

**MID SUFFOLK DISTRICT COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE B MEETING 29<sup>TH</sup> AUGUST 2018**

INDEX TO TABLED REPRESENTATIONS/SUPPLEMENTARY PAPERS

| <b><u>ITEM</u></b> | <b><u>REF. NO</u></b> | <b><u>Representation<br/>From</u></b> | <b><u>Summary/Comments</u></b>               | <b><u>Case<br/>Officer</u></b> | <b><u>PAGE<br/>NO</u></b> |
|--------------------|-----------------------|---------------------------------------|----------------------------------------------|--------------------------------|---------------------------|
| 7a                 | DC/18/01679           |                                       | Officer Commentary of amendments to proposal | JPG                            | 1-6                       |
| 7a                 | DC/18/01679           |                                       | Outline planning permission conditions       | JPG                            | 7-20                      |
| 7b                 | DC/17/03920           |                                       | Member referral form                         | JPG                            | 21                        |

## **Additional officer commentary**

**Members are advised that the proposal has been amended since the item was deferred at the 01 August 2018 meeting to address the concerns of the Committee in respect of the geometry of some of the estate roads.**

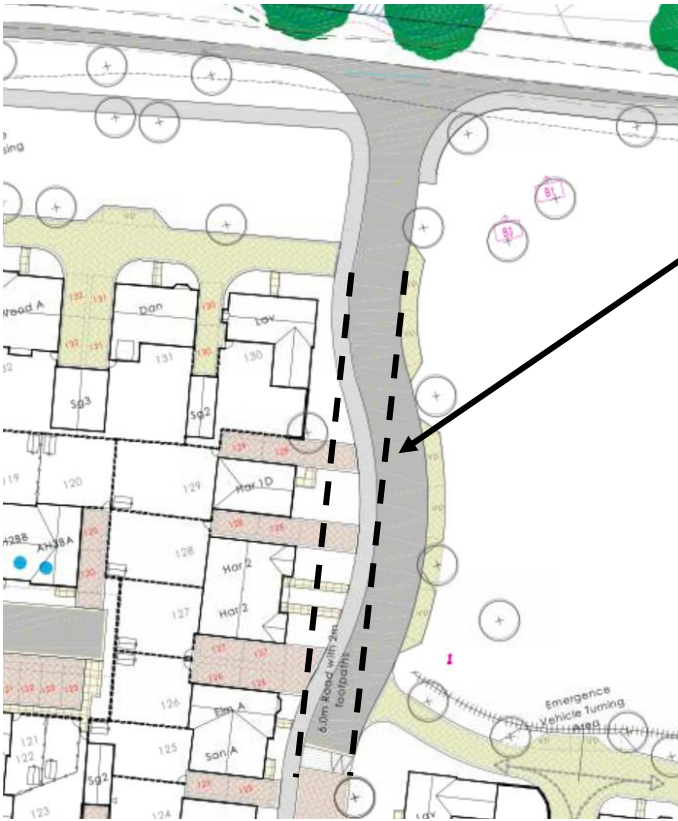
It will be recalled that the two principal stretches of estate spine road were straight for a significant length and Members were concerned that this would encourage some drivers to speed excessively and that this would pose a serious risk to highway safety.

This well founded concern has been addressed with the inclusion of the following features:

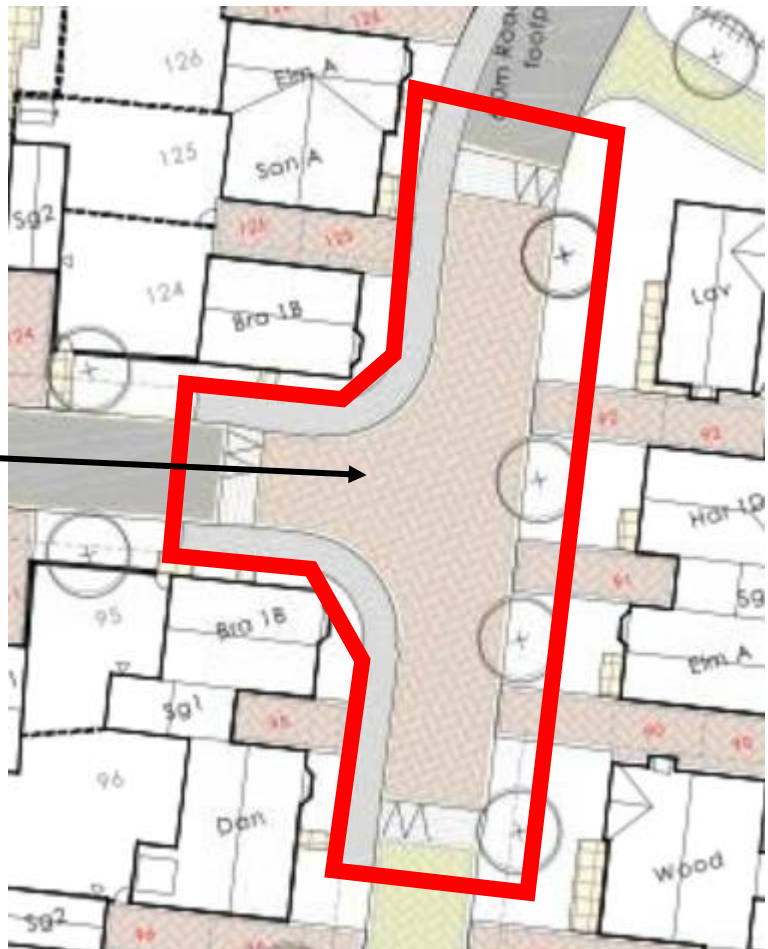
- Introduction of curved geometry the alignment of which will encourage lower speeds
- Introduction of raised speed tables at junctions within the new estate
- Change of surface materials to introduce a mixture of colours and textures to alert drivers to potential hazard

