be occupied until the carriageways and footways serving that part or phase have been constructed to at least Binder course level or better in accordance with the approved details except with the prior written agreement of the Local Planning Authority in consultation with Local Highway Authority.

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

52. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: TRAVEL PLAN

No part of the development hereby approved shall be brought into use unless and until the Travel Plan has been approved in writing by the Local Planning Authority who shall consult with Suffolk County Council and Highways England as Highways Authorities.

The Travel Plan shall be in line with prevailing policy and best practice and shall as a minimum include:

- o The identification of targets for trip reduction and modal Shift
- o The methods employed to meet these targets
- o The mechanisms for monitoring and review
- o The penalties to be applied in the event that targets are not met (implementation of scheme shown in outline on Richard Jackson Drawing No 60417/pp/013 A dated 17 May 2021)
- o The mechanisms for mitigation
- o Implementation of the travel plan to an agreed timescale or timetable and its operation thereafter
- o Mechanisms to secure variations to the Travel Plan following monitoring and reviews
- o Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by employees across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met
- o Appointment of a suitably qualified Travel Plan Coordinator to set up a Travel Plan Management Group incorporating all individual commercial units to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan
- o A suitable marketing strategy to ensure that all employees on the site are engaged in the Travel Plan process
- o A Travel Plan budget that covers the full implementation of the Travel Plan until five years has passed after occupation of the final commercial unit
- o A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area

Reason: To ensure that the A14 continues to serve its purpose as part of the national system for through traffic in accordance with Section 10 of the Highways Act 1980, and to satisfy the reasonable requirements of road safety on that route. In the interest of sustainable development as set out in the NPPF, and strategic objectives SO3 and SO6 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).

Note 2: The Travel Plan and Employee Travel Pack should be produced in accordance with Suffolk County Council's Travel Plan Guidance (www.suffolk.gov.uk/planning-waste-

and-environment/planning-and-development-advice/travel-plans/information-for-developers)

53. ACTION REQUIRED PRIOR TO OCCUPATION: CYCLE STORAGE AND FACILITIES

Prior to the first use/occupation of a part or phase, details of the areas to be provided for secured cycle storage for both customers and employees and details of changing facilities including storage lockers and showers 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 of that part or phase is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable development as set out in the NPPF and strategic objectives SO3 and S06 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).

54. ACTION REQUIRED DURING DEVELOPMENT: CONTAMINATION

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority.

The remediation strategy shall be implemented as approved.

Reason - To protect and prevent the pollution of controlled waters (Secondary A and Principal aquifers, nearby groundwater abstraction and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v 1.1, 2013) position statements A4-A6, J1-J7 and N7.

55. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT ON PLOT 1000: FOOTPATH 1

Prior to the commencement of works within Plot 1000:

a) details of the final route of the footpath diversion for Footpath 1 and associated drain run shall be submitted and approved in writing by the Local Planning Authority; and

b) an application to divert Footpath 1 shall be made

Reason: To ensure that the public rights of way network can be safeguarded and appropriate diversion procedures undertaken to implement the development.

CONDITIONS IN RELATION TO THE FULL PART OF THE APPLICATION

These conditions relate to the full planning application for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works:

56. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

57. 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. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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

58. ACTION REQUIRED PRIOR TO COMMENCEMENT: PHASING PLAN

Prior to the commencement of any development hereby permitted a programme of works for the ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works shall be submitted to and approved in writing by the Local Planning Authority.

The sequence of works shall:

- o Confirm delivery of the bund in advance of other development as detailed by condition 4 below (with the exception of works required to create the spoil)
- o Detail implementation of the road to provide access to the site prior to commencement of construction works other than the bund.
- o Provide a timescale for implementation of the works

The development shall thereafter be implemented in full accordance with the approved sequence of works and timetable.

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.

59. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF OTHER DEVELOPMENT: CREATION OF BUND

No other development hereby permitted except for the excavation of the contractors compound, roads and primary substation shall commence until the construction of the bund to the Clamp Farm boundary has been substantially completed and provides mitigation of construction and site noise, unless otherwise agreed in writing with the Local Planning Authority.

The bund shall be created in accordance with the approved plan and shall thereafter be retained in accordance with the details to achieve attenuation.

Reason - In order to minimise the adverse impacts of the proposal on neighbouring properties with particular regards to noise and visual amenity impacts.

