



June 2021

Permission in Principle Planning Statement

Land and Buildings at
Moat Farm
Baylham

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13-15 Cathedral Street,
Norwich,
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Ely Road,
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Information

Date of Application	June 2021
Site Address	Moat Farm, Baylham
Development Description	Application for Permission in Principle for the Residential Development
Local Planning Authority	Mid Suffolk District Council
Applicants	Mr. and Mrs. Brinkley

Author: Steven Bainbridge MRTPI

(Principal Planning Manager)

Reviewed By: Jonny Rankin MRTPI

(Principal Planning Manager, Suffolk)

Report Revision: 1

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1 Introduction

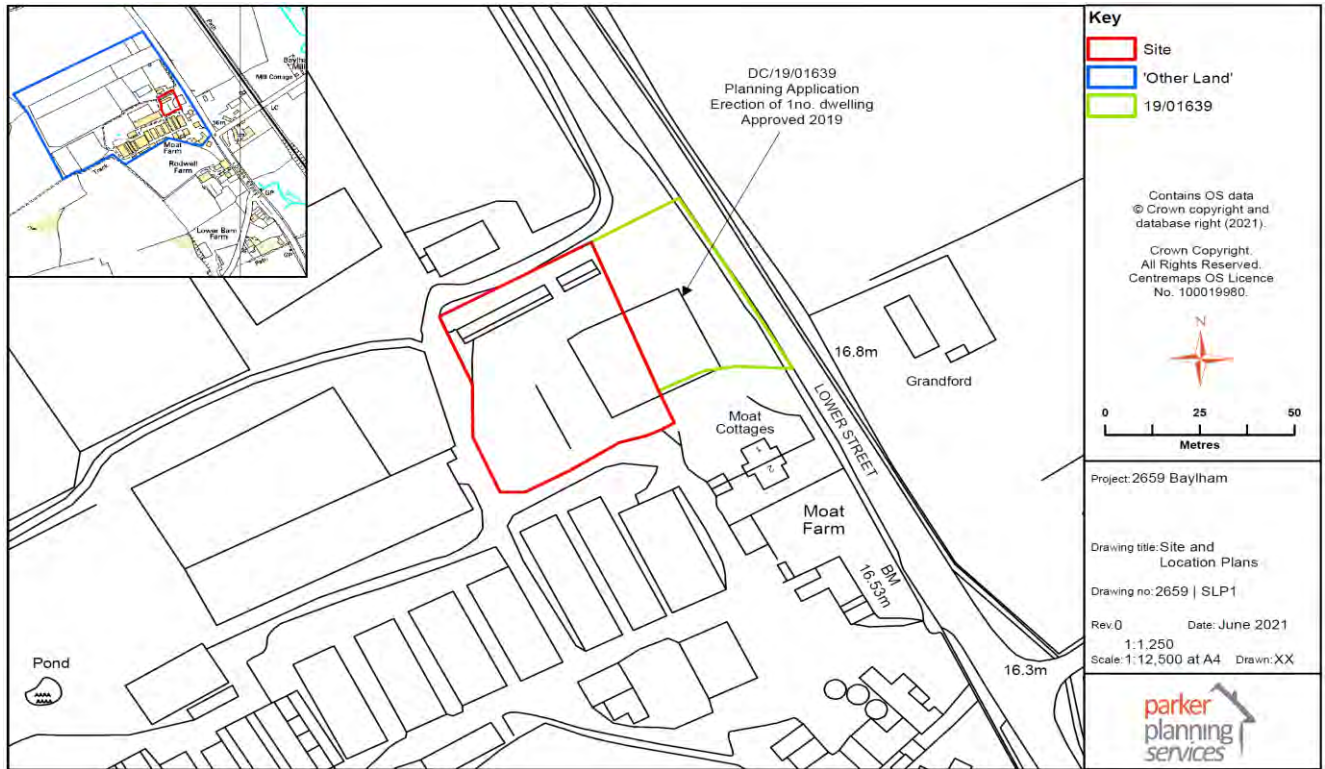
- 1.1 Parker Planning Services Ltd. has been instructed by Mr. and Mrs. Brinkley (the Applicants), to submit this application for; *Permission in Principle for residential development*, on land at Moat Farm, Baylham.
- 1.2 The matters that are relevant to a Permission in Principle application are land use, location, and amount of development. The application has endured several rounds of pre-application engagement as the applicant has attempted to get clear and correct advice from the local planning authority. Each time the LPA has expressed its clear intention to refuse the application on location or land use grounds. These matters are responded to in detail below.
- 1.3 This Permission in Principle (PiP) planning statement is accompanied by the following items required to make a PiP application, as set out in Article 5D of the Town and Country Planning (Permission in Principle) Order 2017 (as amended):
 - a) a completed application form;
 - b) a plan which identifies the land to which the application relates, drawn to an identified scale and showing the direction of North; and
 - c) the correct application fee.
- 1.4 The appropriate RAMS payment will also be made.

