

Consultee Comments for Planning Application DC/21/03874

Application Summary

Application Number: DC/21/03874

Address: Moat Meadow Finningham Road Old Newton Suffolk

Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Case Officer: Rose Wolton

Consultee Details

Name: Mrs Karen Price

Address: Lynwood, Grove Road, Brockdish, Bacton Stowmarket, Nr Diss, Norfolk IP21 4JP

Email: Not Available

On Behalf Of: Old Newton With Dagworth And Gipping Parish Clerk

Comments

This re-consultation was discussed at the November Parish Council meeting.

The Parish Council's original response of the design of the proposed development being bland and not in keeping with our rural village has attempted to be addressed with the colours and variety but the rooflines are still all exactly the same with no variation, the planned changes is an attempt at cosmetic changes and not embracing what Cllrs wanted for example actual differing designs with use of some dormer windows or undulation of rooflines. Something that could be considered distinctive for a village development planned for that is next to an ancient monument and grade II listed farm setting heritage site. What is proposed is still lacking in character.

It is noted that the developer is addressing the need for smaller affordable properties and Councillors appreciate their attempt to address the majority of concerns raised.

Cllrs would like to see some communal (pay per use) electric vehicle charging points in addition to the on-plot car parking dedicated charging points (EVP) for those properties that will not benefit from dedicated charging points.

Cllrs would like to reinforce the footpath link to the centre of the village as essential. Streetlights have not been addressed in the re-consultation and are still a concern of the parish council.

Overall Cllrs are pleased at the level of consideration given to comments made previously.

Karen Hall-Price - Parish Clerk & RFO

Old Newton with Dagworth & Gipping Parish Council



Historic England

Ms Rose Wolton
Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582710

Our ref: P01435338

23 December 2021

Dear Ms Wolton

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**MOAT MEADOW, FINNINGHAM ROAD, OLD NEWTON, SUFFOLK
Application No. DC/21/03874**

Thank you for your letter of 20 October 2021 regarding further information on the above application for planning permission. Apologies for the delay in responding. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

We have previously provided advice on this case within our remit for the adjacent Scheduled Monument, and in relation to the impact of the proposal on the significance of this asset through development within its setting.

Our engagement with the case dates to the first planning application, where the significance of the Rook Yard Farm double moat (LEN 1451408) was identified. It subsequently became a Scheduled Monument (February 2018) and is a designated heritage asset in policy terms.

Significance

The designated asset is a rare double medieval moated enclosure and is the remnants of a high-status medieval manor. It is valued for both the preservation of medieval archaeology within the interior spaces between the moats, and for the form and layout of the moats and ditches. The designation scores highly in evidential and historic values and it is an important site for demonstrating the historical development and use



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HistoricEngland.org.uk



of the landscape in this part of Suffolk.

Moated enclosures were an important feature of the medieval farming landscapes and are particularly a feature of the high Suffolk clayland plateau. The relationship of the moat to the landscape is a part of its significance and its setting extends across the development site, particularly as the moat bounds the north eastern part of the development area.

Impact

The development itself would not have a physical impact upon the monument; however, the red line boundary is adjacent to the monument and as set out above, is clearly within its setting.

We have previously concluded the development is likely to erode that rural context of the designated asset which would in turn result in harm to its significance. Given that considerable improvements have been made to the scheme since its first iteration we are able to confirm that the overall impact of the scheme has been reduced.

There would be a permanent change to the setting of the moat, however the resulting harm would in our view be less than substantial in policy terms.

We have also been reassured that the development would not result in changes to the local watertable and therefore our concerns with regards to the possible hydrological impacts from the development upon the moat have also been reduced.

Policy

The National Planning Policy Framework sets out the desirability of sustaining and enhancing the significance of heritage assets (paragraph 199). It continues that great weight should be given to their conservation and that any harm requires clear and convincing justification, paragraphs 199 and 200. Where a proposal will lead to less than substantial harm, this should be weighed against the public benefits of the proposal, paragraph 202 and 203.

Position

We are pleased to see the revised layout plan has taken on board our previous concerns, and we note the revised design concept document, revised elevations, landscape and visual appraisal and landscape masterplan have been added to the planning application since we last commented.



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The open area to the eastern end of the development and the approach to the houses that would be visible across the green space is encouraging and an approach that we support.

It would be important to ensure the houses that are visible from the entrance to the site and have those active frontages demonstrates as much as possible a sense of place.

We therefore note the comments from consultees and your conservation advisors with regards to the use of materials and design. We would recommend further consideration is taken to ensure the terms of reference are appropriate for the locally distinct vernacular style of the Suffolk claylands. In particular the choice and colour of bricks for example. We are however content to leave this matter to your in-house design and conservation advice team

We also note that the development plans and docs available do not mention street lighting and we would like to be reassured by the council that street lighting and footway lighting would not be needed in the open area at the eastern end. Lighting here would exacerbate the impact of the scheme on the setting of the moat and increase the heritage harm.

As set out above however we are of the view that the development would result in some residual harm to the significance of the monument through development within its setting. This is less than substantial in nature therefore the council in determining the application need to take regard of the policy test set out in para 202 of the NPPF.

We also support the need for further archaeological work and would encourage the council to consider offsetting heritage impacts through schemes that demonstrate positive enhancements such as interpretation.

Recommendation

Historic England has no objection to the application on heritage grounds. We consider that there are minor issues and safeguards outlined in our advice that need to be addressed in order for the application to meet the requirements of in particular paragraphs 202 of the NPPF.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.



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Historic England

Yours sincerely

Will Fletcher

Will Fletcher

Development Advice Team Leader

E-mail: will.fletcher@HistoricEngland.org.uk

cc: Abby Antrobus (SCCAS)



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Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

From: Ipswich, Planning

Sent: 03 November 2021 13:49

Subject: RE: DC/21/03874 Moat Meadow Finningham Road Old Newton

Good Afternoon

Thank you for your email. There are no constraints within our remit and therefore we have no comments.

Kind Regards

Liam

Liam Robson

Sustainable Places Planning Advisor – East Anglia Area (East)

Your Ref: DC/21/03874
Our Ref: SCC/CON/4828/21
Date: 5 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: Rose Wolton - MSDC

Dear Rose

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/03874

PROPOSAL: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

LOCATION: Moat Meadow, Finningham Road, Old Newton, Suffolk

Further to the comments raised in our previous response (dated 23rd July 2021), the County Council as Highway Authority make the following comments:

Footway Connection on Finningham Road:

Although it has been communicated via email that the existing electricity pole and stay will be relocated, this has not been shown on an amended drawing, or in documents within the planning submission. Therefore, we are not confident that this amendment can be guaranteed.

We consider it essential as the footway will be considered a pinch point at around 1.2 metres wide in this area and vulnerable road users would not be able to pass the stay within the footway width. Please amend the relevant drawings to show the relocation of these items.

Speed Limit:

It is unclear whether the applicant has accepted this requirement, that we consider essential.

In order to relocate the speed limit as proposed, a Section 106 contribution of £11,500 will be required to cover the cost of the necessary legal order and the associated statutory requirements of the process.