In a letter dated 9 August 2018 SCC Highways confirmed it no longer has an objection.

The extracts from the latest drawings reproduced below highlight these features. The Committee presentation will show all the features.



Curving on sections of spine road (previously straight)



Raised speed table



Curved road  
Raised speed table  
Change of materials

## Other matter: Triple parking

SCC Highways has accepted that where this occurs within the estate it is on those parts expected to experience lowest traffic and is therefore acceptable.

Members are advised that condition 27 of the Outline Planning Permission requires that garages only be used for the parking of a private motor vehicle



SCC Highways consultation response 9 August 2018

Your Ref: DC/18/01679  
Our Ref: 570\CON\1677\18  
Date: 9<sup>th</sup> August 2018



**All planning enquiries should be sent to the Local Planning Authority.**  
Email: [planning@babberghmidsuffolk.gov.uk](mailto:planning@babberghmidsuffolk.gov.uk)

The Planning Officer  
Mid Suffolk District Council  
1st Floor, Endeavour House  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**For the Attention of:** John Pateman-Gee

Dear John

**TOWN AND COUNTRY PLANNING ACT 1990**  
**CONSULTATION RETURN DC/18/01679**

**PROPOSAL:** Submission of details under Outline Planning Permission 4911/16/OUT: For the creation of 240 no. one, two, three and four bedroom houses and apartments plus associated roads, parking, landscaping, drainage systems and community parkland - Appearance, Landscaping, Layout and Scale

**LOCATION:** Land At, Wetherden Road, Elmswell

**ROAD CLASS:**

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

Following the highways response 15<sup>th</sup> June 2018 recommending conditions to be included and making comment for this application, we had a meeting with the applicant who have taken on my comments regarding the parking and layout and issued a revised drawing.

- The applicant's Drawing No CN074-PL-001N shows a new layout giving an improved road geometry/layout for the development which is in line with the Suffolk Design Guide. The changes in the horizontal alignment with the introduction of table-top junctions are suitable as a way in controlling vehicles speeds and creating points of interest. The road patterns are more in keeping with traditional layout of Suffolk and gives clear messages to the driver that 'motorists should take care'
- The Suffolk Guidance for Parking 2015 states that tandem parking is acceptable in some instances but does not state that it is not allowed in front of garages. Although we can class this as triple parking, there isn't anywhere in the document that rules this out. However, there is some comfort in the fact the majority of this dwellings with this parking layout are on the quiet short sections of with very little passing traffic or pedestrians therefore, not a safety concern when vehicles are manoeuvring into and out of spaces.

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX  
[www.suffolk.gov.uk](http://www.suffolk.gov.uk)



Parking plan



Philip Isbell - Corporate Manager  
Growth & Sustainable Planning

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

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## OUTLINE PLANNING PERMISSION

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

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**Correspondence Address:**

Pegasus Group  
Suite 4  
Pioneer House  
Vision Park  
Histon, Cambridge  
CB24 9NL

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**Applicant:**

C/O Agent

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**Date Application Received:** 08-Dec-16

**Application Reference:** 4911/16

**Date Registered:** 09-Dec-16

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**Proposal & Location of Development:**

Outline planning permission for the development of up to 240 dwellings with associated works including vehicular and pedestrian accesses, pedestrian links, infrastructure, open space, landscaping, community parkland and green infrastructure.