60. SPECIFIC RESTRICTION ON DEVELOPMENT WITHIN THE FLOODPLAIN

Notwithstanding the provisions 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 structure shall be erected and no landscaping shall take place within the floodplain of the River Gipping with the exception of the construction of the pedestrian bridge.

Notwithstanding the provisions 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 permitted development shall occur within the area shown as Flood Zone 3.

No works shall be undertaken to the footpath link to the Gipping Valley Way in Flood Zone 2 or 3 which change or affect ground levels unless the details of ground levels and works, along with mitigation details have been submitted to and approved in writing by the Local Planning Authority.

Such details as may be agreed shall thereafter be carried out in full, in accordance with the agreed phasing timetable.

Reason: To ensure the development does not cause increased flood risk.

61. IMPLEMENTATION OF SURFACE WATER AND FLOOD RISK ASSESSMENT

The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) shall be implemented as set out in the approved report (dated March 20201, ref: 60417-PP-001 Rev D).

The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

62. ACTION REQUIRED PRIOR TO COMMENCEMENT: CONSTRUCTION SURFACE WATER MANAGEMENT PLAN

No development shall commence until 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

The approved CSWMP shall include:

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

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-developmentand-flood-risk/construction-surface-water-management-plan/>

63. ACTION REQUIRED ON COMPLETION: SURFACE WATER DRAINAGE VERIFICATION

Within 28 days of the practical completion of the development hereby permitted a surface water drainage verification report shall be submitted to and approved in writing by the Local Planning Authority. The report shall detail and verify that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks, in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as

required under s21 of the Flood and Water Management Act 2020 in order to enable the proper management of flood risk within the county of Suffolk.

<http://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

64. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT;
CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of development on any part or phase a Construction Management Plan for that part or phase shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan shall include the following matters:

- o a photographic survey to be carried out to determine the condition of the carriageway and footways prior to commencement of the works
- o Means of access for construction traffic, including details as to how access will be provided via A1120 and A14, and directed and managed away from Cedars Park and Creting St Peter.
- o haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- o provision of boundary hoarding and lighting
- o details of proposed means of dust suppression
- o details of measures to prevent mud from vehicles leaving the site during construction
- o details of deliveries times to the site during construction phase
- o details of provision to ensure pedestrian and cycle safety
- o programme of works (including measures for traffic management and operating hours)
- o parking and turning for vehicles of site personnel, operatives and visitors
- o loading and unloading of plant and materials
- o storage of plant and materials including location and nature of compounds and storage areas
- o litter management
- o maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Construction of the development shall not be carried out other than in accordance with the approved Construction Management Plan.

Reason: To safeguard and protect neighbouring residential amenity and the amenities of residents and recreational users in the locality from the impacts of construction.

65. RESTRICTION ON LOCATION OF STORAGE IN THE FLOODPLAIN

No goods, products, raw materials, scrap material or other materials of any other sort shall be deposited, stacked or stored in the areas of the site within flood plain (areas shown within Flood Zones 2 and 3).

Reason - To ensure that there is no alteration of the functional flood plain which may reduce the functional flood plain and increase risk of flooding both on and off site.

66. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: CEMP NOISE

Prior to the commencement of development on any part or phase a Construction Environmental Management Plan for Noise for that part or phase, in line with the Noise and Vibration assessment of the Environmental Statement (January 2021) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall provide details of noise attenuation following the recommendations in the EIA Noise Chapter.

The approved CEMP Noise shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard and protect neighbouring residential amenity and the amenities of residents and recreational users in the locality from the impacts of construction.

67. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: CEMP LANDSCAPE

Prior to the commencement of development on any part or phase a Construction Environmental Management Plan for Landscape in line with the Landscape and Visual Impact Assessment of the Environmental Statement (January 2021), shall be submitted to and approved in writing by the Local Planning Authority for that part or phase.