Estate Road Layout:

The developer has confirmed via email that the development estate roads will remain private.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

Your Ref:DC/21/03874
Our Ref: SCC/CON/3340/21
Date: 23 July 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
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For the attention of: Rose Wolton

Dear Rose

TOWN AND COUNTRY PLANNING ACT 1990

CONSULTATION RETURN: DC/21/03874

PROPOSAL: Full Planning Application - Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage.

LOCATION: Moat Meadow, Finningham Road, Old Newton, Suffolk

ROAD CLASS: B

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

Whilst noted that the site benefits from outline permission (1866/17) and subsequently, we have no objection to the principle of the proposal, there are several matters that should be addressed or considered before the Highway Authority provides a positive response with recommended planning conditions:

Footway Connection on Finningham Road:

The previously consented proposal (1866/17) noted the requirement of the Highway Authority to have the existing electricity pole and stay relocated, as it is located on a narrow section of the proposed footway link. This proposal does not appear to include any confirmation that these items will be relocated and subsequently, it is unclear whether their relocation is proposed. We consider it essential as the footway will be considered a pinch point at around 1.2 metres wide in this area and vulnerable road users would not be able to pass the stay within the footway width. Please amend the relevant drawings to show the relocation of these items.

Speed Limit:

In order to relocate the speed limit as proposed, a Section 106 contribution of £11,500 will be required to cover the cost of the necessary legal order and the associated statutory requirements of the process.

Estate Road Layout:

It is unclear whether the developer intends to have the development estate roads adopted by the Highway Authority under a Section 38 Agreement. If so, it is worth noting that the proposed layout would not be suitable for adoption. Issues such as footway provision, junction radii, drainage location and type and access locations would not be acceptable. Details on the requirements can be found via the link below:

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

SCC Passenger Transport and PROW team comments/ S106 contribution requests:

We are awaiting comments and these will be provided in subsequent highways responses or directly from those teams.

Yours sincerely,

Ben Chester**Senior Transport Planning Engineer**

Growth, Highways and Infrastructure

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 16 Jul 2021 02:13:44

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/03874

Attachments:

From: Chris Ward <Chris.Ward@suffolk.gov.uk>

Sent: 16 July 2021 11:25

To: Rose Wolton <Rose.Wolton@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/21/03874

Dear Rose,

Thank you for consulting me about the proposed residential development off Finningham Road in Old Newton. On reviewing the application documents, I have no comment to make as the development does not meet the threshold in requiring a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

Kind regards

Chris Ward

Active Travel Officer

Transport Strategy

Strategic Development - Growth, Highways and Infrastructure

Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

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

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

Sent: 16 July 2021 11:11

To: Chris Ward

Subject: MSDC Planning Consultation Request - DC/21/03874

Please find attached planning consultation request letter relating to planning application - DC/21/03874 - Moat Meadow, Finningham Road, Old Newton, Suffolk

Kind Regards

Planning Support Team

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Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

Growth, Highways and Infrastructure
Bury Resource Centre
Hollow Road
Bury St Edmunds
Suffolk
IP32 7AY

Philip Isbell
Corporate Manager - Development Manager
Planning Services
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich IP1 2BX

Enquiries to: Matthew Baker
Direct Line: 01284 741329
Email: Matthew.Baker@suffolk.gov.uk
Web: <http://www.suffolk.gov.uk>

Our Ref: 2021_03874
Date: 27th July 2021

For the Attention of Rose Wolton

Dear Mr Isbell

Planning Application DC/21/03874/FUL – Moat Meadow, Finningham Road, Old Newton: Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER). The proposed development area is situated immediately south of a scheduled medieval moated site (HER ref no. [ONW 001](#); Historic England list no. [1451408](#)) and to the north of Cross Green ([ONW 064](#)). As a result, there is high potential for encountering archaeological remains at this location and the proposed works would cause significant ground disturbance that has potential to damage any archaeological deposit and below ground heritage assets that exist.

Due to the proposed developments proximity to Rookyard Farm Moats a scheduled ancient monument, Historic England and Mid Suffolk's Heritage Team should be consulted regarding the impacts of the proposal on the setting of the scheduled moated site.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important below ground heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole 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. 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.

2. 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 (2012).

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 Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/>

Please do get in touch if there is anything that you would like to discuss or you require any further information.

Yours sincerely,

Matthew Baker

Archaeological Officer
Conservation Team

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 22 Oct 2021 10:34:03

To:

Cc:

Subject: FW: 2021-10-22 JS Reply Moat Meadow, Finningham Road, Old Newton Ref DC/21/03874

Attachments:

-----Original Message----- From: GHI Floods Planning Sent: 22 October 2021 10:23 To: BMSDC Planning Area Team Yellow Cc: Rose Wolton Subject: 2021-10-22 JS Reply Moat Meadow, Finningham Road, Old Newton Ref DC/21/03874 Dear Rose Wolton, Subject: Moat Meadow, Finningham Road, Old Newton Ref DC/21/03874 The LLFA has no further comment to make at this time. 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**

MID SUFFOLK DISTRICT COUNCIL

MEMORANDUM

To: Rose Wolton – Planning Officer

From: Robert Feakes – Housing Enabling Officer

Date: 05 August 2021

Subject: Application for planning permission - DC/21/03874

Proposal: Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage.

Location: Moat Meadow, Finningham Road, Old Newton, Suffolk

1. Key Points

A development of 47 homes, with a policy-compliant 16 affordable homes provided on site.
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A change to the affordable housing mix is requested, to include a small number of 1-bed units to meet affordable housing needs.

2. Housing Need Information:

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Mid Suffolk there is a need for 127 new affordable homes per annum. The Council's Choice Based Lettings system currently has 9 applicants registered for affordable housing with a local connection to Old Newton with Dagworth, as of August 2021, with more than 550 on the Housing Register with a connection to Mid Suffolk.

3. Preferred Mix for Affordable Housing

3.1 Mid Suffolk policy is for relevant development to provide 35% affordable housing. For a development of 47 units, this equates to 16.45 affordable units, which is reflected in the applicant's proposals, with the Planning Statement indicating 16 affordable homes on site plus a commuted sum to make up the difference.

3.2 The proposed affordable housing mix, derived from the Accommodation Schedule is as follows:

Tenure	Number	Beds	Type	Size (M ²)
Affordable Rent	8	2b4p	House	79.04
	4	3b4p	House	84.56
<i>Sub Total:</i>	12			
Shared Ownership	2	2b4p	House	79.04
	2	3b4p	House	84.56
<i>Sub Total:</i>	4			
Total	16			

3.3 The residual 0.45 of a unit should be provided via a commuted sum. This equates to **£34,171**. A methodology for calculating this figure is appended to this letter.ⁱ

3.4 Through pre-application discussion, and as set out in application documents, a small number of 1-bed units were requested. The applicant has asserted, in the Planning Statement (para 5.9), that flats are not appropriate due to the character of the area and bungalows take up too much land. This may or may not be the case and is a judgement for the decision maker.

