

Philip Isbell - Corporate Manager
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Mid Suffolk District Council
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PLANNING PERMISSION

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

Correspondence Address:

Savills (UK) Ltd
Unex House
132-134 Hills Road
Cambridge
CB2 8PA

Applicant:

Hopkins Homes
C/O Agent

Date Application Received: 01-Nov-16

Application Reference: 4455/16

Date Registered: 22-Nov-16

Proposal & Location of Development:

Erection of 300 dwellings, access, internal roads, garages, fences, walls, parking, landscaping, public open space, ecological enhancement works, drainage infrastructure and associated works

Land To The South Of Union Road, Onehouse IP14 3EH, ,

Section A – Plans & Documents:

This decision refers to drawing no./entitled 001 received 31/10/2016 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 001 - Received 31/10/2016
Dwg.Issue.Sch. 04.07.2018 - 4455/16 - Received 04/07/2018

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. 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. The development hereby permitted shall be carried out in accordance with the following approved plans as set out on the submitted Drawing Issue Schedule reference: Drawing Issue Schedule 4 July 2018 Land South of Union Road, Onehouse - Hopkins Homes "Dwg.Issue. Sch. 04.07.2018 - 4455/16" sheets 1 - 7 inclusive.

Reason: In the interests of ensuring that the development is completed in accordance with the decision taken to grant permission.

3. No development shall take place within the area indicated until the the now completed archaeological work carried out in accordance with the Approved Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority.

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

4. 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 condition 3 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.

5. The external facing materials as shown on Drawing No. STO1- 006 A shall be those used in the development and fully applied prior to the first use/occupation of the dwelling to which they relate.

Reason: To secure an orderly and well-designed finish sympathetic to the character of the existing buildings and in the interests of visual amenity and the character and appearance of the area.

6. The development shall be undertaken in accordance with the tree protection measures indicated in the Arboricultural Impact Assessment, produced by SES, dated 19th October 2016 (Rev D). Any trees felled, uprooted, dying or being seriously damaged as a result of actions taken without implementation of the approved measures shall be replaced in the next planting season (October - March inclusive) in the same siting with others of similar size and species.

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

7. No development shall commence above slab level until a precise hard Landscaping Scheme, which shall include any proposed changes in ground levels, has been submitted to, and approved in writing by, the Local Planning Authority.

The 'hard' landscaping shall include details of all hard surface materials and boundary treatments to be used within the development with a timetable for implementation, including all means of enclosure and boundary treatments, residential screen walls and fences.

The 'hard' landscaping shall be implemented and completed in accordance with the approved details before the dwellings to which it relates are first occupied.

No dwelling shall be occupied until the 'soft' Landscaping Scheme has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping shall include details of the existing trees and plants on site 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 'soft' landscaping shall include details (including species, size of stock at time of planting, location) of all new plants and trees to be provided as well as any areas for seeding. The new landscaping should comprise of native species only as defined in Schedules 2 and 3 of the Hedgerow Regulations 1997.

The 'soft' landscaping shall be implemented in accordance with the approved details within the first planting season (October - March inclusive) following the commencement of that part of the development to which it relates or 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 Scheme (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. The approved Landscaping Scheme shall be carried out in its entirety and shall accord with the approved drawings under this permission.

Reason: In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are secured early to ensure avoidance of damage or loss due to the development and/or its construction.

8. The residential screen walls and/or fences as may be approved pursuant to the Landscaping Scheme under Condition 7 above, shall be erected prior to the dwelling/s to which they relate being first occupied and thereafter shall be retained in the approved form.

Reason: In the interests of residential amenity and the character and appearance of the area.

9. Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:
 - a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
 - b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
 - c) Details of how construction and worker traffic and parking shall be managed.
 - d) Details of any protection measures for footpaths surrounding the site.
 - e) Details of any means of access to the site during construction.
 - f) Details of the scheduled timing/phasing of development for the overall construction period.
 - g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
 - h) Details of the siting of any on site compounds and portaloos.

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

Reason: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

10. Before the accesses are first used, visibility splays shall be provided as shown on Drawing No. ST01-002 Rev H (Eastern Access junction) with an X dimension of 2.4m and a Y dimension of 56m and (Western Access junction) with an X dimension of 2.4m and a Y dimension of 90m and both 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 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.

11. The use shall not commence until the areas within the site shown on Drawing No. 005 Rev I for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that areas shall be retained and used for no other purposes.

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

12. The areas to be provided for storage of Refuse/Recycling bins as shown on Drawing No. STO1 003 Rev H shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

13. Notwithstanding the approved drawings, prior to the commencement of development a detailed plan showing bin collection/presentation points for the development, taking into account and demonstrating refuse vehicle tracking with a 24m turning circle shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with such details as may be agreed and the agreed bin collection/presentation points shall be made available for use prior to the first occupation of the dwellings to which they relate.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users and to ensure that adequate provision is made for refuse collection.

14. 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.

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

15. Before the development is commenced, details of the estate roads and footpaths/cycleways, (including layout, levels, gradients, surfacing, traffic calming, Lighting 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/cycleways are constructed to an acceptable standard.

16. 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.

17. The first new estate road junction with Union Road inclusive of cleared land within the sight splays to this junction must be formed prior to any other development commencing.

Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

18. The definitive line of the public footpath must be physically marked out on site at the start of the development, and remain open, unobstructed and undisturbed for as much of the construction phase as possible. If crossed by construction traffic, then that crossing point must be maintained in a good state of repair and be safe and fit for use at all times.

Reason: In the interests of the amenity of the public.

19. Prior to the first occupation of the site, details of the provision of fire hydrants 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 in the interests of public safety and fire prevention.

20. No development hereby permitted must proceed above slab level until details of how superfast or ultrafast broadband infrastructures will be delivered to every household in the development, subject to network capacity being available, has been submitted to and approved in writing by the Local Planning Authority. The approved superfast broadband infrastructures for each dwelling shall be installed prior to the occupation of that dwelling.

Reason: To ensure that future occupiers have access to high quality telecommunications in accordance with the NPPF.

21. No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the development has been 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 scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

Reason: To ensure that the development makes an appropriate contribution to the objectives of environmental sustainability, in accordance with the development plan and NPPF.

22. No removal of hedgerows, trees or shrubs shall take place in any phase of the development between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority prior to any landscape removal.

Reason: In order to safeguard protected wildlife species and their habitats.

23. Prior to the installation of any external lighting, 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 (through the provision of appropriate lighting contour plans 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 and maintained thereafter in accordance with the scheme. No other external lighting shall be installed without the express written consent of the Local Planning Authority.

Reason: In the interests of safeguarding ecology, biodiversity, highway safety, and neighbouring amenity.

24. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Report (Adonis Ecology, November 2016).

Reason: In the interests of safeguarding ecology and biodiversity.

25. No development shall commence until a foul water strategy 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.

26. The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (Reference 617767-REP-CIV-FRA, dated 24th October 2016 as Revised) shall be implemented as hereby approved in writing by the local planning authority. 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.

27. The 150th dwelling constructed shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

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

28. 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 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: -

- 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 during construction or pollution of the watercourse in line with the River Basin Management Plan.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

GP01 - Design and layout of development

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: 4455/16

Signed: Philip Isbell

Dated: 17th August 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.