

4555/16

4556/16 Officer's note- Clarification on Committee Papers

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junction of the A1120 and B1115 need to be completed before any significant occupation occurs.

50. For all the above reasons, the appeal should be allowed.

Paul Jackson

INSPECTOR

Schedule of 24 conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved. The details submitted shall be generally in accordance with the illustrative layout shown on plan 6391-L-03 Rev Q.
- 2) Application for approval of the reserved matters must be made not later than the expiration of 3 years from the date of this permission and the development must be begun not later than the expiration of 2 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.
- 3) Notwithstanding condition 1 above, no built development shall occur within a strip 30m deep from the site boundary where it adjoins Church Road.
- 4) Notwithstanding condition 1 above, the development hereby approved shall include a pedestrian link to Gipping Road in the north western corner of the site. No development shall take place until a scheme for this link has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved link has been provided and is capable of use.
- 5) The development hereby permitted shall comprise no more than 175 dwellings.
- 6) No development shall take place until details of the proposed construction specification for the new access (in accordance with Drawing No. C14609/002/P6) have been submitted to and approved by the Local Planning Authority. The access shall be laid out inclusive of cleared land within the visibility splays to this junction and constructed in its entirety prior to the commencement of any other development and thereafter shall be retained in its specified form. No dwelling shall be occupied until the access has been completed.
- 7) No part of the development hereby permitted shall be commenced until a scheme for a new 1.5m wide footway along the A1120 Church Road from the new site access to link to the Freeman Community Primary School as shown on drawing No. C14609/002/P6 has been submitted to and approved in writing by the Local Planning Authority. The approved footway shall be laid out and constructed in its entirety prior to the first occupation of the development and retained as such for the lifetime of the development.

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- 8) Before any development begins, details of the proposed finished ground floor levels measured from a fixed off site datum point shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved levels.
- 9) Within the area hatched brown (area 12) on the indicative Plan No. 6391-L-03 Rev Q, no dwelling shall have any eaves higher than ground floor wall plate level or a 'mansard' style roof; and otherwise exceed two storeys.
- 10) No dwelling in the development hereby approved shall exceed 2.5 storeys, that is 2 storeys with rooms in the roof.
- 11) Before any development begins, a Design Code shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall pertain to and include the following: architectural design and materials, the function and treatment of open spaces, street types and materials, parking, boundary treatments (including the details of screen walls and fences for individual dwellings), movement patterns (including connectivity to the offsite public rights of way network), lighting, security principles and domestic waste bin storage arrangements. The development shall be carried out in accordance with the approved details.
- 12) No development shall take place until a Flood Risk Assessment, to include a surface water drainage strategy (construction phase and post construction phase) for the site has been submitted to and agreed in writing by the Local Planning Authority. The details shall include:-
 - i. Preliminary hydraulic calculations that outline the post-developed site runoff will outflow through a single controlled outlet and be restricted to Q_{bar} or $2/l/s/ha$ (whichever is higher) for all events up to and including the 1 in 100yr + Climate Change (CC) event. This is to make sure the site has included long term storage.
 - ii. Attenuation storage shall be provided and sized to contain the 1 in 100yr + CC event and will be located in the lower region of the site within open space. An outline layout drawing shall be provided showing the location and form of the full storage area.
 - iii. A plan or statement of the total impermeable area to be introduced by the development must be highlighted in the strategy.
 - iv. If exceedance is being designed into the surface water system, then topographic plans shall be submitted depicting indicative exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite. If exceedance routes are to be directed to SuDS features then the potential additional volume of surface water must be included within the design of the surface water system.
 - v. Firm drawings of the site and proposed SW drainage, revised taking into account the land contours.
 - vi. Details of maintenance of all SuDS features for the lifetime of the development, including an operation and maintenance schedule.
 - vii. Means of preventing the discharge of surface water from the development onto the highway.

The surface water drainage strategy shall be implemented as agreed and shall be managed and maintained thereafter in accordance with the management and maintenance plan that forms part of the agreed surface water drainage strategy.

- 13) Prior to the commencement of development an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The AMS shall include final tree surveys, schedule and timing of works, methods of construction close to trees and the location of services. The development shall be undertaken in full accordance with the approved details.
- 14) No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works (including boundary treatments, play areas and attenuation ponds and any works to footpaths) for the application site and for the land edged blue on Drawing Reference: 6391-L-08. The details shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837:2012 Trees in relation to design, demolition and construction".
- 15) All hard and soft landscaping works, 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, are seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 10 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.
- 16) No works or development shall be commenced until details of the means of protecting, during construction, retained habitats on and adjacent to the site, as identified in the submitted FPCR Ecological Appraisal dated August 2015, have been submitted to and approved in writing by the Local Planning Authority. The detailed protection measures shall be implemented in full prior to the commencement of any works or development.
- 17) No development shall commence until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority.

