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Sustainable Communities

Mid Suffolk District Council

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OUTLINE PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

Mr Mark Bassett
Freeths
Cumberland Court
80 Mount Street
Nottingham
NG1 6HH

Applicant:

Crown Chicken Ltd
C/O The Agent

Date Application Received: 22-Dec-17

Application Reference: DC/17/06326

Date Registered: 02-Jan-18

Proposal & Location of Development:

Amended Outline Planning Application. Demolition of existing buildings and construction of residential development (80 dwellings), and 'Business/Employment' uses [10,000sq.ft.], public open space, drainage infrastructure, and vehicular access.

Crown Farm, The Street, Weybread, IP21 5TP

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:

TIME LIMIT FOR IMPLEMENTATION of the RESIDENTIAL COMPONENT of the DEVELOPMENT

1. Application for approval of reserved matters of the residential component of this development must be made not later than 36 [thirty-six] months from the date of this permission, and the development must be begun not later than the expiration of 24 [twenty-four] months from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

Reason - 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 and to help to ensure that the proposals for housing are implemented in a timely manner in

accordance with Paragraph 76 of the National Planning Policy Framework (hereinafter NPPF, 2019).

TIME LIMIT FOR IMPLEMENTATION of the EMPLOYMENT SITE COMPONENT of the DEVELOPMENT

- 1A. Application for approval of reserved matters of the employment site component of the development must be made not later than the expiration of ten [10] years beginning with the date of this permission, and the development must be begun not later than twelve [12] years from date of this permission where all relevant reserved matters have first been approved in writing by the local planning authority.

Reason - Required to be imposed pursuant to Sections 91/92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. In addition, the Council as local planning authority wishes to ensure that the condition that sets the period allowed for the submission and approval of reserved matters and commencement of the employment component of this development matches that laid down in the associated S106 Agreement

Defining the extent of Built' Residential Development and the Employment Site for the purposes of Condition 1.

2. All 'built' residential development shall be confined to within the area edged and shaded purple on the plan below [figure 1] and the Reserved Matters residential layout [*dwelling, parking, roads, associated footways and gardens*] must therefore be confined to that area only. The Employment Site shall comprise only the area edged and shaded dark blue on the plan below [figure 2].

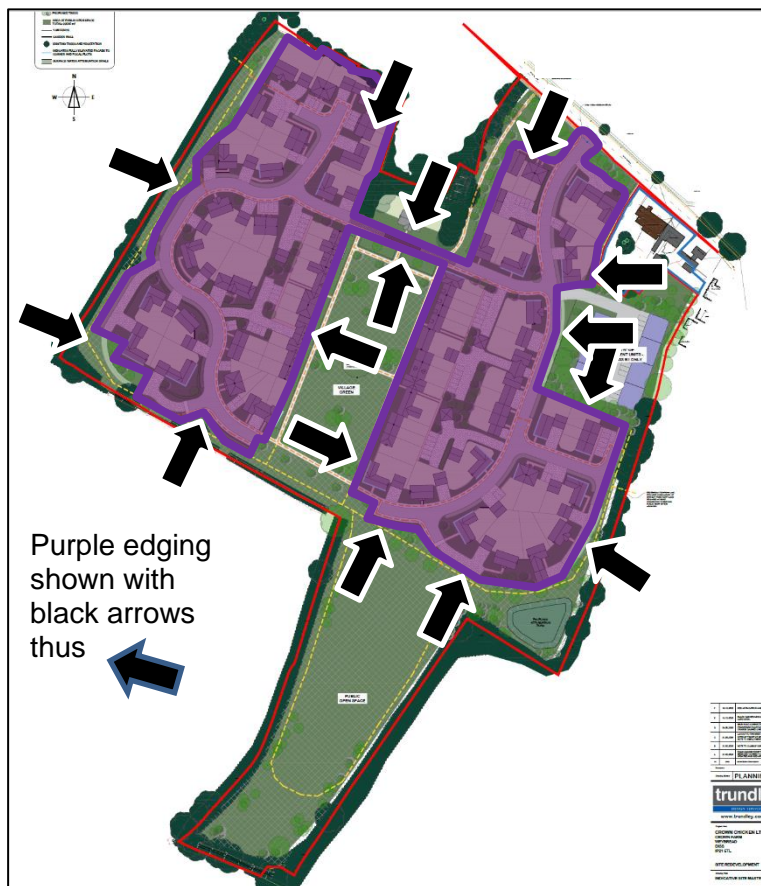


Figure 1: The Extent of Built Residential Development
Purple edging and shade. Base drawing
16-L27-PL520F