Land Adjacent To Wetherden Road, Elmswell IP30 9DG, ,

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled Site Location Plan: E0208\_08 Sheet 2 Rev A received 08/12/2016 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 Site Location Plan: E0208\_08 Sheet 2 Rev A - Received 08/12/2016  
Highway Access Plan Proposed Access Arrangement: S761\_206 Rev E - Received 08/12/2016

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**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.

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

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

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

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

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

Before any development is commenced, and concurrently with the submission of reserved matters referred to in Conditions 2 above, a scheme for the carrying out of the development in phases shall be submitted to the Local Planning Authority for approval.

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.

4. 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.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: MAXIMUM QUANTUM OF DEVELOPMENT

The development hereby permitted shall comprise no more than 240 dwellings.

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

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

The dwellings hereby approved shall be of a two storey design only with no living accommodation within the roof space.

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

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS

No development shall be commenced above slab level on each phase until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction for that phase have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first occupation of each associated dwelling .

Reason - To secure an orderly and well designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

8. ACTION REQUIRED GROUND FLOOR LEVELS

Prior to the commencement of each phase of development, details of the proposed finished ground floor level of the proposed dwellings for that phase, measured from a fixed off site datum point, shall be submitted for approval, in writing, by the Local Planning Authority, and the dwellings; shall thereafter be constructed in accordance with the details as may be approved only.

Reason - In order to secure a design in scale with development surrounding the site so as to protect the visual amenities, amenity of neighbouring properties and character of the area.

9. ACTION REQUIRED: HARD LANDSCAPING SCHEME

Prior to the commencement of each phase, details of a scheme of hard landscaping works for the that phase, which shall include details of the provision, siting, design and materials of screen walls and fences shall be submitted for approval, in writing, by the Local Planning Authority.

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

10. ACTION REQUIRED: SOFT LANDSCAPING SCHEME AND MANAGEMENT PLAN

Prior to the commencement of each phase of development; details of a scheme of soft landscaping works for that phase and Landscape Management Plan (LMP) shall be submitted to and approved in writing by the Local Planning Authority.

The soft landscaping scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the phase and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction.

The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens.

The scheme of soft landscaping and LMP shall be implemented in full in accordance with the approved details as may be agreed in writing.

Reason - In the interests of visual amenity and the character and appearance of the area and to ensure the proper management and maintenance of the approved landscaping.

#### 11. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All hard and soft landscaping works for each phase as may be approved, shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the said phase 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, are 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 10 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.

#### 12. ACTION REQUIRED: SURFACE WATER DRAINAGE DETAILS

Prior to the commencement of each phase a surface water drainage scheme shall be submitted to, and approved in writing by, the Local Planning Authority for the phase. 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. Detailed of the agreement for the proposal to lay surface water drainage underneath the public highway

The scheme shall be fully implemented as approved prior to the occupation of the dwellings the scheme shall serve.

Reason - To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

13. ACTION REQUIRED: SURFACE WATER DRAINAGE DETAILS

Prior to the commencement of each phase of development, details of the implementation, maintenance and management of the surface water drainage scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details prior to dwellings it is associated with being first occupied.

Reason - To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

14. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SUSTAINABLE URBAN DRAINAGE COMPONENTS AND NETWORKS

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

Reason - To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

15. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: SUBMISSION OF CONSTRUCTION SURFACE WATER MANAGEMENT PLAN

No development shall commence for each phase until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction of that phase is submitted to and agreed in writing by the Local Planning Authority. The construction surface water management plan shall be

implemented and thereafter managed and maintained in accordance with the approved plan.

Reason - To ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

16. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: SUBMISSION OF FOUL WATER STRATEGY.

No development shall commence for each phase until a foul water strategy serving that phase has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

17. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: ARCHAEOLOGICAL WORKS

No development shall take place within each phase area until the implementation of a programme of archaeological work has been secured for that 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.

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.

18. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No building shall be occupied in each phase of development until the site investigation and post investigation assessment has been completed, submitted to and approved in writing



by the Local Planning Authority for that phase, in accordance with the programme set out in the Written Scheme of Investigation approved; 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.

19. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: ENERGY STATEMENT

Prior to the commencement of each phase of development, an Energy Statement detailing how the development can secure the required energy efficiency and sustainability standards of the Local Planning Authority shall be submitted to, and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the approved Energy Statement and shall not commence until full Design Stage details have been submitted to and approved in writing by the Local Authority demonstrating that the development is capable of achieving the required standard in accordance with the approved Energy Statement, and any subsequent approved revisions.

Reason - In order to ensure the long-term sustainability of the development through on-site use of renewable resources, and to ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with the development plan.

20. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: FIRE HYDRANTS

Prior to the commencement of development of each phase, a scheme for the installation of fire hydrants and the provision of hardstanding capacity to the Fire Authority's specification shall be submitted to and approved in writing by the Local Planning Authority. The fire hydrant(s) and hardstandings shall be completed in accordance with the approved scheme prior to the first occupation of the development phase they relate as approved.

Reason - To ensure adequate provision of connection points for water for fire-fighting purposes.

21. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: ARBORICULTURAL METHOD STATEMENT

Prior to the commencement of each phase of development an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall include final tree surveys, schedule and timing of works, methods of construction close to trees and the location of services. The development phase shall be undertaken in full accordance with the approved details.

Reason - For the avoidance of damage to protected tree/s and in the interests of visual amenity and the character and appearance of the area. This condition is required to be carried out prior to the commencement of any other development to ensure trees are protected early to ensure avoidance of damage or lost due to the development and/or its

construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to trees.

22. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: ECOLOGICAL ENHANCEMENT AND MANAGEMENT STRATEGY

No development shall commence on any phase until an Ecological Enhancement and Management Strategy for that phase has been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

23. ON GOING REQUIREMENT FOR DEVELOPMENT: RECOMMENDATIONS AS SET OUT IN ECOLOGICAL REPORTS

The development shall be carried out in accordance with the recommendations as set out in the Ecological Appraisal report (Ecology Solutions, Sept 2016) and Letter detailing skylark assessment (Ecology Solutions, 9 Feb 2017) unless the Local Planning Authority agrees to a variation of phasing/timetable in writing.

Reason - To allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

24. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF ILLUMINATION

Prior to the commencement of each phase, details of any external lighting for that phase (details to include position, height, aiming points, lighting levels and a polar luminance diagram) shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

25. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TRAFFIC REGULATION ORDER

Prior to construction/implementation of the proposed eastern access to the north of Wetherden Road shown on drawings S761\_207 and S761\_206 (rev E), as a means of access from Wetherden Road to the part of the development permitted under this planning permission to the north of Wetherden Road, a Traffic Regulation Order shall be secured by the Highway Authority for the extension of the existing 30 mph speed limit to a point shown on a plan to be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. At this time the eastern pedestrian crossing with traffic island dropped kerb and tactile paving as shown on that drawing shall be substantially completed.

Reason - In the interest of highway safety and to promote sustainable transport.

26. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: PROVISION OF ROADS AND FOOTPATHS

Before each phase of development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, lighting, surfacing and means of surface water drainage) for that phase, shall be submitted to and approved, in writing, by the Local Planning Authority and carried out entirely as approved.

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

27. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: PARKING, MANOEUVRING, CYCLE STORAGE AND ELECTRIC VEHICLE CHARGING DETAILS

Before each phase of the development permitted is commenced, details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage and electric vehicle charging infrastructure for that phase shall be submitted to and approved, in writing, by the Local Planning Authority. The approved scheme for each phase shall be carried out in its entirety before the associated development is brought into use and shall be retained thereafter (including any garage spaces) and used for no other purpose.

Reason - To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety and further to National Planning Policy Framework paragraph 35.

28. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: SURFACE WATER DISCHARGE

Before each phase of 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 for that phase. This shall include how the surface water will be disposed of. The approved scheme/s shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason- To prevent hazards caused by flowing water or ice on the highway. This is necessary because details have not been submitted to demonstrate how this will be achieved at the proposed accesses.

29. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: ESTATE ROAD JUNCTIONS

Unless otherwise agreed in writing by the Local Planning Authority to any alternative phasing, prior to any other works commencing or delivery of any other materials to the site, the new estate road junctions with Wetherden Road inclusive of cleared land within the sight splays to these junctions, as dimensioned on drawing S761\_206 (rev E), and carriageway widening must be formed. This is except for the proposed eastern access to the north of Wetherden Road. The visibility splays shall thereafter be 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 over 0.6 metres high shall

be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - To ensure safe accesses to the site(s) are provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

30. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: CONTAMINATION

No development shall take place for each phase until:

1. A strategy for investigating any contamination present on that phase (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.
4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

Reason - To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

31. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: REFUSE AND RECYCLING STORAGE

Before each phase of development is commenced, details of the areas to be provided for storage of refuse/recycling bins to serve that phase 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 phase is first occupied and shall be retained thereafter for no other purpose.

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

32. ON GOING REQUIREMENT FOR DEVELOPMENT: VISIBILITY SPLAYS

The visibility splays to the east for the east access on the south of Wetherden Road and to the west for the east access on the north of Wetherden Road shall be set out tangential to the nearside carriageway channel lines to the respective dimensions on drawing S761\_206 (rev E) prior to each access being formed. The visibility splays shall thereafter be 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) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - In the interests of highway safety.

33. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: CONSTRUCTION MANAGEMENT PLAN

Before each phase of the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority for that phase. Construction of the development of each phase shall not be carried out other than in accordance with the approved construction management plan. The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques
- d) storage of plant and materials
- e) programme of works (including measures for traffic management and operating hours)
- f) provision of boundary hoarding and lighting
- g) protection of important trees, hedgerows and other natural features
- h) protection of the aquatic environment in terms of water quantity and quality
- i) details of proposed means of dust suppression and noise mitigation
- j) details of measures to prevent mud from vehicles leaving the site during construction
- k) haul routes for construction traffic on the highway network and
- l) monitoring and review mechanisms.

For all development phases, no works in respect of the construction of the development hereby permitted and no deliveries to the site during construction shall be undertaken at the following times; Outside the hours of 0800 - 1800 on Mondays to Fridays (inclusive), Outside the hours of 0800 - 1300 on Saturdays and no construction on Sundays and on public holidays

Reason - In the interests of highway safety and ensure compliance with the Local Plan.

34. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: HIGHWAY IMPROVEMENTS

No dwelling shall be occupied until the highway improvements shown on drawing no S761\_206 (rev E) including local carriageway widening, footways along Wetherden Road and western pedestrian crossing with traffic island dropped kerb and tactile paving have been substantially completed unless otherwise agreed in writing by the Local Planning Authority or unless otherwise agreed under the phasing condition.

Reason- In the interests of highway safety and sustainable development.

35. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CARRIAGEWAYS AND FOOTWAYS

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

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



36. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: PEDESTRIAN CROSSING

Prior to the first access being taken via the proposed eastern access to the north of Wetherden Road shown on drawings S761\_207 and S761\_206 (rev E), the eastern pedestrian crossing with traffic island dropped kerb and tactile paving as shown on that drawing shall be substantially completed.

Reason- In the interests of highway safety and sustainable transport.

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

NPPF - National Planning Policy Framework  
T10 - Highway Considerations in Development  
H03 - Housing development in villages  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
GP01 - Design and layout of development  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
CS05 - Mid Suffolk's Environment  
Elmswell Neighbourhood Plan

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

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

This relates to document reference: 4911/16

**Signed: Philip Isbell**

**Dated: 28th March 2018**

**Corporate Manager  
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>

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.

MEMBER REFERRAL TO COMMITTEE

(Completed form to be sent to Case Officer and Corporate Manager)  
 See Planning Charter for principles. Paragraph references below link to Planning Charter.

|                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning application reference                                                                                                                               | <b>1307/17</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Parish                                                                                                                                                       | <b>Brome &amp; Oakley</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Member making request                                                                                                                                        | <b>David Burn (ward member)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 13.3 Please describe the significant policy, consistency or material considerations which make a decision on the application of more than local significance | <b>The principal concern relates to impact on amenity arising from potential odour nuisance because the village is only 480 metres directly downwind of the prevailing southwesterlies. Our Environmental Health service has no responsibility for this because the operation will be licensed and enforced by the Environment Agency, who will not be involved until after the event. Residents do not feel that the applicant’s prior assurance regarding the odour aspect has been independently examined.</b>                                                                               |
| 13.4 Please detail the clear and substantial planning reasons for requesting a referral                                                                      | <b>The limited number of public comments on the website in no way reflects the level of concern within the Brome community about this application. Because of the DM processing backlog, by the time most of the village was aware of it, the consultation period had ended and residents felt they had been disenfranchised, despite our efforts to explain this was not the case. The DM Corporate Manager was therefore insufficiently informed to be able to make a reliable judgement on the controversial nature of the application. My referreal is in the interest of transparency.</b> |
| 13.5 Please detail the wider District and public interest in the application                                                                                 | <b>This application is one of a significant number, the smooth processing of which through the DM system was thwarted as a result of the log jam that occurred during the Acolaid/Uniform software changeover.</b>                                                                                                                                                                                                                                                                                                                                                                              |
| 13.6 If the application is not in your Ward please describe the very significant impacts upon your Ward which might arise from the development               | <b>n.a.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 13.7 Please confirm what steps you have taken to discuss a referral to committee with the case officer                                                       | <b>I have discussed the proposed development with the case officer in e-mails, on the phone and in person on a number of occasions and advised her by e-mail of my wish to have the matter referred to committee in the event that she is minded to <u>recommend approval</u> of the application.</b>                                                                                                                                                                                                                                                                                           |