3.5 The breakdown of the local affordable housing need would indicate a need for 1-bed units. Given the nature of the village, this should not be a large number. As such, the decision maker should determine whether 1-bed units can be accommodated on-site. Bungalows represent an attractive option given the ageing population. A possible compromise would be to replace two of the 2b4p semi detached (Carlton) units with two 58m² 1b2p semi-detached or terraced units, fitted with level access showers.

3.6 The 3-bed affordable units have been designed to accommodate 4 persons. The floorspaces should be increased to a minimum of 93m² in order to accommodate a fifth person (3b5p units). This could be achieved by switching the 6 x 3b4p Sowerby affordable units for the applicant's Foxhill units. This is important for giving more flexibility to accommodate a wider range of household needs.

3.7 The comment immediately above notwithstanding, the affordable units all meet the Nationally Described Space Standard.

3.8 The distribution of the affordable housing is acceptable. The Planning Statement commits to tenure-blind design and, with the Site Plan (house types and tenures) showing that the affordable housing is drawn from the same range of dwelling types as the market homes. This is welcomed, as is the commitment to meeting part M4(2) of the Building Regulations.

3.9 It needs to be confirmed that the eventual Registered Provider will not be subject to sharing any unreasonable ongoing costs for highway maintenance. As such, please confirm that all the affordable units will be directly accessible from adoptable highway

or, where the affordable units are accessed off a separate private drive which may not be adopted by the Highway Authority, that the drive will be accessed from adoptable highway, delivered to adoptable standard and transferred to the RP. Any costs incurred from maintainable roads should be included in service charges, paid by leaseholders / renters of the affordable units.

3.10 A phasing plan will need to be agreed and secured via a planning obligation, to ensure that affordable homes are delivered alongside market homes.

3.11 Other relevant information on the affordable housing is as follows:

- The Affordable Housing must be promptly transferred to an appropriate Registered Provider, acceptable to, and with the agreement, of the District Council.
- The Council is to be granted 100% nomination rights to all the affordable units on initial lets and 100% thereafter.
- Adequate parking provision, cycle storage and shed provision must be made for the affordable housing units.
- The Council will not support applications for grant funding to deliver these affordable homes.

4. Open Market Mix: -

4.1 The open market dwellings proposed are as follows:

Type	Number
2b4p House	13
3b4p House	13
3b5p House	4
4b6p House	1

4.2 The SHMA (2019, part 2) indicates the market housing requirements for the district as a whole. This may not represent a directly and specifically appropriate mix in the circumstances of a development, but it offers a guide as to how the development contributes to meeting overall needs. The table below suggests a need to increase the number of small (1-bed) and large (4-bed+) units.

Size of unit (bedrooms)	Current proposal	Split to meet district-wide requirement ⁱⁱ	Difference
1	0	2	-2
2	13	11	2
3	14	9	5
4+	4	9	-5

4.3 Data from the 2011 Census shows significantly higher levels of under-occupation in both Old Newton with Dagworth (79.5%) and Mid Suffolk (80.8%) than England as a whole (68.7%), indicating potential demand for smaller homes to enable downsizing.

4.4 On the basis of these sources and with regard to Policy CS9 of the Mid Suffolk Core Strategy, the applicant could be asked to reconsider this mix in order to deliver some one-bed units. Given the levels of under-occupation locally, it is not recommended to increase the number of larger units. To do so would also reduce affordability.

4.5 Whilst not currently a planning policy requirement, it is noted that all the market units meet the Nationally Described Space Standard.



Appendix 1: Commuted Sum Calculation

The commuted sum calculation is as follows based on a 2-bed affordable dwelling as this is much needed within the district:

An NDSS compliant 2 bed 4-person house @ 79 sqm GIA at a design and build rate of £2,000/m² for an affordable unit gives the following total design and build cost:

$$79 \times £2,000 = £158,000$$

A suitable plot value based on the above property and taking the District Valuation Service Property market report into account at £600/sqm is £47,400.00

Design and Build Cost:	£158,000
Plot Value:	£47,400
Plus, Housing Association on costs at 7% of design and build	£11,060
Plus MSDC management fee of	£500.00

Less Housing Association acquisition price £141,024

Commuted sum total = £75,936 per 2 bed house unit

The figure for 1 whole dwelling is £75,936 therefore in this case the sum required to be paid for 45% of one dwelling = **£34,171**

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Appendix 2: Size of new owner-occupied accommodation required in Mid Suffolk over the next 18 years

Source: Ipswich Strategic Housing Market Assessment Part 2 Partial Update (January 2019)

Table 4.4e (using the 2014-based projections)

Size of home	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	707	1,221	515	7.2%
Two bedrooms	5,908	8,380	2,472	34.4%
Three bedrooms	13,680	15,784	2,104	29.3%
Four or more bedrooms	12,208	14,303	2,096	29.2%
Total	32,502	39,688	7,186	100.0%



FAO: Planning Department,
Babergh Mid-Suffolk District Council

Ref: DC/21/03874
Date: 28/10/2021

HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

RE: MOAT MEADOW FINNINGHAM ROAD OLD NEWTON SUFFOLK

This application is for the erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Since my previous comments (dated 19th August), revised drawings have been submitted. It has been established in the heritage statement and the assessment of the impact of the site by Historic England and the Local Authority that the development would result in a level of less than substantial harm to the Rookyard Farm site. Two suggested areas were identified in my previous response, where it would be possible to mitigate this level of harm to some degree.

The first was the single access route through the open green space to the east of the proposed development which is intended as the sole vehicular site access, via Finningham Road. No amendments have been made to this aspect. However, the current layout scheme is an overall improvement on the earlier, more urban designs where development extended to the eastern end of the site. I accept there are likely to be reasons for not introducing a second vehicular access at the western end of the site. Yet the submission of further details of lighting, surface treatments and any proposed bollards in this open eastern area would be beneficial.

A second suggested area for mitigation was the design and materials of the dwellings. A minimum of improvement has been introduced in the revised scheme, with the referencing of buildings, architecture and materials found in Old Newton, to a very limited degree. Yet the design scheme for the dwellings still retains a uniformity and the full use of high-quality, natural materials, details and finishes previously recommended has still not been achieved. The overall character and appearance of the dwellings is repetitive and monotonous. I still recommend far more diversity in the design of the dwellings and greater variation in the house types, to ensure the development makes a positive contribution to local character and distinctiveness (as required in Paragraph 197c of the NPPF) and that it fully draws on the contribution made by the historic environment to the character of place (as required in Paragraph 190d of the NPPF).



Yours sincerely,

David Sorapure IHBC
Built Heritage Consultant
Place Services

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



FAO: Planning Department,
Babergh Mid-Suffolk District Council

Ref: DC/21/03874
Date: 19/08/2021

HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

RE: MOAT MEADOW FINNINGHAM ROAD OLD NEWTON SUFFOLK

This application is for the erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

The site is adjacent and to the south of the moated site of Rookyard Farm, a scheduled ancient monument (List UID: 1451408). Rookyard Farmhouse itself, within the moated site is a Grade II Listed building, dating to the early-sixteenth century (List UID: 1352300). To the northwest of the site is the Grade II Listed Dagworth Farmhouse (List UID: 1181801).