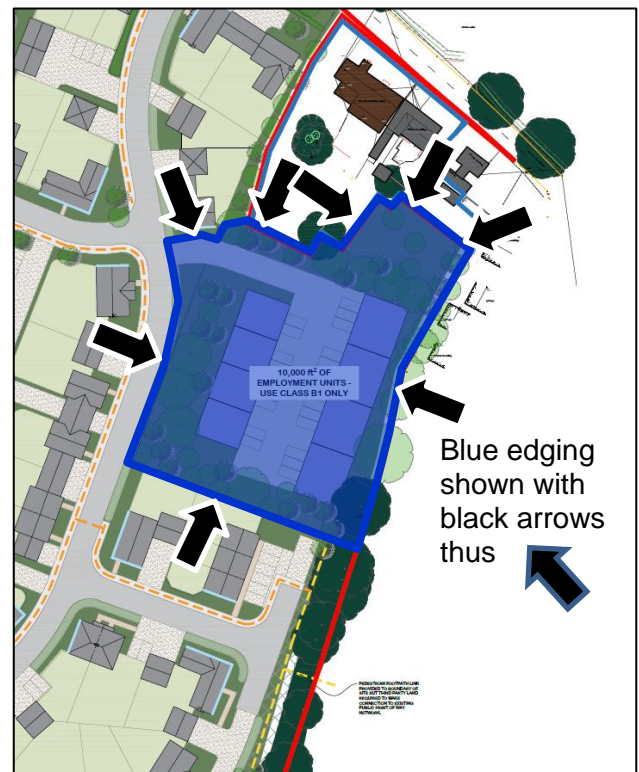


Figure 2: The Extent of the Employment Site
blue edging and shade. Base
drawing 16-L27-PL520F

Figure 3: The Site Location Plan
[Red Line Application Site plan] referred to in condition 3

RESERVED MATTERS

General

4. Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters"); including detailed site cross sections [pre- and post- development along with Finished Floor level [FFL] details, shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

The landscaping reserved matters shall be accompanied by a tree survey identifying clearly those species to be retained, those to be removed (with justification for their removal), and those to be replaced with a suitable alternative.

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.

5. The reserved matters for the residential component shall be in general accordance with the Masterplan Plan ref: 16-L27-PL520F as identified in Figure 1 accompanying condition 2 above and no development shall encroach beyond the limit of built development shown in Figure 1 into any part of the open space and/or the drainage basin area shown on this Plan unless otherwise in the case of minor variations agreed in writing by the Local Planning Authority.

Reason - For the avoidance of doubt and in the interests of proper planning of the development. The District Council, as local planning authority, in approving this outline application and Weybread Parish Council in commenting on the proposal had significant regard to and gave great weight to the quality of the layout and the 'place' it would create and the distribution of open space which enhanced the character of the development such that it was felt to be appropriate in this edge of village setting. The Council therefore wishes the masterplan drawing to provide the basis for submission of reserved matters.

6. The proposed landscaping details submitted as part of the residential component reserved matters shall include details of a Locally Equipped Area of Play ("LEAP") to be located at the southern end of the new central village green. and an Adult gym trail. In addition such details shall also include the provision of eight recycled plastic benches, 4 picnic benches and three dog bins located around the site.

Reason: In the interest of facilitating local play, socialisation and general health and fitness through recreational exercise in line with the Council's commitment to encouraging physical and mental wellbeing as part of creating places. The dog bins are required to ensure that adequate provision is made for the collection and disposal of dog faeces in the interest public health and convenience.