The CEMP Landscape shall include the following:

- o Details of the Root Protection Areas of all trees and hedgerows which are to be retained as part of the Proposed Development to be safeguarded by the use of appropriate fencing in line with BS5837:2012
- o Details of where trees and/or sections of hedgerow are to be removed as part of the Proposed Development, details of such works and that these would be undertaken outside of the bird nesting season.
- o The location and arrangement of site access, compounds (including accommodation and cabins) and parking;
- o The use of hoardings and fencing (including temporary fencing);
- o The storage of construction materials and waste;
- o The handling and storage of topsoil (including imported topsoil);
- o Measures for the protection of existing vegetation and landscape areas (in accordance with BS5837:2012);
- o Permitted working hours and use of lighting, including a detailed lighting specification;
- o The implementation of planting (and where necessary proposed protection on the substantial completion of each phase); and
- o Responsibilities, and monitoring/reporting measures including supervision by appropriately qualified personnel

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To protect existing and proposed landscape features during the construction of the development.

68. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (BIODIVERSITY)

A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority, in line with the Ecology and Nature Conservation of the Environmental Statement (Penny Anderson, January 2021).

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

69. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Chapter 14 - Ecology and Nature Conservation of the Environmental Statement (Penny Anderson, January 2021), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

The ECoW will check for active nests including ground nesting farmland species, following best practice methods to safeguard habitats and species during site clearance and construction.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as

amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

70. PRIOR TO COMMENCEMENT: METHOD STATEMENT FOR SHEPHERD'S NEEDLE

No development shall take place until a Method Statement for Shepherd's needle has been submitted to and approved in writing by the local planning authority. The Method Statement for Shepherd's needle shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans, including the identification of a suitable receptor site.
- e) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- f) Persons responsible for implementing the works.
- g) Details of initial aftercare and long-term maintenance.
- h) Details for monitoring and remedial measures.
- i) Resurvey to accurately locate the plants in May and June when flowering and fruiting

The Method Statement for Shepherd's needle shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under s40 of the NERC Act 2006 (Priority habitats & species).

71. PRIOR TO COMMENCEMENT: SKYLARK MITIGATION STRATEGY

A Skylark Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Skylark Mitigation Strategy shall include the following:

The Skylark Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures
- b) Detailed Methodology for measures to be delivered
- c) Location of the proposed measures by appropriate maps and/or plans
- d) Mechanism for implementation & Monitoring of delivery

The Skylark Mitigation Strategy as approved shall be implemented in the first nesting season following commencement of the development and in accordance with the approved details, or any amendment as may be approved in writing pursuant to this condition, and all features shall be delivered for a minimum period of 10 years.

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

72. ACTION REQUIRED PRIOR TO COMMENCEMENT OF LANDSCAPING: LANDSCAPE MANAGEMENT PLAN.

No landscape planting or works shall commence until there has been submitted to and approved in writing by the Local Planning Authority a landscape management plan, including long term design objectives, management responsibilities and maintenance

schedules for all landscape areas and associated work schedule for a minimum of 5 years. Both new and existing planting will be required to be included in the plan, along with surface treatments, SuDS features and all other landscape assets (i.e. street furniture).

The landscape management plan shall be carried out entirely as approved in accordance with the details and timescales in the plan and thereafter retained.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area throughout the period of development, in accordance with Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

73. PRIOR TO IMPLEMENTATION OF LANDSCAPING: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the implementation of any landscaping. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

74. ACTION REQUIRED: IMPLEMENTATION OF LANDSCAPING

All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the hereby permitted development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with

planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

75. LIGHTING DESIGN SCHEME

Prior to installation of any lighting a lighting design scheme for all lighting other than Highways lighting including measures to reduce impacts on night-time light, wildlife/biodiversity and SMART features for that part or phase shall be submitted to the Local Planning Authority for approval in writing.

The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme as approved in writing and maintained thereafter in accordance with the scheme.

Under no circumstances shall any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

76. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: ARCHAEOLOGICAL SCHEME OF INVESTIGATION

No development shall take place within areas B, C, D or E including the buffer zone areas marked in red on plan 'Mitigation Area Plan Buffer Zone' 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. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
- h. Mitigation details for the preservation in situ of archaeological features within areas C, D and E, and a management plan for the ongoing protection of these areas in perpetuity.

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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

INFORMATIVE:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site.

In this case, the following will be required for the five archaeological areas:

Area A: Open area excavation has been undertaken in this area. The fieldwork has been completed. The excavation Post-excavation Assessment Report is currently being produced by the client's archaeological contractor for submission to SCCAS. We have no objections to groundworks commencing in Area A.

Area B: Open area excavation, including open area excavation area over medieval archaeological features identified in trench 67.

Area C: Trenched archaeological evaluation in order to establish the archaeological potential.