It is vital consultees understand the scope and extent of matters under consideration at the permission in principle stage and withhold any technical concerns they have until the technical details consent stage

- 1.5 Planning matters which are not subject to the permission in principle stage, but are covered at the technical details consent stage, include, for example:
 - Highways, access and parking;
 - Design, layout, scale of dwellings;
 - Ecology;
 - Contamination;
 - Heritage; and
 - Flood risk and drainage.
- 1.6 This statement also provides an overview of how the scheme complies with the Adopted Local Plan and National Planning Policy Framework (NPPF).

2 Permission in Principle – Land Use

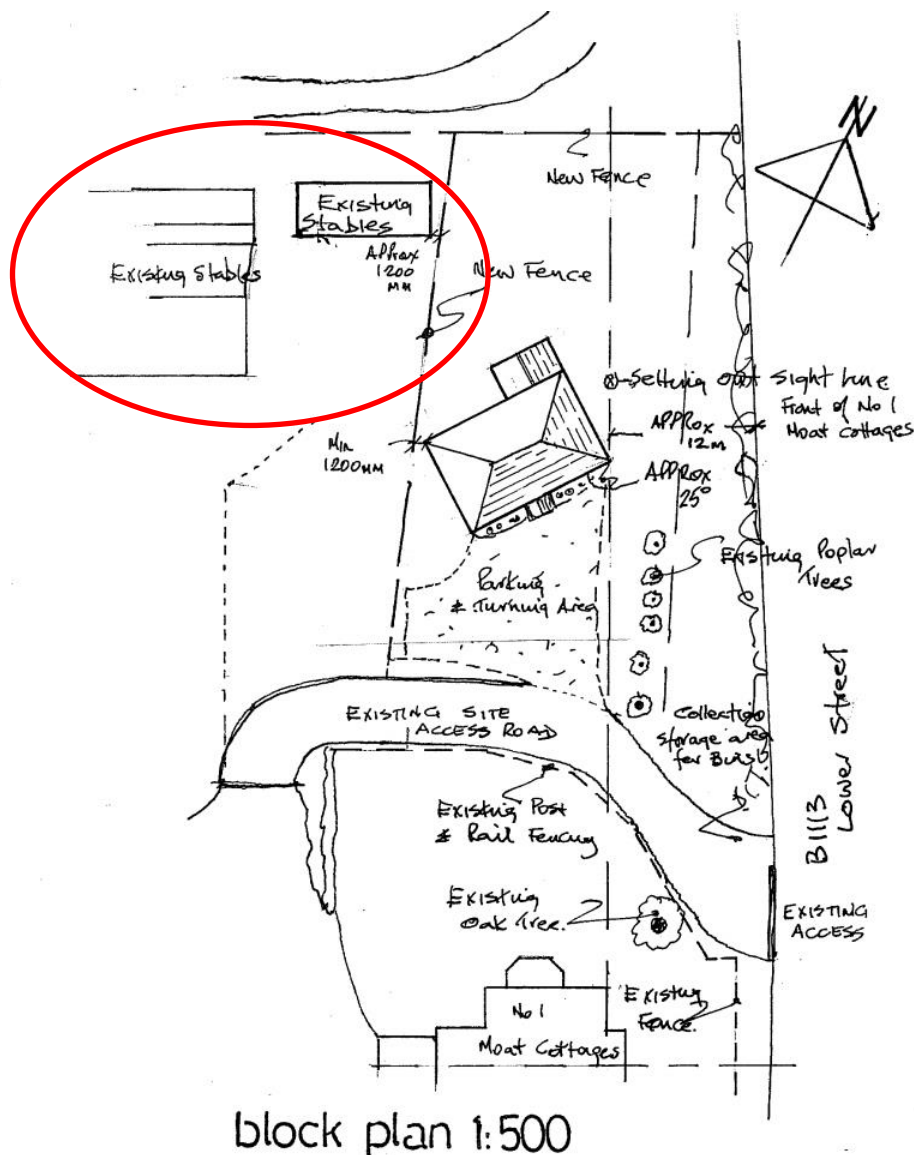
2.1 The PiP site is shown on the submitted site plan:



