

LAXFIELD PARISH COUNCIL CONSULTEE COMMENTS

APPLICATION FOR PLANNING PERMISSION - DC/22/00494

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

Location: Little Meadows Farm, Banyards Green, Laxfield, IP13 8EU.

Case Officer: Mahsa Kavyani

Consultee Details:

Name: Mrs Karen Gregory

Address: Hill Farm Barn, Framlingham Road, Badingham IP13 8JL

Email: laxfieldparishclerk@gmail.com

On Behalf Of: Laxfield Parish Council

COMMENTS

Laxfield Parish Council has no objections to this application.

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

Email: planning@babberghmidsuffolk.gov.uk

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

For the attention of: Mahsa Kavyani - MSDC

Dear Mahsa Kavyani - MSDC,

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/22/00494PROPOSAL:

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

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

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Visibility on drawing condition.

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-182-32A with an X dimension of 2.4 metres and a Y dimension of 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

Parking as per drawing condition.

Condition: The use shall not commence until the area(s) within the site shown on drawing no. LDA-182-32A for the purposes of manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and manoeuvring would be detrimental to the safe use of the highway.

Refuse bins conditioned as per drawing.

Condition: The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. LDA-182-32A shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

Cycle parking to be submitted condition.

Condition: Before the development is occupied details of the areas to be provided for the secure, covered and lit cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

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

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

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

County Council drawings DM01 - DM14 are available from:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

Louis Majewski

Civil Engineering Technician

Growth, Highways and Infrastructure

From: GHI PROW Planning
Sent: 17 February 2022 13:14
Subject: RE: MSDC Planning Consultation Request - DC/22/00494 - FUL

PUBLIC RIGHTS OF WAY AND ACCESS RESPONSE

REF: DC/22/00494

Thank you for your consultation concerning the above application.

The proposed site does not contain any public rights of way (PROW) but Laxfield Public Footpath 17 is adjacent to the southern edge of the site. The Definitive Map for Laxfield can be seen at: <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Laxfield.pdf> but a more detailed plot of public rights of way can be requested by the Applicant to accurately plot PROW on relevant plans. Please contact DefinitiveMaps@suffolk.gov.uk for more information. Note, there is a fee for this service.

We accept this proposal but ask that the following is taken into account:

1. **PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period.** If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).
2. PROW are divided into the following **classifications**:
 - Public Footpath – only for use on foot or with a mobility vehicle
 - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
 - Restricted Byway – use as per a bridleway, and by a ‘non-motorised vehicle’, e.g. a horse and carriage
 - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

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

3. The applicant, and any future owners, residents etc, must have **private rights to take motorised vehicles over a PROW** other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
4. **The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW.** It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as

a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:

- **To apply for permission to carry out work on a PROW**, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
 - **To apply for permission for structures** such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
5. **To apply for permission for a PROW to be stopped up or diverted** within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
6. Under Section 167 of the Highways Act 1980 any **structural retaining wall** within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
7. Any **hedges adjacent to PROW** must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any **fencing** should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.
8. **There may be a further requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information.**

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

Thank you for taking the time to consider this response.

Public Rights of Way Team
Growth, Highways and Infrastructure

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 14 Feb 2022 01:20:27
To:
Cc:
Subject: FW: 303289 DC/22/00494. Land Contamination
Attachments:

From: Nathan Pittam <Nathan.Pittam@baberghmidsuffolk.gov.uk>
Sent: 14 February 2022 09:26
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Cc: Averil Goudy <Averil.Goudy@baberghmidsuffolk.gov.uk>
Subject: 303289 DC/22/00494. Land Contamination

EP Reference : 303289
DC/22/00494. Land Contamination
Little Meadows Farm, Banyards Green, Laxfield, WOODBRIDGE, Suffolk, IP13 8EU.
Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665.

Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Please could the applicant be made aware that we have updated our Land Contamination Questionnaire and advise them that the updated template is available to download from our website at <https://www.babergh.gov.uk/environment/contaminated-land/land-contamination-and-the-planning-system/>.

For the purposes of clarity these comments **only** relate to matters of Land Contamination.

Regards

Nathan

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

Babergh and Mid Suffolk District Councils – Working Together

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

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

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

- 1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.*
- 2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.*

3. *The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.*
4. *The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.*
5. *The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.*
6. *Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.*
7. *Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.*
8. *Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.*
9. *Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.*
10. *A photographic record will be made of relevant observations.*
11. *The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: • re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or • treatment of material on site to meet compliance targets so it can be re-used; or • removal from site to a suitably licensed landfill or permitted treatment facility.*
12. *A Verification Report will be produced for the work.*



02 March 2022

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

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/22/00494
Location: Planning Application - Demolition of existing barn and replace with 1no new dwelling as alternative scheme to DC/20/05665
Proposal: Barn At Little Meadows Farm Banyards Green Laxfield IP13 8EU

Dear Mahsa,

Thank you for consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Update to Ecological surveys (JP ecology Ltd, December 2022), submitted by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Update to Ecological surveys (JP ecology Ltd, December 2022) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework 2021. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.



