

**Philip Isbell – Chief Planning Officer**  
**Sustainable Communities**

**Mid Suffolk District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## **APPROVAL OF RESERVED MATTERS**

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)**  
**ORDER 2015**

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**Correspondence Address:**

Ms L Dudley-Smith  
Strutt & Parker  
Coval Hall  
Rainsford Road  
Chelmsford  
CM1 2QF

**Applicant:**

Bellway Homes Ltd (Essex)  
c/o Agent - Strutt & Parker  
Coval Hall  
Rainsford Road  
Chelmsford  
CM1 2QF

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**Date Application Received:** 27-Aug-20

**Application Reference:** DC/20/03704

**Date Registered:** 28-Aug-20

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**Proposal & Location of Development:**

Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 8859 - 01 received 27/08/2020 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Defined Red Line Plan 8859 - 01 - Received 27/08/2020  
Proposed Landscaping Plan 8859 - 26 - Received 27/08/2020  
Proposed Plans and Elevations 8859 - 54 - 1B2P - Received 27/08/2020  
Proposed Plans and Elevations 8859 - 55 - 1B2P - Received 27/08/2020  
Proposed Plans and Elevations 8859 - 61 - 1B2P - Received 27/08/2020  
Proposed Plans and Elevations 8859-40 A - Received 16/11/2020  
Proposed Site Layout Plan 8859-03 D - Received 05/02/2021  
Street Scene - Proposed PR175-05 B - Received 08/02/2021  
Landscape Masterplan PR175-01 U - Received 09/02/2021

Block Plan - Proposed 8859-02 D - Received 05/02/2021  
Proposed Site Layout Plan 8859-04 D - Received 05/02/2021  
Street Scene - Proposed 8859-10 D 1of 2 - Received 05/02/2021  
Street Scene - Proposed 8859-11 D 2of 2 - Received 05/02/2021  
Storey heights 8859-20 D - Received 05/02/2021  
Parking Layout 8859-21 D - Received 05/02/2021  
Refuse plan Bellway Version 8859-22 D - Received 05/02/2021  
Affordable Housing Plan 8859-23 D - Received 05/02/2021  
Materials Schedule 8859-24 D - Received 05/02/2021  
Hard Landscaping 8859-25 D - Received 05/02/2021  
Hard Landscaping 8859-27 - Received 05/02/2021  
House type Key 8859-28 D - Received 05/02/2021  
Hard Landscaping 8859-30 D - Received 05/02/2021  
8859-31 D - Received 05/02/2021  
8859-32 D - Received 05/02/2021  
Parking Layout 8859-33 D - Received 05/02/2021  
EVC Plan 8859-34 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-44 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-46 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-48 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-50 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-51 D - Received 05/02/2021  
Proposed Plans and Elevations 8859-59 C - Received 05/02/2021  
Proposed Plans and Elevations 8859-68 B - Received 05/02/2021  
Proposed Plans and Elevations 8859-42 C - Received 23/12/2020  
Proposed Plans and Elevations 8859-43 C - Received 23/12/2020  
Proposed Plans and Elevations 8859-56 C - Received 23/12/2020  
Proposed Plans and Elevations 8859-57 - Received 23/12/2020  
Proposed Plans and Elevations 8859-58 C - Received 23/12/2020  
Proposed Plans and Elevations 8859-60 C - Received 23/12/2020  
Proposed Plans and Elevations 8859-64 C - Received 23/12/2020  
Parking Layout 8859-21 D - Received 29/01/2021  
8859-30 D - Received 29/01/2021  
Parking Layout 8859-33 D - Received 29/01/2021  
Site Plan 8859-03 D - Received 29/01/2021  
Street Scene - Proposed PR175-05 B - Received 02/02/2021  
Proposed Plans and Elevations 8859-67 A - Received 02/02/2021

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## Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **RESERVED MATTERS HAVE BEEN APPROVED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

### 1. RESERVED MATTERS APPLICATIONS

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission reference 1832/17 (approved at appeal - ref. APP/W3520/W/18/3200941) relating to this site and the conditions attached thereto remain in force.