2.2 The site is also indicated on the Google Earth aerial photograph below:



- 2.3 From the tenor of the pre-application advice received, it is likely the LPA will interrogate their records in an attempt to disqualify the land as being previously developed by virtue of being “land that is or was last occupied by agricultural or forestry buildings”.
- 2.4 However, the site area has been chosen very carefully, to avoid such land which would be excluded from the definition of previously developed land.
- 2.5 The land in question has been used for stabling, in association with the equine land uses to the north which are visible in the Google Earth photograph above.
- 2.6 Adjacent to this PiP site is a piece of land recently granted planning permission for a dwelling. One of the approved plans for that development is the Block Plan ref. 2019-11. That block plan describes the land use on this PiP site. That is the last record on the LPA website for the land use:



- 2.7 On this basis and as per the LPA's own planning record the land use criterion is passed; the land is previously developed and qualifies for a PiP.

3 Permission in Principle – Amount

- 3.1 Planning practice guidance states:

Where permission in principle is granted following an application what information must be included on the decision notice?

Local planning authorities must specify the location of the site, the type of development and provide an indication of the amount of development the site has permission in principle for. **The amount of residential development must be expressed as a range, indicating the minimum and maximum net number of dwellings** (ie taking in to account any existing dwellings on the site) which are, in principle, permitted. Where non-residential development is granted permission in principle, local planning authorities are required to provide a description of the type of development (eg by indicating the use classes of the buildings or land) and the scale of development permitted. The decision notice must also meet the requirements of [Article 5T of the Town and Country Planning \(Permission in Principle\) Order 2017](#) (as amended) including that the notice should provide full reasons where permission in principle is refused.

Paragraph: 052 Reference ID: 58-052-20180615

Revision date: 15 06 2018

- 3.2 Therefore, in accordance with paragraph 052 we suggest a range of between one and four dwellings for the PiP.
- 3.3 Whilst matters of design etc. are for the next Technical Details stage, we will make clear now that a proposal for one to four dwellings is comparable to the development densities adjacent to the PiP site, as explored in the below paragraph
- 3.4 The recently granted dwelling occupies a site area of some 0.15ha achieving a development density of 6 dwellings per hectare.
- 3.5 The nearby dwellings (Moat Farm Cottages 1 & 2 and Moat Farmhouse) occupy an area of some 0.27ha achieving a density of around 11 dwellings per hectare.

- 3.6 The PiP site, if developed for between one and four dwellings, would achieve a development density in a range between 3 and 13 dwellings per hectare. This is comparable to the adjacent residential development and is therefore an appropriate range for the locality.

4 Permission in Principle – Location

- 4.1 Through pre-application advice the LPA have stated that:

“If the site is not on the Brownfield Land Register the principle of development on site would be assessed against the development plan and specifically policies CS1, CS2 and H7 as the site falls within the countryside. The Council can currently demonstrate that it has a 5-year housing land supply measured at 7.67 years. However, as these policies would be the most important to the determination of the proposal, the ‘tilted balance’ under paragraph 11d) of the NPPF would likely be engaged.”

