

BRAMFORD

PARISH COUNCIL



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

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

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

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

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

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

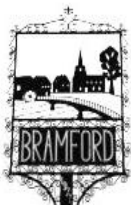
Tilia Cordata Small Leaved Lime
Prunus Avium Wild Cherry
Prunus Domestica Damson
Malus Domestica Apple/Crab Apple
Corylus Avellana Hazel
Castanea Sativa Sweet Chestnut
Sorbus Torminalis Wild Service
Acer Campestre Field Maple

Quercus Robur English Oak.

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

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

Ian Dicker Bramford Parish Council - Tree Warden



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Tel: 01473 747433 e-mail: bramfordparishcouncil@btinternet.com www.bramford.suffolk.cloud

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

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

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

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

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

Cycle provision

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

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

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

Footpaths

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

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

More detailed plans are required on this matter.

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

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

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

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

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

Access roads and levels

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

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

Inappropriate road surface

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

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

House Type 886

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

Play Area

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

Maintenance of Green Space

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

Basins

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

Tree species and numbers.

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

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

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

Ecology/Wildlife Friendly Construction

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

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

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

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

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

New homes producing less carbon.

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

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

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

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


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

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

Parish Clerk on behalf of
Bramford Parish Council

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

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

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

Dear Sirs

Please see below our response to the above application.


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

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

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

From: BMSDC Planning Area Team Green <planninggreen@babberghmidsuffolk.gov.uk>
Sent: 01 Nov 2021 02:55:14
To:
Cc:
Subject: FW: DC/21/05669
Attachments:

From: sproughtonpc@gmail.com <sproughtonpc@gmail.com>
Sent: 01 November 2021 12:17
To: BMSDC Planning Area Team Green <planninggreen@babberghmidsuffolk.gov.uk>
Subject: DC/21/05669

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

Dear Sirs

Please see our comments below on the above application.

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

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

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

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

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



planningpink@baberghmidsuffolk.gov.uk
BY EMAIL ONLY

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

T 0300 060 3900

Dear Elizabeth Flood,

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

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

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application could:

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

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

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

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

Further advice on mitigation

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

SSSIs

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

Other advice

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

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

Should the proposal change, please consult us again.

Yours sincerely

Sam Kench
Lead Adviser, Norfolk and Suffolk Team

Annex A – Additional advice

Natural England offers the following additional advice:

Landscape

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

Best and most versatile agricultural land and soils

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

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

Protected Species

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

Local sites and priority habitats and species

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

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

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

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

Ancient woodland, ancient and veteran trees

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

Environmental gains

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

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

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

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

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

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

Access and Recreation

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

where appropriate.

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

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

Biodiversity duty

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Annex A **National Highway's assessment of the proposed development**

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

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

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

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

Therefore, we offer no objection.

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



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

Email: planning@baberghmidsuffolk.gov.uk

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

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

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

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

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

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

The proposed layout is acceptable to the Highway Authority.

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

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

No comments on the other conditions listed above.

Notes:

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

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

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

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

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

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

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

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

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



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

Email: planning@baberghmidsuffolk.gov.uk

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

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

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

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

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

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

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

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

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

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



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

Email: planning@baberghmidsuffolk.gov.uk

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

For the attention of: Elizabeth Flood - MSDC

Dear Elizabeth

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

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

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

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

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

1. Pedestrian connectivity:

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

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

2. Development Layout:

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

Junction stagger - minimum stagger of 20 metres is required.

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

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

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

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

3. Parking:

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

4. Other comments:

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

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

Holding objection until the above comments have been addressed.

Yours sincerely,

Ben Chester

Senior Transport Planning Engineer

Growth, Highways and Infrastructure

Dear Elizabeth Flood,

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

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

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

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

Condition 12

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or $2l/s/ha$ for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage

system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- Temporary drainage systems
- Measures for managing pollution / water quality and protecting controlled waters and watercourses
- Measures for managing any on or offsite flood risk associated with construction

h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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

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

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

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

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

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

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

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

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

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

Sent: 17 December 2021 15:34

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

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

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

Kind Regards

Planning Support Team

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

From: GHI Floods Planning

Sent: 27 October 2021 08:24

To: BMSDC Planning Area Team Pink

Cc: Elizabeth Flood; Grace Waspe

Subject: 2021-10-27 JS reply Land To The South Of, Fitzgerald Road, Bramford Ref DC/21/05669 VAR & DoC

Dear Elizabeth Flood,

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

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

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

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

Reserved Matters Application

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

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

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

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

Surface Water Drainage (Condition 12)