7. The proposed landscaping details for the entire site shall include pedestrian/cycle routes to the edge of the development site in locations to be further agreed at the time of determining the reserved matters landscape details such as to permit future connection to Public Rights of Way and prescriptive paths that may skirt the site.

Reason – In order to enhance connectivity between this site, the remainder of the village and the countryside beyond to facilitate inclusiveness and encourage local journeys by foot and cycle.

8. Prior to or concurrent with the first application for the approval of reserved matters for the residential component of this development, details of the mix of type and size of the dwellings to be provided shall be submitted to and approved in writing by the Local Planning Authority. The details of mix to be submitted shall be in general accordance with the recommendations contained within the most up to date version of the Strategic Housing Market Assessment at the point of submission of the reserved matters, unless an alternative strategy is agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason – To ensure an appropriate mix of housing is secured having regard to local circumstances and in the context of the SHLAA.

Drainage

9. Concurrent with the first reserved matters application(s) for the residential component of this development a surface water drainage scheme for the entire site designed to accommodate all expected flows from the development as a whole shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:
 - a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Qbar rate of 7.3l/s for all events up to the critical 1 in 100-year rainfall events including climate change as specified in the FRA;
 - c. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100-year rainfall event including climate-change;
 - d. Modelling of the surface water conveyance network in the 1 in 30-year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - e. Topographical plans depicting all exceedance flowpaths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - f. A detailed landscaping plan for the ponds/wetland for the surface water drainage system
 - g. Strategy for accommodating surface water drainage from the employment and any community building component of this development in the event that the reserved matters of that component are not yet agreed.

The scheme shall be fully implemented as approved.

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

Ecology and Biodiversity

10. Concurrent with the first reserved matters application a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development.

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) the provision of swift boxes and hedgehog highways/fencing;
- e) persons responsible for implementing the enhancement measures;
- f) 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 s40 of the NERC Act 2006 (Priority habitats & species).

Highways

11. Concurrent with the first application for approval of reserved matters details of the areas to be provided for the loading/unloading, manoeuvring and parking of vehicles and secure cycle storage (with such details being in accordance with the Suffolk Guidance for Parking 2019) shall be submitted to and approved in writing by the Local Planning Authority. The approved details 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 enable sufficient parking in accordance with adopted parking standards.

12. Concurrent with the first application for approval of reserved matters details of the areas to be provided for storage and presentation of Refuse/Recycling bins 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 for no other purpose.

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

PRE - COMMENCEMENT CONDITIONS

Water and Energy Efficiency Measures

13. 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 such timetable as may be agreed.

A Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 105 ltr per person per day).

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used.

Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason - To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

continued

continuation

Archaeology [entire site]

14. No development shall take place until the implementation of a programme of archaeological work for the entire site has been secured, in accordance with a Written Scheme of Investigation [WSI] which has been first submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions that arise from investigations undertaken in accordance with the WSI; and:
- a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason - Where the site is likely to hold heritage assets with archaeological interest, to secure the appropriate investigation and recording of such assets in accordance with Paragraph 189 of the NPPF.

15. No dwelling shall be occupied in the area subject to the Written Scheme of Investigation until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 14 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason - Where the site is likely to hold heritage assets with archaeological interest, to secure the appropriate investigation and recording of such assets in accordance with Paragraph 189 of the NPPF.

continued

continuation

Ecology

16. Prior to the commencement of development 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). The applicant has indicated that parts of the open space on the site will be privately managed but for public enjoyment. The Council, as local planning authority, wishes to ensure that the LEMP adequately addresses the question of ongoing maintenance as the public purse is not expected to do so.

17. Prior to the commencement of development, a supplemental Ecological Appraisal, Great Crested Newt Working Method Statement and Bat Report shall be undertaken and submitted to the local planning authority along with a consequential Ecological Mitigation Strategy. Such detail as shall have been agreed shall thereafter be implemented in accordance with the Agreed Ecological Mitigation Strategy in line with the associated timetable.