- 4.2 The pre-app advice goes on to accept the following:

“Whilst it is noted that a single dwelling was approved on the frontage of the site, this does not automatically mean that further development is acceptable in the same location as each application is assessed on a case-by-case basis on its own merits. It was noted within that previous application DC/19/01639 that there would be heavy if not sole reliance on private motor vehicle. As such the site is not considered a suitable nor sustainable location for further housing growth.”

- 4.3 Firstly, the officer giving the pre-app advice has misrepresented what was said in the officer’s report to 19/01639. It is important for planning officers to be correct and truthful in public service. The officer’s report to 19/01639 said that *“the site would place **some** reliance on the private motor car...”*. It is of great concern that pre-app officer chose to claim that *“It was noted within that previous application DC/19/01639 that there would be **heavy** if not sole reliance on private motor vehicle”*. We say this because, as Chartered members of the RTPI, we take the misrepresentation of important facts very seriously.

- 4.4 In addition, the statement above fails to acknowledge the logical conclusion that the dwelling referred to, considered under the same policy landscape¹, was found to be sustainably located. The pre-app gives no position on how or why the dwelling referred to was acceptable but a few more will not be.

- 4.5 It is therefore logical, and necessary, to review the ‘Most Important’ policies consistent to both proposals because clearly, if the LPA are going to be consistent, they will need to properly consider how the one dwelling was acceptable and therefore how this PiP application is too.

¹ See 19/01639 officer’s report in the Appendix.

4.6 We now turn to the Most Important policies CS1, CS2 and H7 and will put the comments given in support of the single dwelling adjacent to this PiP site, alongside our assessment of how this PiP performs against the same policy.

4.7 The planning officer's report to planning permission 19/01639 states (our emphasis in **bold** and **statements which can be made of this PiP application are highlighted in yellow**):

"Policy CS1 of the Core Strategy Development Plan states that all settlements not included in the Settlement Hierarchy list will be designated as countryside and countryside villages as such development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy.

The Council have recently published and consulted on a Housing Land Supply Position Statement. This identified a housing land supply position of 5.32 years. Since this report was published the consultation period has closed and comments received during this consultation period have been considered. The Council's final position statement on this was published on 26th March 2019, which confirmed the Council has a 5.06 year supply.

The application site sits less than a mile to the northeast of the settlement boundary for Baylham whilst Needham Market is located approximately 2 miles away to the north along Lower Street and Great Blakenham 1.3 miles away to the south.