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:
 - Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 - Temporary drainage systems
 - Measures for managing pollution / water quality and protecting controlled waters and watercourses
 - Measures for managing any on or offsite flood risk associated with construction
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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

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

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

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

Kind Regards

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

From: BMSDC Planning Area Team Pink <PlanningPink@baberghmidsuffolk.gov.uk>
Sent: 23 Nov 2021 11:58:28
To:
Cc:
Subject: FW: MSDC Planning Consultation Request - DC/21/05669
Attachments:

From: GHI PROW Planning <PROWplanning@suffolk.gov.uk>
Sent: 23 November 2021 11:48
To: BMSDC Planning Area Team Pink <PlanningPink@baberghmidsuffolk.gov.uk>
Cc: GHI PROW Planning <PROWplanning@suffolk.gov.uk>; Sharon Berry (MSDC) <Sharon.Berry@baberghmidsuffolk.gov.uk>; Ben Chester <Ben.Chester@suffolk.gov.uk>; Kevin Verlander <Kevin.Verlander@suffolk.gov.uk>
Subject: RE: MSDC Planning Consultation Request - DC/21/05669

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: DC/21/05669

Thank you for your consultation concerning the above application.

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

We have the following comments:

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

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

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

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

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

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

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

Thank you for taking the time to consider this response.

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

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

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

Fire Ref.: F216255

Good Morning,

Thank you for your reminder of the above planning application.

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

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

Thank you.

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

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

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

we

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

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

Dear Elizabeth,

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

Kind regards

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

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

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

Good Afternoon,

No comments to be made by the heritage team.

Kind Regards

Kirsty Nicholls

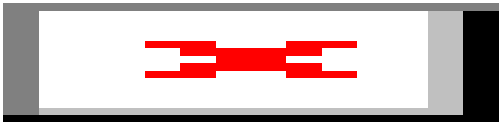
(Part Time) Technical Support Officer- Development Management

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

Tel: 0300 1234000 For all Council services

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

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



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

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

Good Afternoon ,

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

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

Regards

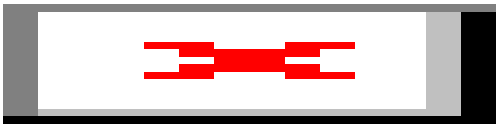
Vanessa Pannell
(Part Time) Technical Support Officer- Development Management

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

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

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

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



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

From: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Sent: 09 Nov 2021 01:44:31
To:
Cc:
Subject: FW: (299656) DC/21/05669. Land Contamination
Attachments:

From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>
Sent: 09 November 2021 11:26
To: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Cc: Elizabeth Thomas <Elizabeth.Thomas@baberghmidsuffolk.gov.uk>
Subject: (299656) DC/21/05669. Land Contamination

EP Reference: 299656
DC/21/05669. Land Contamination
Land To The South Of, Fitzgerald Road, Bramford, IPSWICH, Suffolk.
Application for approval of the outstanding Reserved Matters following grant of Outline Permission
DC/19/01401- Residential development of up to 115 dwellings and access, including open space ...

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

Regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk
Work: 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk

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

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

APPLICATION: DC/21/05669

OUR REFERENCE: 299657

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

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

Dear Sirs

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

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

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

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

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

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

CONDITION

NOISE

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

CONDITION

CONSTRUCTION MANAGEMENT PLAN

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

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

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

CONDITION

CONSTRUCTION HOURS

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

CONDTION

BURNING

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

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

Dear Elizabeth

YOUR REF: 21/05669

OUR REF: 299655

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

Please find below my comments regarding air quality matters only.

Thank you for your consultation on the above application.

I have no objections with regard to air quality.

Regards

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

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

Dear Elizabeth,

APPLICATION FOR RESERVED MATTERS - DC/21/05669

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

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

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

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

Thanks

Regards,

Peter

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

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

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

Regards

Dave Hughes
Public Realm Officer



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

10/11/2021

For the attention of: Elizabeth Flood

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

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

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

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

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

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

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

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





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

10/11/2021

For the attention of: Elizabeth Flood

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

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

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

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

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

treeline streets as recommended by NPPF Paragraph 131 has been missed.