Decisions on the need for any further investigation (excavation before groundworks commence) will be made on the results of the evaluation.

Area D: Open area excavation on the areas threatened by the development.

Area E: Open area excavation on the areas threatened by the development.

In the areas B - E archaeological works will be required before any groundworks commence, this includes site preparation, infrastructure and landscaping works.

77. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: ARCHAEOLOGICAL ASSESSMENT

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under part 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

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, in accordance with Core Strategy

Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

78. COMPLIANCE WITH ARBORICULTURAL REPORT

All works shall be undertaken in accordance with the measures outlined in the Arboricultural Report accompanying the application.

Reason: In order to help avoid harm being caused to the trees scheduled for retention.

79. ACTION REQUIRED; DUST ASSESSMENT AND MITIGATION

All works shall be undertaken in accordance with the measures outlined in the dust assessment in the BWB report MKA2107 and the mitigation proposals.

Reason: To protect neighbouring residential amenity from the impacts of construction.

80. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: CONTROL OF POLLUTION

Prior to the commencement of development, if required by the Control of Pollution Act 1974 a S.61 prior consent application shall have been submitted, and details confirming the submission and conditions attached to any consent submitted to the Local Planning Authority. These conditions shall be adhered to throughout the development.

Reason: To protect against on site noise and vibration impacts.

81. ON GOING REQUIREMENT: RESTRICTION ON CONSTRUCTION OPERATION TIMES

The construction working hours in respect of any works undertaken for the hereby permitted development shall be limited to:

0800 to 1800 Mondays to Fridays and 0800 to 1300 Saturdays.

There shall be no working or deliveries outside of these hours or on public holidays.

In the event that working outside these times is necessary for a particular element of works (e.g. a concrete pour), 14 days advance notice must be given in writing to the Local Planning Authority along with contact details in the event of complaint.

Any construction working taking place in such circumstances must not exceed 55dB LA eq (1 hour) between 1900 and 2300 and 45dB LA eq (20 minutes) between 2300 and 0700 as measured 1m from the facade of the nearest noise sensitive premises.

Reason - To protect neighbouring noise sensitive premises from adverse impacts of noise and construction working.

82. ACTION REQUIRED: USE OF MACHINERY

The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228-1: 2009+A1:2014.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity

83. ACTION REQUIRED DURING DEVELOPMENT: CONTAMINATION

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority.

The remediation strategy shall be implemented as approved.

Reason - To protect and prevent the pollution of controlled waters (Secondary A and Principal aquifers, nearby groundwater abstraction and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection: Principles and Practice (GP3 v 1.1, 2013) position statements A4-A6, J1-J7 and N7.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC03 - Supply Of Employment Land
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB13 - Protecting Ancient Monuments
HB14 - Ensuring archaeological remains are not destroyed
H16 - Protecting existing residential amenity
CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
CL11 - Retaining high quality agricultural land
CL12 - The effects of severance upon existing farms
E02 - Industrial uses on allocated sites
E03 - Warehousing, storage, distribution and haulage depots
E09 - Location of new businesses
E10 - New Industrial and commercial development in the countryside
New Industrial and commercial development in the countryside
E12 - General principles for location, design and layout
T02 - Minor Highway improvements
T04 - Planning Obligations and highway infrastructure

T07 - Provision of public car parking
T08 - Lorry parking facilities in towns
T09 - Parking Standards
T10 - Highway Considerations in Development
T11 - Facilities for pedestrians and cyclists
T12 - Designing for people with disabilities
T13 - Bus Service
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
SC04 - Protection of groundwater supplies
SC06 - Recycling centres
SAAP - Stowmarket Area Action Plan

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. NOTES The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. For further information go to <http://www.suffolkpublicrightsofway.org.uk> and www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk.

3. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Unless agreed with the Local Planning Authority, you must not carry out any development work (including demolition or site preparation) until the requirements of the condition have been met, or without the prior approval of the Local Planning Authority.

The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following bodies:

- o Local Planning Authority
- o Environmental Services
- o Building Inspector
- o Environment Agency

Any site investigations and remediation strategies in respect of site contamination (including ground gases, where appropriate) shall be carried out in accordance with current approved standards and codes of practice.

The applicant/developer is advised, in connection with the above condition(s) requiring the submission of a strategy to establish the presence of land contaminants and any necessary investigation and remediation measures, to contact the Council's Environmental Protection Team.