The principle and general form of the development has been accepted by the Council through the consented outline scheme. This current full application provides some amended details to the layout and landscaping, with details of house design and materials. The open space at the eastern end of the site has been designed to lessen the potential impact to the significance of the adjacent listed building and scheduled ancient monument.

The previous heritage statement (prepared by Martin Steadman) for the consented outline scheme concluded that "*There will be no impact on the fabric, curtilage or "setting" of Rookyard Farm*". In contrast, the Heritage and Design Officer at the time, stated that the development would result in less than substantial harm to a designated heritage asset because it would erode the rural setting of the listed Rookery Farmhouse. This conclusion was also reached by Historic England.

The heritage statement accompanying this full application (prepared by RPS) acknowledges the assessment from Historic England, which found that the development would erode the rural context of the Rookyard Farm site which would result in harm to its significance. The current Heritage Statement finds that the full proposed scheme would have no greater impact on the significance of the Rookyard Farm site, when compared to the consented scheme (that is, it would result in less than substantial harm). I agree with this assessment.

With regard to Dagwood Farm, the Heritage Statement concludes that the proposed development would have no impact on the significance of the Grade II listed building and I agree with this assessment.



With regard to the layout, the full application proposes a scheme which is an improvement on the earlier, more urban designs. There are concerns that the only vehicular access to the development is from the east via Finningham Road and then through the open space to the south of the Scheduled Ancient Monument and Listed building. To the west access to Silver Street is proposed for bicycles and pedestrians only. As such, the concentration of traffic, through the open area and then into Finningham Road, passes directly adjacent to the heritage assets. This erodes the 'open space', and therefore character, that has been proposed as being retained to the south.

The details of the boundary treatments indicate that the hedge boundary of the site will be retained, with a wild grassland strip adjacent to the hedgerow on the interior side followed by close-board fencing. The fencing has been used sparingly on the eastern aspect of the development, when approached through the open area. Elsewhere within the development brick walls are indicated, along with timber post and knee rails. The boundary treatments are appropriate and I have no objections.

With regard to the designs proposed for the dwellings, five house types are indicated. All are to be brick-built which it is suggested is a reflection of the character of the village. While Old Newton does indeed have brick built dwellings, there are also examples of rendered and weatherboarded houses. Architectural details on the more notable houses within the village include bay windows, bargeboards, ridge tiles and porches and these serve to provide visual interest and distinction. Yet there is little variation within the house types proposed, with a uniformity in fenestration and overall character. The houses are to have brick arched lintels and horizontal brick bands, but more could be done to ensure the development has a distinctive character. More details regarding the proposed materials would be required as a planning condition, although the proliferation of uPVC windows, doors, soffits and fascias is not ideal. Considering the less than substantial level of harm that will result from the development, a revision of the design for the dwellings should be reconsidered, as a means of lessening this harm.

The National Planning Policy Framework (NPPF) states that a positive strategy for the conservation and enjoyment of the historic environment should take into account the opportunities to draw on the contribution made by the historic environment to the character of a place (Paragraph 190d). In addition, Paragraph 197c states that when determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 206 of the NPPF states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. While the open space in the eastern part of the site is intended to reduce the impact of the development on the historic site to the north, it cannot be considered as an enhancement, particularly due to the access road. Similarly, the level of harm resulting from the erosion of the rural context of the Rookyard Farm, is not likely to be fully mitigated by design due to the principle of development. However, a greater effort is needed to ensure there are elements of the scheme that will make a more positive contribution to the setting of the heritage assets.

I would recommend a thorough revision of the house designs is necessary, along with the use of high-quality, natural materials, details and finishes, to ensure the development makes a positive contribution to local character and distinctiveness. As a core aim, the development should seek to draw on the contribution made by the historic environment to its character and I do not find that this

has been undertaken. The less than substantial level of harm previously identified by the Heritage and Design Officer, as well as by Historic England and acknowledged in the heritage statement accompanying this full application, requires further mitigation measures to be given greater consideration, in terms of the buildings' design, materials and appearance.

Yours sincerely,

David Sorapure IHBC
Built Heritage Consultant
Place Services

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



Consultation Response

1	Application Number	DC/21/03874 Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage. Moat Meadow Finningham Road Old Newton Suffolk	
2	Date of Response	27 October 2021	
3	Responding Officer	Name:	Robert Feakes
		Job Title:	Housing Enabling Officer
		Responding on behalf of:	Strategic Housing
4	Recommendation	Comment	
5	Discussion	It appears that the additional submitted documents are not of relevance to housing requirements. The potential exception to this is the slight change to the design features; this should not be allowed to alter the commitment to tenure-neutral design.	
6	Amendments, Clarification or Additional Information Required	None	
7	Recommended conditions	No further recommendations	

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 28 Oct 2021 04:11:33

To:

Cc:

Subject: FW: DC/21/03874 reconsultation

Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>

Sent: 28 October 2021 15:52

To: Rose Wolton <Rose.Wolton@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>;

BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: DC/21/03874 reconsultation

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/03874

Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Location: Moat Meadow, Finningham Road, Old Newton, Suffolk

Reason(s) for re-consultation: Agent letter with revised drawings and documents received 08.10.21

Thank you for re consulting me on this application ,

In line with my previous comments, construction activities have the potential to cause a loss of amenity during the works. I therefore request that the following are added to any planning permissions by way of condition:

Construction

Construction Hours

Operations related to the construction (including site clearance and demolition) phases) of the 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.

Reason: to minimise detriment to nearby residential amenity

Prohibition on burning.

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the project.

Reason: to minimise detriment to nearby residential amenity

Dust control

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

Reason: to minimise detriment to nearby residential amenity

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:

Operating hours (to include hours for delivery)

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.

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

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 19 Jul 2021 02:29:52

To:

Cc:

Subject: FW: DC/21/03874

Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>

Sent: 19 July 2021 14:24

To: Rose Wolton <Rose.Wolton@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>; BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/03874

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/03874

Proposal: Full Planning Application - Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage.

Location: Moat Meadow, Finningham Road, Old Newton, Suffolk

Thank you for consulting me on this application. I have no objections in principle. However, construction activities have the potential to cause a loss of amenity during the works.

I therefore request that the following are added to any planning permissions by way of condition:

Construction

Construction Hours

Operations related to the construction (including site clearance and demolition) phases) of the 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.

Reason: to minimise detriment to nearby residential amenity

Prohibition on burning.

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the project.

Reason: to minimise detriment to nearby residential amenity

Dust control

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

Reason: to minimise detriment to nearby residential amenity

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:

Operating hours (to include hours for delivery)

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.

Reason: to minimise detriment to nearby residential amenity

Foul Drainage scheme

Prior to the commencement of development details of the foul drainage scheme to serve the development shall be submitted to and approved, in writing, by the Local Planning Authority prior to the beginning of any works to the site are commenced. No part of the development shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is functionally available for use. The foul water drainage scheme shall thereafter be maintained as approved.

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

From: Simon Davison
Sent: 01 November 2021 09:57
Subject: DC/21/03874

Dear Rose,

APPLICATION FOR PLANNING PERMISSION - DC/21/03874

Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Location: Moat Meadow, Finningham Road, Old Newton, Suffolk.