This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination."

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority."

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

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

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter."

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species), as updated by the Environmental Act 2021.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Ecological Consultant

placeservicesecology@essex.gov.uk



Place Services provide ecological advice on behalf of Mid Suffolk District Council

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

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

Mr And Mrs Jamie And Anna Martin-Edwards
Barn At Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Applicant:

Mr And Mrs Jamie And Anna Martin-Edwards
Barn At Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Date Application Received: 10-Dec-20

Application Reference: DC/20/05665

Date Registered: 11-Dec-20

Proposal & Location of Development:

Planning Application - Erection of 1no dwelling (following demolition of barn, alternative scheme approved DC/19/05712).

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

Section A – Plans & Documents:

This decision refers to drawing no./entitled LDA-182-06 received 02/02/2021 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Defined Red Line Plan LDA-182-06 - Received 02/02/2021

Block Plan - Proposed Proposed Access LDA-182-06 - Received 02/02/2021

Ecological Survey/Report - Received 10/12/2020

Planning Statement - Received 10/12/2020

Land Contamination Assessment - Received 10/12/2020

Land Contamination Questionnaire - Received 10/12/2020

Plans - Proposed LDA-182-04D - Received 10/12/2020

Plans - Existing LDA-182-01B - Received 10/12/2020

Section B:

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

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

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

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

3. ONGOING REQUIREMENT FOR DEVELOPMENT: REFUSE BINS AND COLLECTION AREAS

The existing shed on site proposed for the cycle storage and the storage of refuse/recycling bins shall be available before the development hereby approved is brought into first use/occupation and shall be retained thereafter for no other purpose.

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

4. ONGOING REQUIREMENT OF DEVELOPMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to any further works for external lighting being installed on the site, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Any lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

5. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

6. ONGOING REQUIREMENT OF DEVELOPMENT: BIODIVERSITY ENHANCEMENT

All Biodiversity Enhancement works shall be carried out in accordance with the details contained in the Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason - To allow the Local Planning Authority to discharge its duties under the habitat regulations 2012, the wildlife and countryside act 1981 as amended and s40 of the NERC act 2006 (Priority habitats and species)

7. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A to D and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, - no fence, gate, wall or any other means of enclosure, shall be erected, except pursuant to the grant of planning permission on an application made in that regard.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

8. ACTION REQUIRED PRIOR TO USE/OCCUPATION - HIGHWAYS: PROVISION OF PARKING.

The building shall not be occupied until the area within the site shown on Drawings listed under Section A for the purposes of loading, unloading, manoeuvring and parking

(including garage spaces as applicable) of vehicles has been provided and made functionally available. Thereafter that area/s shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

Reason - To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

9. ACTION REQUIRED PRIOR TO FIRST USE OF ACCESS: HIGHWAYS - PROVISION OF VISIBILITY SPLAYS

Before the access is first used visibility splays shall be provided as shown on Drawing No. LDA-182-06 with an X dimension of 2.4m and a Y dimension of 43m to the North and 59m to the South and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason - To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
H09 - Conversion of rural buildings to dwellings
H08 - Replacement dwellings in the countryside
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

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

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

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

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

This relates to document reference: DC/20/05665

Signed: Philip Isbell

Dated: 17th March 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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

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

Discharging your obligations under a condition:

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

Building Control:

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

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

Philip Isbell – Acting Chief Planning Officer
Growth & Sustainable Planning

Mid Suffolk District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



Mr J Edwards And Miss A Martin
Little Meadows Farm
Banyards Green
Laxfield
Woodbridge
Suffolk
IP13 8EU

Please ask for: Daniel Cameron

Your reference:

Our reference: DC/19/01072

E-mail: planningblue@baberghmidsuffolk.gov.uk

Date: 25th April 2019

Dear Sir/Madam

PRIOR APPROVAL - AGRICULTURAL TO DWELLING - DC/19/01072

Notification under Schedule 2 Part 3 Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015

Proposal: Notification for Prior Approval for a Proposed Change of Use of Existing Barn to a Single Dwellinghouse (Class C3), and for Associated Operation Development. Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 3, Class Q.

Location: Barn At Little Meadows Farm, Banyards Green, Laxfield, Woodbridge Suffolk IP13 8EU

Section A – Plans & Documents:

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

Plans - Existing LDA-182-01B - Received 04/03/2019

Plans - Proposed LDA-182-02B - Received 04/03/2019

Section B:

The **Mid Suffolk District Council** hereby give notice in pursuance of the above legislation:

- 1) That prior approval to the development is required
- 2) Prior approval has been **GIVEN** subject to the following conditions:
 1. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: TIME LIMIT FOR COMPLETION

The development hereby approved shall be completed within a period of three years starting with the date given on this notice.