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

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

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

Kind regards,

Kim Howell BA (Hons) DipLA CMLI
Landscape Consultant

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

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

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

Dear Elizabeth,

Our Reference: PLN-0134340

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

Foul Water

N/A

Surface Water

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

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

Kind Regards,
Sushil



Planning & Capacity Team
Development Services

Consultee Comments for Planning Application DC/21/05669

Application Summary

Application Number: DC/21/05669

Address: Land To The South Of Fitzgerald Road Bramford Suffolk

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

Case Officer: Elizabeth Flood

Consultee Details

Name: Mrs Linda Hoggarth

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

Email: Not Available

On Behalf Of: Mid Suffolk Disability Forum

Comments

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

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

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

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

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

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

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

Applicant:

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

Date Application Received: 21-Mar-19

Application Reference: DC/19/01401

Date Registered: 22-Mar-19

Proposal & Location of Development:

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

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

Section A – Plans & Documents:

This decision refers to drawing no./entitled 003G SITE PLAN received 17/03/2020 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

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

Indicative Planning Layout 001 - Received 16/04/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

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

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved. The reserved matters application shall be in general accordance with the Indicative Planning Layout 001 and Indicative Landscape Masterplan GUA-DR-L-001 REV P01.

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

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

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority. The reserved matters shall be in general accordance with the Indicative Landscape Masterplan accompanying the Outline application and all/any areas of difference therewith shall be clearly indicated within the application for approval of the Reserved Matter to which they relate.

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

3. APPROVED PLANS & DOCUMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

The Construction Management Plan shall include the following matters:

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

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

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

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

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

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

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

9. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - BIN PRESENTATION AREAS

Before the development is commenced details of the areas to be provided for presentation and storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the occupation of the dwelling to which those details relates and the areas as agreed and delivered shall be retained thereafter and used for no other purpose.

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

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

No development shall take place on site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and: a. The programme and methodology of site investigation and

recording. b. The programme for post investigation assessment. c. Provision to be made for analysis of the site investigation and recording. d. Provision to be made for publication and dissemination of the analysis and records of the site investigation. e. Provision to be made for archive deposition of the analysis and records of the site investigation. f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. g. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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

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

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

Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

12. CONCURRENT WITH RESERVED MATTERS - SURFACE WATER DRAINAGE SCHEME

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

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with

topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

f. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

- Temporary drainage systems

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

- Measures for managing any on or offsite flood risk associated with construction

h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved in writing by the local planning authority prior to the first occupation of any dwelling any occupation of the development.

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

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

13. ACTION REQUIRED PRIOR TO OCCUPATION: FIRE HYDRANTS

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

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

14. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

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

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

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

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

The content of the LEMP shall include the following:

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

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

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

16. CONCURRENT WITH RESERVED MATTERS: BIODIVERSITY ENHANCEMENT STRATEGY

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

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

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

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

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

17. WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

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

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

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

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

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

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

19. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

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

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

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

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

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

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

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

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

22. ACTION REQUIRED - MARKET MIX TO BE AGREED

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

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

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

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

This Travel Plan shall contain the following:

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

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

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

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

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

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

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

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

FC01 - Presumption In Favour Of Sustainable Development
 FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
 FC02 - Provision And Distribution Of Housing
 CS01 - Settlement Hierarchy
 CS02 - Development in the Countryside & Countryside Villages
 CS03 - Reduce Contributions to Climate Change
 CS04 - Adapting to Climate Change
 CS05 - Mid Suffolk's Environment
 CS06 - Services and Infrastructure
 GP01 - Design and layout of development
 HB14 - Ensuring archaeological remains are not destroyed
 H07 - Restricting housing development unrelated to needs of countryside
 H13 - Design and layout of housing development
 H14 - A range of house types to meet different accommodation needs
 H15 - Development to reflect local characteristics
 H16 - Protecting existing residential amenity
 H17 - Keeping residential development away from pollution
 T09 - Parking Standards
 RT04 - Amenity open space and play areas within residential development
 CL08 - Protecting wildlife habitats
 NPPF - National Planning Policy Framework

NOTES:

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

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

2. **Highways**

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

These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority. Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage:

www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/.

A public footpath is recorded through the proposed development area. The applicant is reminded the granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way, including the authorisation of gates, temporary closures and diversions etc. These consents are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

3. **Section 106 Agreement Note**

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

4. **Cycling Infrastructure**

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

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a

new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

CIL in Babergh and CIL in Mid Suffolk or by contacting the Infrastructure Team on:
infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/19/01401

Signed: Philip Isbell

Dated: 2nd September 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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

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

Discharging your obligations under a condition:

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

Building Control:

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

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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

Babergh District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX
Telephone: (0300) 1234 000
SMS Text Mobile: (07827) 842833
www.babergh.gov.uk

Mid Suffolk District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX
Telephone: (0300) 1234 000
SMS Text Mobile: (07827) 842833
www.midsuffolk.gov.uk