Reason(s) for re-consultation: Agent letter with revised drawings and documents received 08.10.21.

Many thanks for your request to comment on the application. I have a few comments to add in relation to my consultee comment on the 5th August.

While the Energy and Sustainability Statement (ESS) addressed most of the conditions identified in my original comment there are two exceptions that still need to be addressed:

- Agreement of provisions to ensure no more than 105 litres per person per day is used – The ESS has projected use of 105.9 l/p/d
- An electric car charging point per dwelling.

The scheme shall include a clear timetable for the implementation of the measures in relation to the first 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 and thereafter maintained.

Kind regards

Simon Davison PIEMA
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils - Working Together

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 05 Aug 2021 03:55:17

To:

Cc:

Subject: FW: DC/21/03874

Attachments:

From: Simon Davison <Simon.Davison@baberghmidsuffolk.gov.uk>

Sent: 05 August 2021 15:50

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: DC/21/03874

Dear Rose,

APPLICATION FOR PLANNING PERMISSION - DC/21/03874

Proposal: Full Planning Application - Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage.

Location: Moat Meadow, Finningham Road, Old Newton, Suffolk.

Many thanks for your request to comment on the application.

Upon review of the application the following condition must be met: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme such include as a minimum to achieve:-

- Agreement of provisions to ensure no more than 105 litres per person per day is used
- Agreement of provisions to ensure the development is zero carbon ready
- An electric car charging point per dwelling
- A Water-butt per dwelling
- Compost bin per dwelling
- Agreement of heating of each dwelling/building
- Agreement of scheme for waste reduction

The scheme shall include a clear timetable for the implementation of the measures in relation to the first 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 and thereafter maintained.

REASON: To enhance the sustainability of the development through better use of water, energy and resources reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Kind regards

Simon Davison PIEMA
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils - Working Together

Mobile: 07874 634932

t: 01449 724728

email: simon.davison@baberghmidsuffolk.gov.uk

w: www.babergh.gov.uk www.midsuffolk.gov.uk

From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Sent: 02 Aug 2021 10:04:57

To:

Cc:

Subject: FW: DC/21/03874. Land Contamination

Attachments:

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

Sent: 02 August 2021 10:00

To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Cc: Rose Wolton <Rose.Wolton@babberghmidsuffolk.gov.uk>

Subject: DC/21/03874. Land Contamination

EP Reference: 295758

DC/21/03874. Land Contamination

Moat Meadow, Finningham Road, Old Newton, STOWMARKET, Suffolk.

Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage.

Having reviewed the application and supporting Ground Investigation (Geo-environmental ref. GE9749/GIR/APR21) 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/>.

Kind regards

Nathan

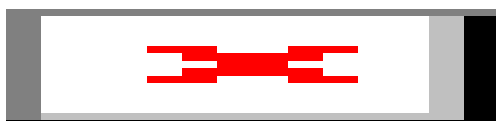
Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk

Work: 01449 724715

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



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;
 - treatment of material on site to meet compliance targets so it can be re-used;
 - removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Sent: 02 Aug 2021 09:53:04

To:

Cc:

Subject: FW: DC/21/03874. Air Quality

Attachments:

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

Sent: 02 August 2021 09:36

To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Cc: Rose Wolton <Rose.Wolton@babberghmidsuffolk.gov.uk>

Subject: DC/21/03874. Air Quality

EP Reference : 295754

DC/21/03874. Air Quality

Moat Meadow, Finningham Road, Old Newton, STOWMARKET, Suffolk.

Erection of 47No. dwellings (16No affordable), together with open space, landscaping, earthworks and drainage

I can confirm that the scale of development, at 47 dwellings, is not likely to be of a scale of that would compromise the existing good air quality at, and around the development site. When assessing the impacts of developments we give regard to the existing air quality at the site as provided by DEFRA background concentrations and also the number of likely vehicle movements. DEFRA and the Institute of Air Quality Management provide benchmarks of the scale of development that *may* start to cause a deterioration of air quality that requires further assessment. IAQM indicate that concerns may start to occur on developments which generate 500 vehicle movements a day – this development falls short of this threshold and as such further investigation is not warranted.

For details regarding how Babergh and Mid Suffolk District Councils approaches Air Quality including current reports and data, please view our website at <https://www.babergh.gov.uk/environment/air-quality/>. It should be noted that any documentation submitted in relation to a planning application should be sent directly to the Development Management Team and not the Environmental Protection Team as this may lead to delays in the planning process

Kind regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk

Work: 01449 724715

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

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

Sent: 03 November 2021 14:43

Subject: RE: MSDC Planning Re-consultation Request - DC/21/03874

Public Realm Officers have no objections to this application on the grounds of open space provision

Regards

Dave Hughes
Public Realm Officer



11 October 2021

Rose Wolton
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/21/03874
Location: Moat Meadow Finningham Road Old Newton Suffolk
Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Dear Rose,

Thank you for re-consulting Place Services on the above application.

No objection subject to securing ecological mitigation and enhancement measures

Summary

We have reviewed the Ecological Impact Assessment (Geosphere Environmental Ltd, August 2021), the Ecology update (Geosphere Environmental Ltd, July 2021), the Method Statement for Reptiles (Geosphere Environmental Ltd, July 2021), The Biodiversity Net Gain Calculations (Geosphere Environmental Ltd, September 2021) and the Impact Assessment and Conservation Payment Certificate for Great Crested Newt, supplied by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

We have also reassessed the Preliminary Ecological Appraisal (Geosphere Environmental Ltd, June 2016); Breeding Bird Survey (Geosphere Environmental Ltd, May 2018); Great Crested Newt Habitat Suitability Index Assessment (Geosphere Environmental Ltd, May 2018); Reptile Survey and Outline Mitigation Strategy (Geosphere Environmental Ltd, June 2018); and Bat Activity Survey (Geosphere Environmental Ltd, July 2018) supplied by the developer for the previously consented application.

We are satisfied that there is sufficient ecological information available for determination.



This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Impact Assessment (Geosphere Environmental Ltd, August 2021) and the Method Statement for Reptiles (Geosphere Environmental Ltd, July 2021) should be secured and implemented in full. This is necessary to conserve Protected and Priority Species.

It is highlighted that we note that the applicant intends to proceed under the District Level Licencing Scheme for Great Crested Newt and that a Impact Assessment and Conservation Payment Certificate countersigned by Natural England has been provided to the LPA. As a result, subject to this site being registered under a site licence, we are satisfied will comply with the requirements of the Conservation of Habitats and Species Regulations 2017 (As amended). However, a copy of the site licence registration should be secured as a condition of any consent and provided to the LPA prior to commencement.

We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g. cowls, hoods, reflector skirts or shields.

In addition, we have reviewed the Biodiversity Net Gain Calculations (Geosphere Environmental Ltd, September 2021) and can see that the development can secure measurable net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021. The report outlines that a 3.12% increase in habitat units and a 75% increase of hedgerow units will be gained from the proposals. However, we do note that that Defra Biodiversity Metric Calculations indicate that the trading rules are not satisfied for the replacement of habitat with medium distinctiveness (-0.54). This is primarily due to the loss of bramble scrub habitat within the site, which typically requires 'the same broad habitat or a higher distinctiveness habitat' to meet the trading conditions. Therefore, whilst we are pleased that measurable net gains for biodiversity can be achieved in principle, we encourage the developer to also satisfy the Biodiversity Net Gain trading (Rule 3 of the Biodiversity Metrics 3.0) for this application.