4. 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 district catchment may be is 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 licence under section 50 of the New Roads and Street Works Act
 - o Any works to a main river may require an environmental permit

An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

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

This relates to document reference: DC/21/00407

Signed: Philip Isbell

Dated: 5th November 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

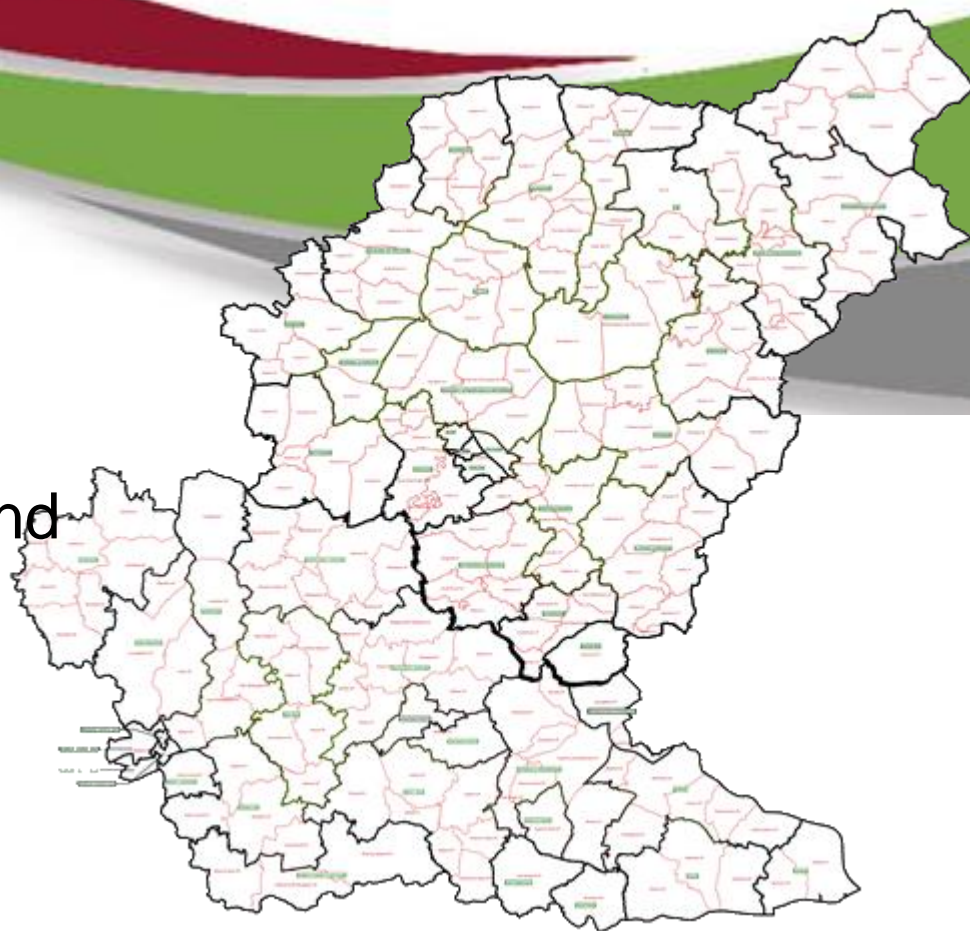
2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