Reason – To ensure appropriate ecological mitigation in accordance with the requirements of paragraph 175 of the NPPF. The Ecological Mitigation Strategy sets out what steps are going to be taken as part of the new development to ensure that any adverse impacts on ecology/biodiversity will be suitable mitigated and the ecological value of the site maintained or even enhanced.

Demolition Plan

18. Before any site clearance works begin and before development hereby permitted is commenced a Demolition Plan (DP) covering the entire site shall have been submitted to and approved in writing by the Local Planning Authority. Demolition of the existing buildings shall not be carried out other than in accordance with the approved DP.

The DP shall include the following matters:

- a) Detailed demolition programme
- b) Methodology to be used in the dismantling of buildings
- c) Arrangements for the safe removal of any hazardous waste including asbestos
- d) Proposed demolition working hours
- e) Details of how concrete pads are to be broken up and removed
- f) Details of any on-site concrete crushing to be undertaken
- g) Dust suppression
- h) Noise suppression
- i) Methodology for prevention of mud on the highway and highway sweeping
- j) Storage of rubble prior to removal or re-use
- k) Salvage arrangements
- l) Arrangements for the display of contractor contact details to be displayed in prominent public locations
- m) Details for advanced communication by the developer with local residents and Weybread Parish Council to advise them of the demolition programme

Reason: In the interest of residential amenity, highway safety, public safety and to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

Requirement to clear the entire site prior [residential and employment components] to commencement of development

19. Prior to commencement of development the entire site shall be cleared of all existing buildings and consequent debris and rubble and the land made good in accordance with the details of the Agreed Demolition Plan

Reason: In order to ensure that the entire site has been cleared of all buildings and structures due for demolition before any construction work in association with the commencement of this permission in the interest of safety and amenity and to minimise the disruption to nearby residents that would be associated with a protracted or phased demolition stage.

Construction Management

20. Before the development hereby permitted is commenced a Construction Management Plan (CMP) 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 CMP. No burning shall take place on site during the site clearance/demolition or construction phases of the development.

The CMP shall include the following matters:

- a) haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- b) compound locations with full details [position, size and appearance] in relations to site office/s, welfare units, building material storage areas, skip/s, concrete silo/s, on-site parking areas for construction workers, site access arrangements,
- c) overburden/topsoil storage areas, fuel storage, hazardous materials storage
- d) provision of boundary hoarding with publicly visible contact details [phone and email] for site manager and lighting
- e) details of proposed means of dust suppression
- f) details of equipment/plant noise suppression
- g) full piling details
- h) details of measures to prevent mud from vehicles leaving the site during construction including wheel washing facilities and their management
- i) details of deliveries times to the site during construction phase
- j) details of provision to ensure pedestrian and cycle safety
- k) programme of works (including measures for traffic management and operating hours and hours of construction)
- l) parking and turning for vehicles of site personnel, operatives and visitors
- m) loading and unloading of plant and materials
- n) storage of plant and materials
- o) maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the construction period.

Reason: In the interest of residential amenity, highway safety, to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

Highways

21. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

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

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

Levels

23. No development shall commence until the following information has been submitted to and approved in writing by the local planning authority:
- i. a full site survey showing: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals and levels of adjoining buildings;
 - ii. full details of the proposed finished floor levels and ridge heights of all buildings and finished ground levels of hard landscaped surfaces.

The development shall be carried out in accordance with the approved details.

Reason - In the interests of amenity and good design. To safeguard the relationship of the development with its setting.

Drainage

24. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

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

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan

Land Contamination

25. Prior to the commencement of any site clearance and/or the commencement of development the following shall be undertaken across the entire site and the details submitted to and approved by the Council as local planning authority:

1. A strategy for investigating any contamination present on site (including Ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning

Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.

Thereafter

4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

PRIOR TO OCCUPATION/SLAB OR OTHER STAGE CONDITIONS

Highways

26. Before the access is first used visibility splays shall be provided as shown on Drawing No. 17047-010B with an X dimension of 2.4m and a Y dimension of 90m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety.

27. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

28. Before any dwelling is first occupied, the developer shall construct a footway link from that dwelling to the existing Adopted footway network on The Street [B1116]. Design and Construction details of the footway link shall first be submitted to and approved by the Local Planning Authority.

Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with adjacent footways and bus stops.

Electric Car Charging

29. No development shall commence above slab level until a scheme for the provision and implementation electric car charging points for the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The scheme shall be implemented, and the measures provided and made available for use, in accordance with such timetable as may be agreed.

Reason - To ensure that the development is securing appropriate net gains for the environmental objective of sustainability, in accordance with the Council's adopted parking/highway standards (Suffolk Guidance for Parking, 2019) and Paragraph 110 of the NPPF.

Lighting

30. No external lighting shall be installed until a detailed lighting scheme for any areas to be lit 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 of the lighting to be provided), and 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, so that it can be:
- i. Clearly demonstrated that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED.
 - ii. Clearly demonstrated that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

All external lighting shall be installed in accordance with the specifications and locations as set out in the approved scheme and shall be maintained thereafter in accordance with that scheme.

Reason - In the interests of safeguarding ecology, biodiversity and amenity.

Site Infrastructure/Other

31. No development shall proceed above slab level until details of the provision of fire hydrants for the development, including timetable for installation, have been submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall be installed in accordance with the approved details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants in the interests of public safety and fire prevention.

Ecological Mitigation

32. All mitigation and enhancement measures and/or works shall be carried out in accordance with such details as may have been submitted with and approved in writing by the Council, as local planning authority in compliance under other conditions within this permission.

Reason – In order to ensure that the ecology and biodiversity of the site is enriched as expected and as intended

Unexpected Contamination During Construction CONTAMINATION

33. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

POST OCCUPANCY MONITORING/MANAGEMENT/RESTRICTIVE CONDITIONS

Drainage

34. Within 28 days of the completion of the final dwelling, details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason - To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

Removal of Permitted Development

Residential Component of the Development [the area within the purple line/shading in Figure 1 above]

35. Notwithstanding the provisions of the Town & Country Planning [General Permitted Development] Order 2015, as may be revoked or amended, ALL residential permitted development rights within:

SCHEDULE 2: Permitted development rights

PART 1 Development within the curtilage of a dwellinghouse **Classes A-C inclusive**;
Namely,

- A. The enlargement, improvement or other alteration of a dwellinghouse.
- B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof.
- C. *Any other alteration to the roof of a dwellinghouse*

and

SCHEDULE 2:

PART 2 Minor operations

Class A – gates, fences, walls etc

Class B – means of access to a highway

IS HEREBY REMOVED

Furthermore, notwithstanding such amendments or changes to Permitted Development that may occur in the future this condition strictly prohibits the addition of an extra storey/s to any building on this site and within this development without the prior grant of a separate and specific planning permission.

Reason – In the interest of proper planning. To safeguard residential amenity and ensure a high standard of design quality is maintained.

Noise during construction

36. All works and ancillary operations, which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 8am and 6pm on Mondays to Fridays and between the hours of 9am and 1pm on Saturdays and at no time on Sundays and Bank Holidays. Deliveries/collections shall only be made during these hours.

Reason – To minimise detriment to nearby residential amenity.

THE FOLLOWING CONDITIONS ARE SPECIFIC TO DEVELOPMENT WITH THE EMPLOYMENT SITE [as defined by figure 2 above] ONLY.

37. The development hereby permitted within the Employment Site shall:

- Comprise no more than 929sq.m [10,000 sq.ft] [net internal] of floorspace; and,
- Notwithstanding The provision of the Town & Country Planning [Use Classes] Order 2015, or in any Order amending or revoking that Order the floorspace hereby permitted shall be used for B1 [Business Class] Uses only unless otherwise capable of change as permitted development or by a separate planning permission; and,
- Notwithstanding the definition of Development no mezzanine floor/s shall be added within any void space within any building except with the benefit of a further planning permission.