Furthermore, it is indicated that we support the bespoke ecological enhancement measures outline within the Ecological Impact Assessment (Geosphere Environmental Ltd, August 2021). The finalised



measures should be outlined within the Landscape and Ecological Management Plan and should preferably also demonstrate Hedgehog friendly fencing throughout the site.

we support the proposed reasonable biodiversity enhancements, which have been recommended to.

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 the Ecological Impact Assessment (Geosphere Environmental Ltd, August 2021) and the Method Statement for Reptiles (Geosphere Environmental Ltd, July 2021) 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 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).

2. ACTION REQUIRED PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF NATURAL ENGLAND MITIGATION LICENCE FOR GREAT CRESTED NEWT

"No development shall take place (including any demolition, ground works, site clearance) until the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence."*



Reason: To conserve protected 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 s17 Crime & Disorder Act 1998.

3. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

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).

4. PRIOR TO OCCUPATION: 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 occupation of the development.

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)

5. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

"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.

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. Under no circumstances should any other external lighting be installed without prior consent from 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).

Please contact me 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.

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

09/11/2021

For the attention of: Rose Wolton

Ref: DC/21/03874; Moat Meadow, Finningham Road, Old Newton, Suffolk

Thank you for re-consulting is on the Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Further to our previous letter a Landscape and Visual Assessment (LVA) has been produced, however it is missing the accompanying plans and details in Appendix A-C and Figures 1-7. The written portion does provide details of the identified constraints and proposed mitigation measures and concluded that the visual impact will be limited to the immediate vicinity and the proposed landscape scheme will be sufficient to mitigate any adverse impact. No changes in the proposed scheme layout have been noted in Revision D of the Landscape Masterplan following the LVA.

While we are satisfied that the site constraints have been considered we recommend that the missing sections be submitted prior to determination so that the LPA can be assured that impact has been fully identified and mitigated.

With regard to the landscape design of the proposed scheme there is currently insufficient information for a comprehensive response. We recommend that the landscape scheme submission should include:

- A **Landscape masterplan** showing areas of planting, hard landscape, physical and visual connection points with the wider landscape and any constraints such as easements, ecological offsets or corridors, changes to levels (contours or spot levels) etc.
- A **soft landscape scheme** including:
 - plan(s) showing the location and quantity of all plant materials (drawn to a scale of not less than 1:200)
 - a schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted and details of areas to be grass, seeded or turfed including cultivation and other operations associated with establishment.

- A **hard landscape scheme** including plan(s) showing the location of
 - hard or otherwise paved surfaces, including the extent and specification for footways and kerbing, together with the type and specification of all permeable paving and asphalt surfaces (drawn to a scale of not less than 1:200)
 - all means of enclosure and all boundary treatments between individual plots, all boundary treatments around the perimeter of the site and all boundaries adjacent to the service road.
 - play equipment details and where necessary RoSPA approval of bespoke features.
- A **SuDS scheme** including plans showing contours, sections through the features and details of all soft and hard engineered elements such as inlets and outlets.

A Landscape Masterplan, Boundary Plan and some SuDS details have been submitted, below are our observations and recommendations:

- The key on the Illustrative Masterplan doesn't seem to fully correlate with the plan, we have assumed that the transplanted oak trees are those shown towards the eastern boundary within the native shrub planting. The current spacings indicated are too close and would create too much competition between the trees. Meaning that they are unlikely to reach their full potential for visual or ecological amenity. We recommend that the spacings be reviewed to take account of the mature size and spread of the species.
- Revision A of the Site Plan shows an Electricity Substation located adjacent to the access road north of plot 44 but is not shown on the submitted Landscape Masterplan. This is a visually prominent location when accessing the site by road or using the eastern POS and therefore should receive adequate screening.
- The use of parking courts should be avoided where at all possible. Where alternatives cannot be found they should be designed with security and safety in mind. Currently the parking courts have no active frontage.
- The boundary plan shows plot boundaries adjoining the parking courts as timber fenced. We would recommend that either significant planting is introduced or these are specified as 1.8m high walls.
- There are several private gardens which look to be small. We would recommend that gardens should be a minimum of 50sqm for a 2 bedroom dwelling.
- Table 1 Suggested Tree species found in the LVA lists *Prunus padus*, we would recommend that this species be removed from the planting mix and recommend that it be substituted with *Prunus avium*.
- We welcome the integration of SuDS on site. Typical sections and details have been provided for the SuDS features, though the design of the inlet and outlet and planting were not provided. Given the rural setting a standard approach of precast concrete and galvanised handrail for inlets/outlets should be avoided. To improve biodiversity the attenuation area should be combined with a range of vegetation types such as wildflowers and other nectar rich plants, grasses of various heights, drought tolerant species as well as marginal aquatics and wet grassland. Trees and shrubs can also be used where appropriate.

- The central attenuation areas is an engineered approach which may be better relocated to beneath one of the hard paved areas. This would then allow for additional planting or other amenity use to be provided year-round on the area and possible future development of the amenity offer on site.
- The slope of the western attenuation basin is identified as 1:4 which would not require the installation of a knee rail, as shown on the boundary plan and section.
- We would suggest that the inclusion of street trees be explored more fully to meet the recommendations set out in NPPF paragraph 131.
- A retaining wall is indicated on the Boundary Plan, though no details of proposed levels have been provided for this feature or the wider site.
- A flowering lawn mix should be used in place of amenity grass for areas within the public realm. Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term.
- Subject to ecological recommendations we suggest the below as an appropriate species mix for the site boundary:
 - 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).

A Landscape and Ecological Management Plan was included within the submission. It provides a good level of detail on design intention and the general management and maintenance of the landscape scheme, however we believe it would benefit from:

- A single maintenance task table which explains the maintenance duties across the site in both chronological and systematic order.
- Drawings showing:
 - The extent of the LMP; ie only showing the areas to which the LMP applies, areas of private ownership should be excluded
 - Where appropriate plans showing successional years of cutting ie 3 or 5 year rotations for meadow grass, marginal planting and thickets.

Notwithstanding the above recommendations, if minded for approval we suggest that the soft and hard landscape details are secured with an appropriate condition.

If you have any queries regarding the matters above, please do not hesitate to contact me.

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: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 29 Jul 2021 11:21:36

To:

Cc:

Subject: FW: DC/21/03874 Moat Meadow, Finningham Road, Old Newton

Attachments:

From: David Pizzey <David.Pizzey@baberghmidsuffolk.gov.uk>

Sent: 29 July 2021 10:31

To: Rose Wolton <Rose.Wolton@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: DC/21/03874 Moat Meadow, Finningham Road, Old Newton

Rose

I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report, an appropriate condition should be used for this purpose. Although a number of trees are proposed for removal this is on account of their poor condition and not in order to enable development.