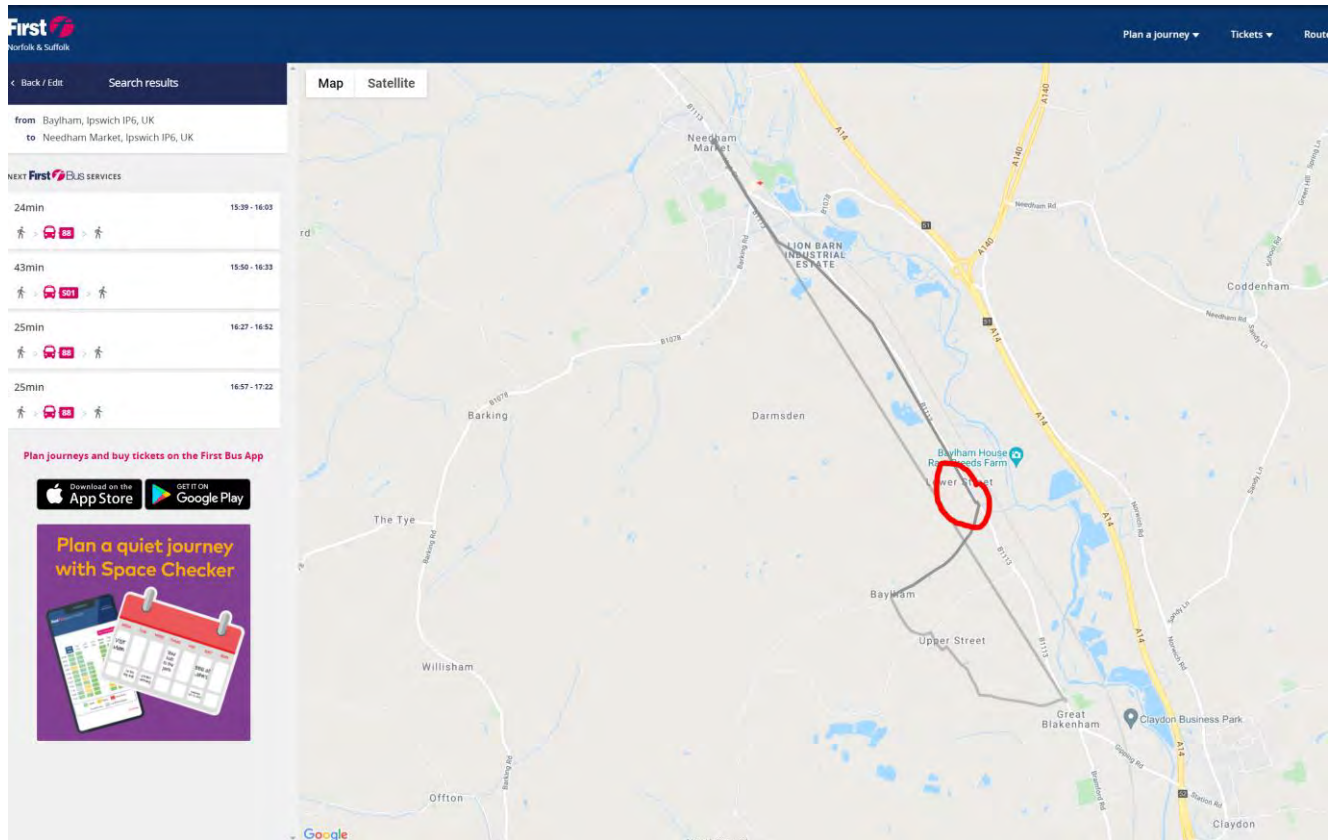
*It is noted the lack of facilities within Baylham itself, **however, Needham Market is located at the top of the settlement hierarchy set out within Core Strategy policy CS01 and would give access to a wide range of services and facilities including connection to a wider transport network.** Great Blakenham, similar to Baylham, is not listed within Core Strategy policy CS01 such that it is considered to form part of the countryside and provides a similar lack of facilities. **Footpaths are provided to link the site to Great Blakenham to the south, and Needham Market to the north.** It is not disputed that the site would place **some reliance** on the private motorcar as a mode of transport, however, due to the scale of the proposed development **the length of journey and frequency of vehicle movements would likely be low. The development would not be isolated** despite its position in a countryside village and would therefore provide sustainable development in accordance with the **NPPF when taken as a whole.***

The proposed development has been considered on the basis of its planning merits and the officer's recommendation is given accordingly, having had regard for all material planning considerations; those key issues being discussed under their respective headings below."

4.8 There is no material difference between what the Council's position on Policy CS1 was in relation to application 19/01639 and what it should be now. In addition to the Council's recognition of the footpaths, we also wish to point to the bus stop that is nearby:



4.9 The bus stops we have identified are serviced by the no.88 bus:



4.10 The very regular bus services to these bus stops between Ipswich and Stowmarket are shown in the timetable in the Appendix.

4.11 Therefore, in addition to the comments made by the planning officer in 19/01639 and in contrast to the inaccurate comments of the pre-app officer, the site is sustainably linked to higher order settlements and need not be wholly reliant on the private motor car.

4.12 The application site is also well served by public rights of way beyond the footways adjacent to the B1113, including the Gipping Valley Path², with onward links to both Stowmarket and Ipswich. Sustrans cycle route 51 is also readily accessed at either Needham Market or Great Blakenham, with onward, safe cycling to Stowmarket or Ipswich (and further afield) in either direction.