Reason: In order to comply with Section 91 (1) and (2) 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. PARKING AND MANOEUVRING

The use shall not commence within each agreed phase of development until the areas(s) within the site shown on Drawing No. 8859/21 C for the purposes of vehicle parking and manoeuvring has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason - To ensure that sufficient space for the on-site parking and manoeuvring of vehicles is provide and maintained as on-street parking and manoeuvring would be detrimental to highway safety.

## 4. CYCLE PARKING

The cycle parking facilities as shown on drawing no. 8859/21 C shall be provided prior to the occupation of the dwelling they would serve and shall be retained as such thereafter.

Reason - To ensure that sufficient space for cycle parking is provided in order to encourage a sustainable form of development.

## 5. REFUSE/RECYCLING COLLECTION POINTS

The use shall not commence within each agreed phase of development until the areas(s) within the site shown on Drawing No. 8859/22 C are provided for the presentation and storage of refuse/recycling bins, and thereafter that area(s) shall be retained as such.

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

## 6. SUSTAINABILITY AND ENERGY STRATEGY

Prior to commencement of development above slab level, a Sustainability & Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall detail how the development will minimise the environmental impact during construction and occupation including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced

use of potable water. The development shall be carried out in accordance with the approved strategy.

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

7. ACTION REQUIRED PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT LAYOUT

A Biodiversity Enhancement Layout, providing the finalised details and locations of hedgehog-friendly fencing as recommended in the Ecological Impact Assessment (SES Ltd, November 2020) shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development above slab level. The enhancement measures shall be implemented in accordance with the approved details and a previously-agreed timescale and all features shall be retained in that manner thereafter.

Reason - To enhance Protected and Priority Species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

8. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: DETAILED LANDSCAPE SCHEME

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, including details of proposed landscaping for the SuDS features. The submitted scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows in the surrounding area. A specification of soft landscaping, including proposed trees, plants and seed mixes must be included. The specification must be in line with British Standards and include details of planting works such as preparation, implementation, materials (i.e. soils and mulch), any protection measures that will be put in place (i.e. rabbit guards and biodegradable tree guards) and any management regimes (including watering schedules) to support establishment. This must be accompanied by a schedule, with details of quantity, species and size/type (i.e. bare root, container etc) and tree construction details. Hard landscape details such as surface materials and boundary treatments must also be included. The approved details shall be carried out to the satisfaction of the Local Planning Authority in accordance with a previously agreed timescale.

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement were sought at any later stage there is an unacceptable risk of loss and damage to important trees and hedgerow that would result in harm to amenity.

**SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:**

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
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  
SB02 - Development appropriate to its setting  
GP01 - Design and layout of development  
H02 - Housing development in towns  
H03 - Housing development in villages  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
CL05 - Protecting existing woodland  
T04 - Planning Obligations and highway infrastructure  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
RT04 - Amenity open space and play areas within residential development  
NPPF - National Planning Policy Framework

#### **NOTES:**

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

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

2. The Committee, in approving these Reserved Matters, noted the significant concerns of adjacent residents regarding surface water flooding risks and in particular the need to ensure that surface water drainage is not impeded by Old Norwich Road.

The Committee expects the applicant to work with the local planning authority and the lead flood authority to ensure that any surface water drainage arrangements for SuDS do not have any adverse impact upon surface water flooding in the locality.

The Committee requests Officers of the local planning authority to work with local highway authority to:

[a] establish whether any culvert under Old Norwich road exists and requires management or maintenance in order to prevent the backing up of surface water and related surface water flooding risks or whether such a culvert should be provided

[b] establish whether cycle crossing and shared cycle / footway provision can be made at the roundabout and estate road junction

[c] the provision of ANPR infrastructure for the bus gate

The Committee moreover notes the approach to the sustainability of design taken by the applicant and strongly encourages the applicant to take account of the Council's direction of travel for this set out in draft policy LP25 of the draft Joint Local Plan and its expectations that all applicants will recognise the importance of improving sustainability measures in new house design in future applications.

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](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/20/03704

**Signed: Philip Isbell**

**Dated: 19th February 2021**

**Chief Planning Officer  
Sustainable Communities**

## **Important Notes to be read in conjunction with your Decision Notice**

### **Please read carefully**

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

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

### **Discharging your obligations under a condition:**

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

### **Building Control:**

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

## Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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