Kind regards

David Pizzey FArborA

Arboricultural Officer

Tel: 01449 724555

david.pizzey@baberghmidsuffolk.gov.uk

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

Babergh and Mid Suffolk District Councils – Working Together

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

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

Sent: 16 July 2021 11:12

To: David Pizzey <David.Pizzey@baberghmidsuffolk.gov.uk>

Subject: MSDC Planning Consultation Request - DC/21/03874

Please find attached planning consultation request letter relating to planning application - DC/21/03874 - Moat Meadow, Finningham Road, Old Newton, 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.

Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

From: James Fadeyi

Sent: 03 November 2021 12:11

Subject: RE: DC/21/03874 Moat Meadow Finningham Road Old Newton

Good Afternoon,

Thank you for your email re-consultation on the reserved matters application DC/21/03874.

Waste services do not have no objection to this application.

Kind regards,

James Fadeyi

Waste Management Officer - Waste Services

Mid Suffolk and Babergh District Councils - Working Together

Our Ref: 21_05001_P
Your Ref: DC/21/03874

9th August 2021

Dear Sir/Madam

RE: Erection of 47 No. dwellings (16 No. affordable), together with open space, landscaping, earthworks and drainage at Moat Meadow, Finningham Road, Old Newton Suffolk

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf).

I note that the applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD. I'm pleased to see that this discharge is facilitated in line with [the Non-Statutory technical standards for sustainable drainage systems](#) (SuDS), specifically S2 and S4. We recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

Kind Regards,

Will

William Chandler
Sustainable Development Officer
Water Management Alliance



Jane Marson (Chairman) Michael Paul (Vice-Chairman)

Phil Camamile (Chief Executive)



Cert No. GB11990

Cert No. GB11991



Planning Applications – Suggested Informative Statements and Conditions Report

If you would like to discuss any of the points in this document please contact us on 07929 786955 or email planningliaison@anglianwater.co.uk

AW Site Reference: 177477/1/0127339

Local Planning Authority: Mid Suffolk District

Site: Moat Meadow Finningham Road Old Newton Suffolk

Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage

Planning application: DC/21/03874

Prepared by: Pre-Development Team

Date: 28 July 2021

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Old Newton Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. (4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. (5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. 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. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>

Consultee Comments for Planning Application DC/21/03874

Application Summary

Application Number: DC/21/03874

Address: Moat Meadow Finningham Road Old Newton Suffolk

Proposal: Full Planning Application - Erection of 47No. dwellings (16No. affordable), together with open space, landscaping, earthworks and drainage.

Case Officer: Rose Wolton

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

We would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations. All dwellings should be visitable and meet Part M4(1), and 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

It is disappointing to note that there are no dwellings that meet the needs of people with mobility problems as there appear to be none with ground floor bedrooms. The statement that bungalows are 'land hungry' demonstrates a lack of consideration towards people who are wheelchair users or have mobility problems.

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 within the development are absolutely level with roads for ease of access.

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



The Gardens Trust
70 Cowcross Street, London EC1M 6EJ
Phone: (+44/0) 207 608 2409
Email: enquiries@thegardenstrust.org
www.thegardenstrust.org

margiehoffnung@thegardenstrust.org

Research - Conserve - Campaign

6th August 2021

Rose Wolton
Babergh District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk IP1 2BX
planning@baberghmidsuffolk.gov.uk

Dear Ms Wolton,

Ref DC/21/03874 - Erection of 47 No. dwellings (16 No. affordable), together with open space, landscaping, earthworks and drainage. Moat Meadow, Finningham Road, Old Newton, Suffolk

Further to our original response to an outline planning application for 56 houses on the above site in 2016 and a subsequent letter on 14th March 2018, we have been made aware of the above new application with a slightly reduced number of houses, by a local resident. Since our original correspondence, the moats have been listed as a Scheduled Ancient Monument which adds an even greater level of significance to an important historical site. Any building in the setting of this heritage asset and that of the Grade II listed Rookyard Farm, will have a very detrimental effect upon the setting and views back from and to the moat. The setting of the two heritage assets have always been extremely rural and this will be irretrievably altered by development.

We are glad to see that at least the proposing housing has been moved to the western side of the application site, leaving an area of open space to the south of the moats and most immediately sensitive area of heritage significance. We would however have expected to find a detailed Visual Impact Assessment (VIA) to accompany this application. The Planning Statement does contain some paragraphs (5.11-5.17) pertaining to this, but a VIA with view-points taken to and from within the setting of the SAM and Rookyard Farm, with wire frames indicating how visible the new housing would be, would have been extremely helpful to your officers when deciding this application.

Para 3.4 describes the materials to be used for the housing and Para 5.13 states that : *'There is no overriding character to the local area that would be determinative to the design of the development proposals. As such the materials proposed draw reference from the local area.'* We concur with the comments contained in Old Newton with Dagworth & Gipping Parish Council's report of 28th July : *'Cllrs believe that the designs of the proposed properties appear bland and non-interesting and not distinctive for a village development planned for that is next to an ancient monument and grade II listed farm setting heritage site. What is proposed is lacking in character and definitely not in keeping with our village or its historical feel.'* We would urge your officers to ensure that for development in such an important setting, enormous care is taken to make sure that if approved, the design of the detailed scheme is the best it could possibly be to mitigate at least some of the harm. Your officers will be better placed than the GT to suggest more suitable specific materials and we feel sure that you will be able to call on appropriate expertise to ensure that this aspect is properly attended to.

Yours sincerely,

Margie Hoffnung
Conservation Officer

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:

The Studio
61 Hardwick Lane
Bury St. Edmunds
IP33 2RB

Applicant:

The Stearn Family Trust
C/O Agent

Date Application Received: 12-May-17

Application Reference: 1866/17

Date Registered: 13-May-17

Proposal & Location of Development:

Outline planning application with Access, Landscaping and Layout to be considered for the erection of up to 56 dwellings with vehicular access from Finningham Road, Old Newton. Appearance and Scale to be the subject of a Reserved Matters application

Finningham Road, Old Newton, Suffolk,

Section A – Plans & Documents:

This decision refers to drawing no./entitled 7129-01G received 25/01/2019 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:

Plans - Existing - Received 12/05/2017
Block Plan - Existing - Received 12/05/2017
Block Plan - Proposed - Received 12/05/2017
Plans - Proposed site layout 1 of 3 7129-03 C - Received 12/07/2018
Plans - Proposed site layout 2 of 3 7129-04 D - Received 12/07/2018
Plans - Proposed site layout 3 of 3 7129-05 D - Received 12/07/2018
Highway Access Plan Finningham Road junction visibility splays 7129-06 A - Received 12/07/2018
Defined Red Line Plan 7129-01 G - Received 25/01/2019

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. DEVELOPMENT RESTRICTED TO 47 UNITS

The development hereby approved shall be restricted to a maximum of 47 no. units.

Reason: For the avoidance of doubt as to the scope of this permission as the submission was originally described as being for 56 dwellings and this would constitute an overdevelopment of the site.

2. 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

3. 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), the means of access thereto 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.