The LEMP shall include the following:

- Aims and objectives of the Management Plan;
- Description and evaluation of features to be managed and enhanced, which should include all existing features, woodland and open spaces, green corridors, ponds and soft landscape areas (other than privately owned domestic gardens);

- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a seven-year period); and
- Ongoing monitoring and remedial measures.

The LEMP shall be implemented out in full in accordance with the approved details.

- 18) Prior to the commencement of development, details of all external lighting, including street lighting, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed, (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels). All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and shall be retained and maintained thereafter. No external lighting (other than that on residential properties) shall thereafter be installed unless agreed in writing by the Local Planning Authority.
- 19) No development shall take place, including any works of demolition, until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
 - a scheme to control noise during the construction phase.
 - Hours of construction.
- 20) No development shall take place until a scheme for waste management including the location of bin storage and collection points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented fully in respect of any dwelling prior to the occupation of that dwelling.
- 21) No development shall commence until a programme of archaeological work, in accordance with a Written Scheme of Investigation for evaluation and where necessary excavation, has been submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved scheme.

The Written Scheme of Investigation shall include an assessment of significance and research questions and shall include:

- A programme and methodology of site investigation and recording.
- A programme for post investigation assessment.

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- Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation; and
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- 22) No development shall take place until details of the areas to be provided for the purposes of manoeuvring and parking of vehicles, including secure cycle parking, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of any dwelling to which that particular area relates. Thereafter those areas shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least base course level or above in accordance with the approved details.
- 23) No part of the development shall be commenced until details of a scheme to improve the junction of the A1120 and B1115 to the west of the application site (to include kerb realignment and carriageway widening on the B1115) in general accordance with Hydrock drawing C14609 has been submitted to and approved in writing by the Local Planning Authority. The approved works to the junction of the A1120 and B1115 shall be laid out and constructed in their entirety prior to the occupation of 50th dwelling constructed on the application site.
- 24) No part of the development shall be commenced until a scheme for the installation of fire hydrants and the provision of hardstanding capacity to the Fire Authority's specification has been submitted to and approved in writing by the Local Planning Authority. The fire hydrant(s) and hardstandings shall be completed in accordance with the approved scheme prior to the first occupation of the development hereby permitted.

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0210/17



24 October 2017
James Platt
Mid Suffolk District Council
Council Offices
131 High Street
Needham Market
Ipswich
IP6 8DL

By email only

Dear James

Application: 0210/17

Location: Land to the East of Ashfield Road, Elmswell IP30 9HG

Proposal: Application for Outline Planning Permission for the development of up to 120 residential units with all matters reserved except access

Thank you for consulting Place Services on the above application.

No objection subject to conditions to secure ecological mitigation and enhancement measures

I have reviewed the ecological reports submitted including the recent Breeding Bird Survey report (MKA Ecology Ltd, June 2017) and I am satisfied that there is now sufficient information to assess the impacts of development on Protected and Priority Habitats and Species, particularly farmland birds, and support determination of the application.

Recommendations

The mitigation and enhancement measures identified in the ecological reports – (Preliminary Ecological Assessment (PEA), Newt, Reptile and Breeding Bird Survey reports, all MKA Ecology Ltd) - should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly bats, reptiles, hedgehogs and farmland birds. The recommended enhancements for biodiversity are considered reasonable.

Impacts will be minimised such that the proposal is acceptable subject to the above conditions based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

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

I. CONCURRENT WITH SUBMISSION OF RESERVED MATTERS: COMPLIANCE WITH RECOMMENDATIONS CONTAINED IN ECOLOGICAL REPORTS

"All ecological mitigation & enhancement recommendations for measures and/or works shall be carried out in accordance with the details contained in all the ecological reports (Preliminary Ecological Appraisal, Newt, Reptile and Breeding birds survey report, all MKA Ecology Ltd, 2017) as already submitted with the planning application and agreed in principle with the local planning



authority prior to determination. An additional enhancement of providing hedgehog friendly fencing is also considered reasonable for this development."

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

II. CONCURRENT WITH SUBMISSION OF RESERVED MATTERS: ECOLOGICAL DESIGN STRATEGY

No development shall take place until an ecological design strategy (EDS) addressing the recommendations included in the submitted MKA Ecology Ltd reports for Dwarf Spurge, birds and bats, has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.*
- b) Review of site potential and constraints.*
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.*
- d) Extent and location/area of proposed works on appropriate scale maps and plans.*
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.*
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.*
- g) Persons responsible for implementing the works.*
- h) Details of initial aftercare and long-term maintenance.*
- i) Details for monitoring and remedial measures*
- j) Details for disposal of any wastes arising from works.*

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

Reason: To allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species)

III. PRIOR TO OCCUPATION: LIGHTING DESIGN SCHEME

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

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

Please contact me with any queries.

Best wishes

Sue Hooton CEnv MCIEM BSc (Hons)

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Principal Ecological Consultant
Place Services at Essex County Council
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Place Services provide ecological 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.