Reason – For the avoidance of doubt as to the scope and extent of this permission, in order to safeguard the amenity of adjoining properties and ensure that floorspace is controlled so as to prevent additional floorspace from being added without adequate off-street parking being provided.

Hours of Business

38. The hereby permitted development/use shall only operate between the hours 07.30hrs and 21.00hrs on Mondays to Saturdays [inclusive] and at no times on Sundays. Or Bank Holidays. There shall be no deliveries to the development/use except between the hours 07.30hrs and 21.00hrs on Mondays to Saturdays [inclusive] and at no times on Sundays or Bank Holidays.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity

Outside storage

39. No goods, products, raw materials, scrap material or other materials of any other sort shall be deposited, stacked or stored in the open air outside the confines of the buildings except on the land indicated for said purpose of the hereby approved plan/s listed under Section A above.

Reason - The external storage of these items would be harmful to the local amenity, character and appearance of the area.

External Plant and Equipment

40. No plant, ducting, lighting, tannoys, pa systems, apparatus or other such equipment shall be attached, erected, installed or otherwise fixed to any external part of any building/s or anywhere on the Employment Site without the details having first been submitted to and approved in writing by the Council, as local planning authority. Such as elements as shall have been approved shall be attached, erected, installed or otherwise fixed as approved and thereafter maintained in good working order.

Reason – In order to safeguard residential amenity

End of Conditions

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

CS03 - Reduce Contributions to Climate Change
 CS01 - Settlement Hierarchy
 NPPF - National Planning Policy Framework
 CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment
CS07 - Brown Field Target
CS09 - Density and Mix
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
FC03 - Supply Of Employment Land
GP01 - Design and layout of development
HB01 - Protection of historic buildings
H07 - Restricting housing development unrelated to needs of countryside
H15 - Development to reflect local characteristics
H13 - Design and layout of housing development
HB14 - Ensuring archaeological remains are not destroyed
E06 - Retention of use within existing industrial/commercial areas
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
H04- Proportion of Affordable Housing

NOTES:

1 Design

By attaching condition 5 above the Council, as local planning authority, is giving a clear indication that Reserved Matters are required to generally follow the detail shown on the approved masterplan. Similarly, the Council, as local planning authority, will also have strong regard to the amended design and access statement of January 2020 in terms of appearance and materials. [please note the masterplan sketch in the design and access statement of January 2020 has been superseded by that referred to in condition 2 [figure 1] above

2. Building Regulations

This permission is granted without prejudice to the need to secure appropriate Building Regulations approvals. You may wish to contact the Council's Building Control Team:

Paul Hughes, Building Control Manager
Phone: 01449 724502
Mobile: 07801 587852
Email: paul.hughes@baberghmidsuffolk.gov.uk

to discuss using the Council's Building Control Team to navigate the Building Regulation process.

3. Archaeology

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. The Team will be pleased to offer guidance on the archaeological work required and, in its role as advisor to Mid Suffolk District Council, the Conservation Team of

SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Further details on the Team's advisory services and charges can be found on their website: <http://www.suffolk.gov.uk/archaeology/>

4. Drainage

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act

5. Weybread Parish Council and community facilities

It is noted that Weybread Parish Council has an ambition to potentially construct a village hall/community centre on the area of open space due to be transferred to The Council by way of the associated S106 Agreement. Such a proposal will need to be the subject of a planning application which would be assessed on its individual planning merits. It is however further noted that the said S106 Agreement also makes provision for a financial contribution towards such a project and/or refurbishment of the existing facility. This suggests that there is likely to be support in principle. [subject to detail and compliance with relevant planning policies]. Similarly, the masterplan drawing ref: 16-L27-PL520F suggests a location for such a facility although the description of development does not include such a use. It is understood that the Parish Council's preferred location is within the land due to be transferred. It is expected that the Parish Council will open a dialogue with the District Council and its CIL Team to explore the extent to which additional funding may be available to deliver their ambition and to supplement the £100,000 financial contribution contained within the associated S106 Agreement

6. 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.
- 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.

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/17/06326

Signed: Philip Isbell

Dated: 24th December 2020

**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.