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Application No:
DC/22/00349

Address:
Gateway 14
Land Between The A1120 And
A14,
Creeping St Peter





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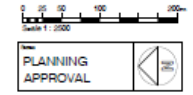
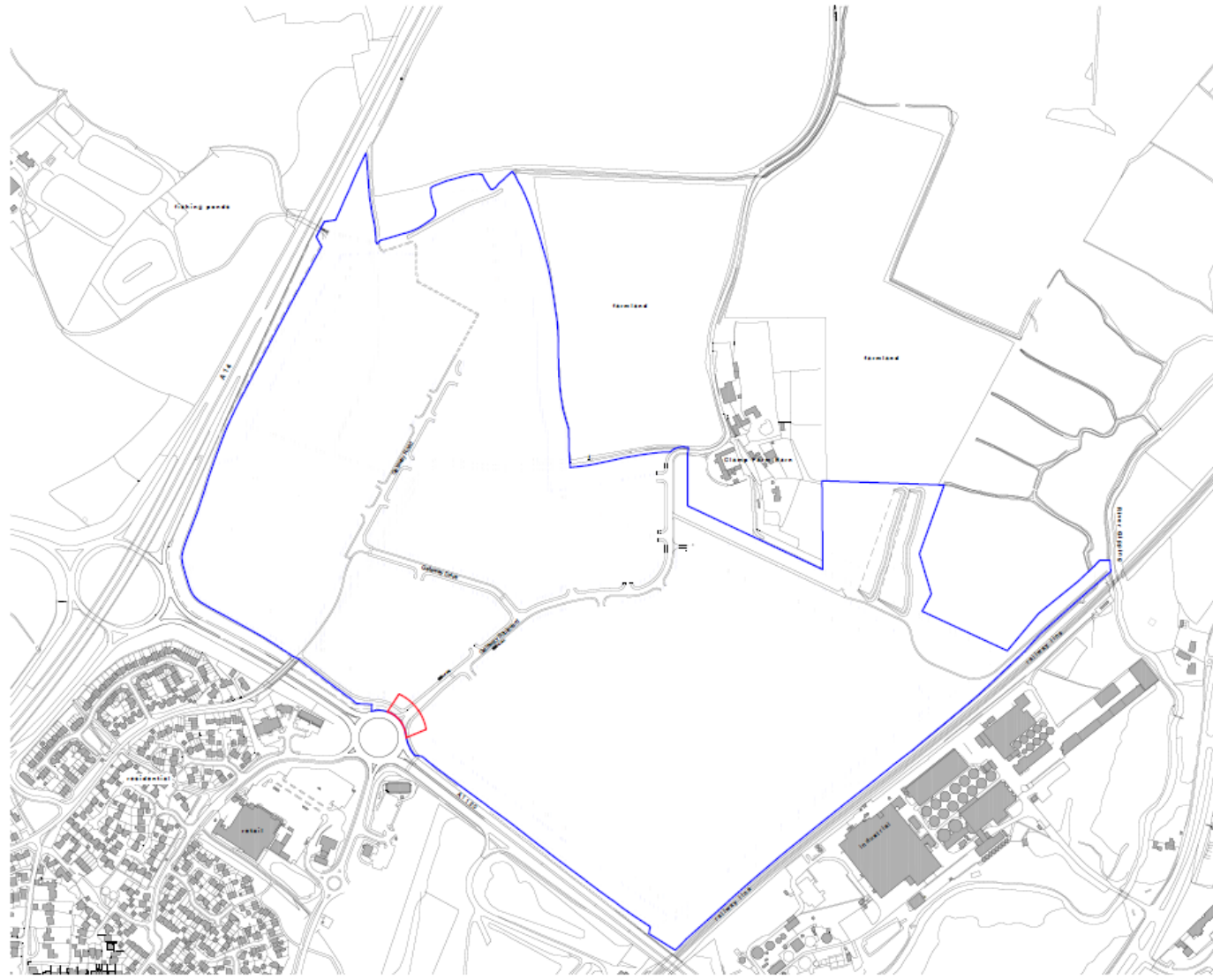
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Site Location Plan

Slide 4

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No.	Description	Date	By
1	Issue	28/07/2021	JAYNIC



PROJECT: STORAGE LOCATION PLAN

JAYNIC
 FRANK
 SHAW
 ASSOCIATES
 LIMITED
 ARCHITECTS

Project Name	Project No.	Client	Scale
Storage Location Plan	1-2500@A1	PLM	1:2500
Date	Drawn	Checked	Scale
28/07/2021	JAYNIC	JAYNIC	1:2500
28/07/2021			
2021-07-28	28/07/2021		
2021-07-28	28/07/2021		