Reason - In order to comply with the provisions of Section Q.2 (3) of Class Q of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

2. APPROVED PLANS & DOCUMENTS

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

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

3. COMPLIANCE REQUIRED: ECOLOGICAL CONSTRUCTION METHODS

The ecological mitigation set out at Section 6.2 and at Appendix 1 of the Ecological Survey submitted in support of this application by JP Ecology dated February 2019 shall be undertaken at all times during the construction of the development hereby approved.

Reason - In order for the Local Planning Authority to have certainty as to the ecological impacts of the development and to ensure these are minimised at all times.

4. ACTION REQUIRED PRIOR TO THE OCCUPATION OF THE DWELLING: ADDITIONAL DETAILS REQUIRED AS TO CYCLE STORAGE AND BIN STORAGE

Prior to the first occupation of the development hereby approved, details relating to vehicle and cycle parking at the property, and bin storage and presentation areas, shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be implemented at the site and retained in their approved form at all times thereafter.

Reason - In order to provide clarity with regards to how the property will function once occupied and to ensure that this does not impede the safe use of the public highway.

NOTES:

The applicant is reminded that this approval is subject to the development being:-

In accordance with Class Q Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended);

1. If you have applied for a change of use only (class Q (a) only) before you begin development you must apply to the local planning authority to determine whether the prior approval of the authority will be required in relation to:
 - a) Highways impacts
 - b) Noise impacts
 - c) Contamination risks

- d) Flooding risk
 - e) Whether the location and siting of the building makes it impractical or undesirable
- The development under class Q (a) and (b) must begin within 3 years of the prior approval date.

Informative Notes:

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

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.

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

Yours faithfully

Philip Isbell

Acting Chief Planning Officer – Growth & Sustainable Planning

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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

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

Discharging your obligations under a condition:

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

Building Control:

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

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

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

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

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council

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Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

Mr Jamie Edwards And Miss Anna Martin
Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Applicant:

Mr Jamie Edwards And Miss Anna Martin
Little Meadows Farm
Banyards Green
Laxfield
IP13 8EU

Date Application Received: 09-Dec-19

Application Reference: DC/19/05712

Date Registered: 10-Dec-19

Proposal & Location of Development:

Full Planning Application - Erection of 1no Dwelling (following demolition of existing barns),

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

Section A – Plans & Documents:

This decision refers to drawing no./entitled LDA-182-01B - SITE LOCATION PLAN received 09/12/2019 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Floor Plan - Proposed LDA-182-04B - PROPOSED FLOOR PLAN - Received 09/12/2019

Defined Red Line Plan LDA-182-01B - SITE LOCATION PLAN - Received 09/12/2019

Elevations - Existing LDA-182-01B - EXISTING ELEVATIONS - Received 09/12/2019

Floor Plan - Existing LDA-182-01B - EXISTING FLOOR PLANS - Received 09/12/2019

Block Plan - Proposed LDA-182-04B - PROPOSED BLOCK PLAN - Received 09/12/2019

Elevations - Proposed LDA-182-04B - PROPOSED ELEVATIONS - Received 09/12/2019

Section B:

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

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

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

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

3. ON GOING REQUIREMENT FOR DEVELOPMENT: REFUSE BINS AND COLLECTION AREAS

The existing shed on site proposed for the cycle storage and the storage of refuse/recycling bins shall be available before the development hereby approved is brought into first use/occupation and shall be retained thereafter for no other purpose.

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

4. ONGOING REQUIREMENT OF DEVELOPMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to any further works for external lighting being installed on the site, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Any lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

5. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

6. ONGOING REQUIREMENT OF DEVELOPMENT: BIODIVERSITY ENHANCEMENT

All Biodiversity Enhancement works shall be carried out in accordance with the details contained in the Ecology Survey (JP ecology, October 2019) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason - To allow the Local Planning Authority to discharge its duties under the habitat regulations 2012, the wildlife and countryside act 1981 as amended and s40 of the NERC act 2006 (Priority habitats and species)

7. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A to D and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- - no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, - no fence, gate, wall or any other means of enclosure, shall be erected, except pursuant to the grant of planning permission on an application made in that regard.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

8. ACTION REQUIRED PRIOR TO USE/OCCUPATION - HIGHWAYS: PROVISION OF PARKING.

The hereby approved development shall not be occupied until the parking and manoeuvring area within the site for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and made functionally available. Thereafter that area shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

Reason - To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

9. **SPECIFIC RESTRICTION ON DEVELOPMENT: BOUND MATERIAL**

Prior to the hereby permitted development being first occupied, the access onto the site shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The bound material shall be retained and maintained thereafter.

Reason - To secure appropriate improvements to the existing vehicular access in the interests of highway safety having regard to the increase in its use which will result from the development permitted and to prevent hazards caused by loose materials being carried out into the highway.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
H08 - Replacement dwellings in the countryside
H09 - Conversion of rural buildings to dwellings
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

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

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early

stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

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

This relates to document reference: DC/19/05712

Signed: Philip Isbell

Dated: 7th February 2020

**Chief Planning Officer
Sustainable Communities**

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*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

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