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. LANDSCAPE

Prior to the commencement of development, full details of the Landscaping as indicated on the drawings hereby approved shall be submitted to the Local Planning Authority to its satisfaction. Such details shall include a planting and maintenance regime to the Local Planning Authority's satisfaction and the scheme shall be carried out and maintained as agreed.

Reason: Whilst the broad layout of the proposed landscaping is largely satisfactory, the Local Planning Authority requires more information as to its details, in the interests of visual amenity and biodiversity.

6. RETENTION OF GARAGES

Garages shall only be used for the parking of vehicles and storage of household items.

Reason: To ensure an adequate supply of off-road parking in the interests of highway safety and efficiency.

7. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY MITIGATION METHOD STATEMENT

A Biodiversity Mitigation Method Statement, providing the proposed mitigation measures and/or works contained in the Preliminary Ecological Appraisal (Geosphere Environmental Ltd, June 2016); Breeding Bird Survey (Geosphere Environmental Ltd, May 2018); Great Crested Newt Habitat Suitability Index Assessment (Geosphere Environmental Ltd, May 2018); Reptile Survey and Outline Mitigation Strategy (Geosphere Environmental Ltd, June 2018); and Bat Activity Survey (Geosphere Environmental Ltd, July 2018), shall be submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter."

Reason: To conserve Protected and Priority species and 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).

8. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

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, 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 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).

9. PRIOR TO OCCUPATION: LANDSCAPE ENVIRONMENTAL MANAGEMENT PLAN

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development.

The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed, including details and locations of biodiversity enhancement measures.
- 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 organization 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, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

10. SURFACE WATER DRAINAGE1

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. As 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;
- c. 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;
- d. 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;
- e. 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;

The scheme shall be fully implemented as approved.

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

11. SURFACE WATER DRAINAGE2

Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme 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.

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

12. SUDS

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

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

13. CONSTRUCTION SURFACE WATER MANAGEMENT

No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction 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.

14. HIGHWAYS CONDITION 1

Prior to the new dwellings hereby permitted being first occupied, the driveways and accesses onto the new estate road shall be properly surfaced with a bound material for a minimum distance of at least 8 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

15. HIGHWAYS CONDITION 2

Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details which previously shall have been submitted to

and approved in writing by the Local Planning Authority and shall be retained thereafter in its approved form.

Reason: To ensure uninterrupted flow of water and reduce the risk of flooding of the highway.

16. HIGHWAYS CONDITION 3

Before the development is commenced, details of the estate roads and footpaths, (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.

17. HIGHWAYS CONDITION 4

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.

18. HIGHWAYS CONDITION 5

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no direct means of vehicular access shall be constructed from Silver Street to the site.

Reason: In the interests of highway safety to ensure accesses are located at an appropriate position and/or to avoid multiple accesses which would be detrimental to highway safety.

19. HIGHWAYS CONDITION 6

The use shall not commence until the area(s) within the site shown on Drawing Number 7129/01/D as submitted for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) 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.

20. HIGHWAYS CONDITION 7

Before the access is first used visibility splays shall be provided as shown on Drawing No. 7129/06 as submitted 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 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.

21. FOOTWAY PROVISION

Before any of the hereby approved dwellings are first occupied the Finningham Road frontage footway shall be provided linking the site with the with the existing footway to the south as shown on the submitted Drawing Number 7129/06.

Reason: To ensure that there is a safe pedestrian link between the development site and the existing footways on Finningham Road.

22. ARCHAEOLOGY 1

No development shall take place within the area indicated [the whole 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. 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.

23. ARCHAEOLOGY 2

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 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 (2012).

24. TREE PROTECTION

Works shall comply with the submitted Tree Protection Plan 5517-D rev B.

Reason: In order to ensure the long-term viability of the retained trees on site.

25. ARBORICULTURAL METHOD STATEMENT

Concurrent with the reserved matters application, a detailed Arboricultural Method Statement shall be submitted to the Local Planning Authority's satisfaction and the development shall comply with the details therein.

Reason: In order to help ensure the protective measures referred to within the submitted Tree Protection Plan are implemented effectively.

26. UNEXPECTED CONTAMINATION

If the applicant should encounter any unexpected contamination during construction, the minimum precautions detailed in the informatives attached herein shall be undertaken until such time as the LPA responds to the notification.

Reason: In the interests of preventing harm from any unexpected contamination.

27. PARKING SPACE EXCLUDED

Notwithstanding the details of the plans hereby approved, the parking space at Plot 25 which interferes with the turning head is hereby excluded.

Reason: In order to ensure a safe and efficient working of the Highway.

28. HYDROLOGICAL STUDY

Prior to the commencement of development, a hydrological study shall take place to monitor water levels in the moat, the results of which shall be sent to the Local Planning Authority (LPA). Following completion of the development, an updated study shall take place, the results of which shall also be sent to the LPA. Such monitoring and provision of information shall continue annually for five years following completion of the development and the developer will be asked to take remediative action should this be necessary.

Reason: To prevent harm to the adjacent moat (which is a Scheduled Ancient Monument) from a change in the water levels caused by the development, as too much water would potentially cause issues of flooding and erosion and too little would mean it would dry up and cease to be a moat.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

CS01 - Settlement Hierarchy

CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS09 - Density and Mix
CL11 - Retaining high quality agricultural land
FC03 - Supply Of Employment Land
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
SAAP - Stowmarket Area Action Plan
GP01 - Design and layout of development
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
T10 - Highway Considerations in Development
FC02 - Provision And Distribution Of Housing
H07 - Restricting housing development unrelated to needs of countryside
H14 - A range of house types to meet different accommodation needs
H17 - Keeping residential development away from pollution
T09 - Parking Standards
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
RT13 - Water-based Recreation
CL08 - Protecting wildlife habitats

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. HIGHWAYS INFORMATIVES

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's Central Area Manager must be contacted on Telephone: 01473 341414.

Further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

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.

3. Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer. Those that appear to be affected are telegraph pole and stay to Finningham Road which need to be relocated. There is also overhead cables and a transformer at the Silver Street end of the site.
4. The proposal will require the piping of a ditch. As the proposal requires work affecting an ordinary watercourse, including a ditch, whether temporary or permanent, then consent will be required from Suffolk County Councils' Flood and Water Management team. Application forms are available from the SCC website:

<http://www.suffolk.gov.uk/environment-and-transport/planning-and-buildings/land-drainage>. Applications for consent may take up to 8 weeks to determine and will incur an additional fee.

5. 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.
6. The existing street lighting system may be affected by this proposal. The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.
7. ANGLIAN WATER

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

8. ARCHAEOLOGY

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.

The team would be pleased to offer guidance on the archaeological work required and, in its role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological investigation. In this case, an archaeological evaluation, consisting of a geophysical survey and trial trenched evaluation, will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any

groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

9. UNEXPECTED CONTAMINATION

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: o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or o treatment of material on site to meet compliance targets so it can be re-used; or o removal from site to a suitably licensed landfill or permitted treatment facility. 12. A Verification Report will be produced for the work.

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: 1866/17

Signed: Philip Isbell

Dated: 28th October 2019

**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.