Constraints Map

Slide 5

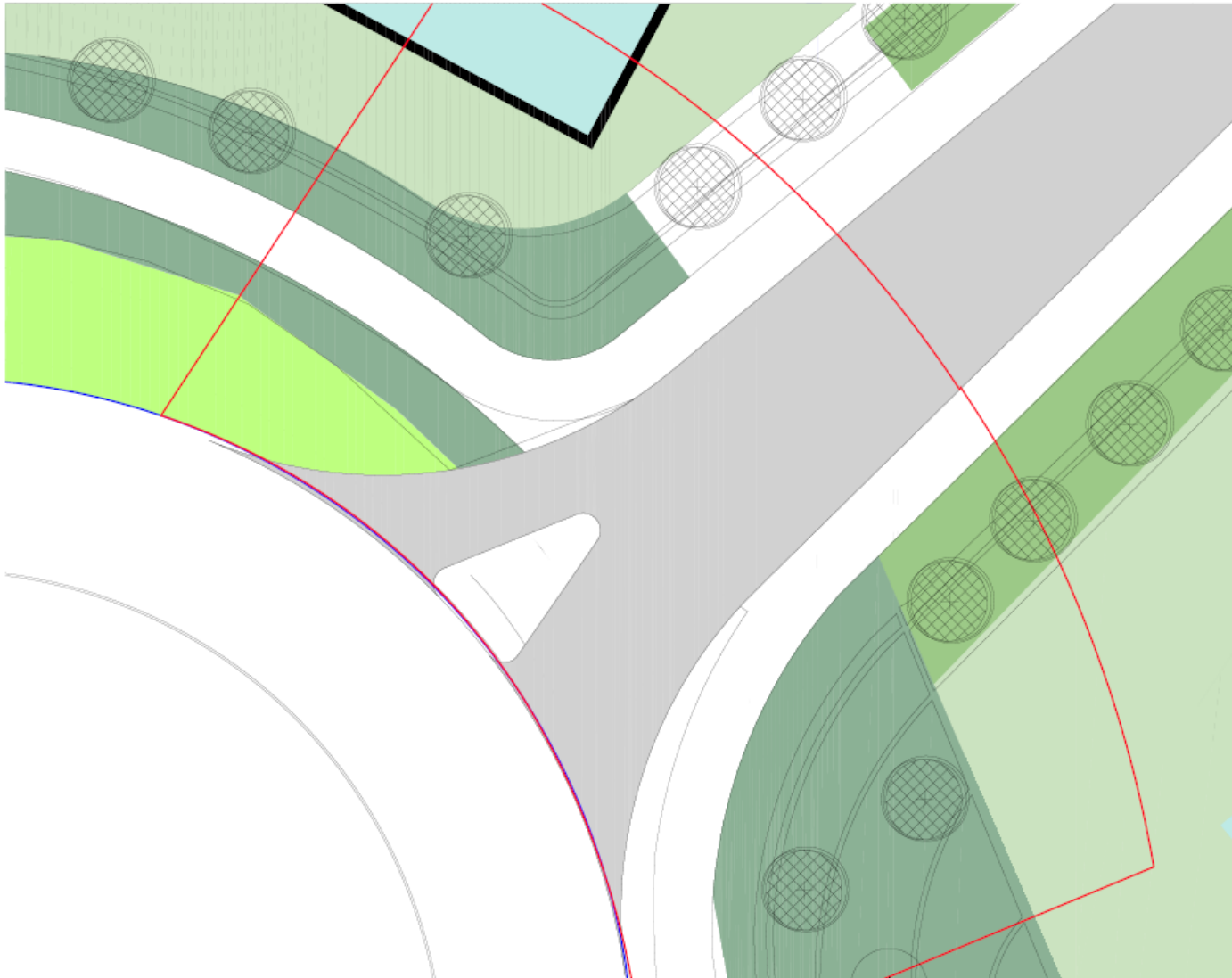
-  Built Up Area Boundaries
-  Footpath



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Existing Site Plan

Slide 6



0 10 20 30 40 50
Scale 1:100

PLANNING APPROVAL

Approved under application ref DC/21/00407

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Rev: _____ Date: _____

SIGNAGE SITE PLAN AS EXISTING

JAYNEC

FRANK
SHAW
ASSOCIATES
LIMITED
ARCHITECTS

Author: _____
 Date: _____
 Scale: 1:100 @ A1
 Date: 28/07/2011
 Drawing Number: 20012
 Project Name: 20012/01/2011/00407/01/013

Proposed Site Plan

Slide 7



0 10 20 30 40 50
Scale 1:100

PLANNING APPROVAL

1. Green stipple around storage
2. Design for reference
3. Final layout to include to final storage
4. Designated Customer Storage to be added

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No.	Revision/Date	By	App'd

SIGNAGE SITE PLAN

JAYNIC

FRANK SHAW ASSOCIATES LIMITED ARCHITECTS

Preparation	Check	Customer	Approval	Date
1: JSD/01/01	MSM			28/07/2021
2021/2				
2021/2/PLANNING/CPA-0151				