4.13 Policy CS1 is a strategic policy with an outdated overly restrictive pre-NPPF settlement hierarchy. The Council are on the record having said multiple times in recent years:

“The Settlement Hierarchy continues to be a relevant and valid expression of spatial hierarchy and the sustainable distribution of new growth. However, policies CS1, CS2 and H7 (among others) have consistently been held to be inconsistent with the NPPF [2019] because of their overly-restrictive

² <https://rivergippingtrust.org.uk/walking-the-river>

treatment of new development in the countryside”

4.14 In pre-application advice the Council has said:

“these policies [CS1, CS2 & H7] would be the most important to the determination of the proposal, the ‘tilted balance’ under paragraph 11d) of the NPPF would likely be engaged”.

4.15 The proposed site is in the countryside, but the site is not isolated, this was confirmed by the Council under 19/01639 without reference to the excellent bus service a walkable distance from the site by metaled footpath.

4.16 Policy CS2 is an old-fashioned restrictive countryside policy that pre-dates the more nuanced approach of the NPPF and PPG in respect of housing in the countryside.

4.17 Policy H7 is a very old and very restrictive countryside policy that significantly pre-dates the more nuanced approach of the NPPF and PPG in respect of housing in the countryside.

4.18 The current development plan does little to facilitate development in these circumstances such that the tilted balance is engaged; the site is previously developed and the NPPF supports its efficient reuse for housing. The NPPF and NPPG supports rural housing where it supports the vitality and viability of other settlements. The site is connected to other settlements by bus and pavement.

4.19 The site immediately adjacent has previously been found to be sustainably located for a quantum of development, in terms of the district as a whole, not materially different to what is proposed now and that as without the reference to the bus stops. This PiP site can and should therefore also be considered to be sustainably located.

4.20 The emerging local plan is of limited assistance to decision makers wishing to refuse planning permission for non-isolated sites outside settlement boundaries, when approaching decision making in this case.

5 PiP Conclusion

- 5.1 This application seeks Permission in Principle for a small residential development at Moat Farm; immediately adjacent to a site recently considered to be sustainably located and within the same policy context as exists now.
- 5.2 The amount of development proposed is appropriate bearing in mind nearby development densities and the likelihood of some car use to access services and facilities in nearby settlements.
- 5.3 The land use is appropriate for a PiP application.
- 5.4 The location is appropriate.
- 5.5 All other matters are to be considered at the technical details consent stage.
- 5.6 Whilst a full policy appraisal and further detail will follow via the technical details stage, compliance with the relevant Local Plan, Neighbourhood Plan and NPPF policies (bearing in mind material considerations) has been set out in principle.
- 5.7 As such, and despite the pre-app officer's erroneous assertions to the contrary, permission in principle should be granted without delay.

Appendix – Pre-app Correspondence



NORFOLK OFFICE
PHONE: 01603 516319
Orchard House
Hall Lane
East Tuddenham
Norfolk
NR20 3LR

ESSEX OFFICE
PHONE: 01603 516319
Moulsham Mill
Parkway
Chelmsford
Essex
CM2 7PX

SUFFOLK OFFICE
PHONE: 01284 336348
St Andrew's Castle
33 Andrew's Street South
Bury St Edmunds
Suffolk
IP33 3PH

Planning Department

Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
IP1 2BX
Sent via email:
planning@baberghmidsuffolk.gov.uk

Contact: Steven Bainbridge

Phone: 07548 237530

Email: steven@parkerplanningservices.co.uk

Office: Suffolk Office

Our Ref: 2659 Baylham

Date: 18th February 2021

Dear Sir / Madam,

Pre-application Advice Request – Permission in Principle for residential development at Moat Farm, Baylham

Parker Planning Services (PPS) have been engaged to undertake a pre-application exercise for **Permission in Principle** for residential development at Moat Farm, Baylham. This is not to be confused with a standard planning application approach and the Council's pre-app advice should only be concerned with those matters relevant to a PiP.

Similarly to pre-app 20/05546 you may find the Council's standard pre-app response document will be of limited relevance to a PiP pre-app request and your response will need to be bespoke. A response via email would probably be better. In order to help you this pre-application request includes a series of questions which we would like answered.

Q By reference to Planning Policy Guidance Paragraph: 004 Reference ID: 58-004-20190315 please can you confirm the LPA consider the previously developed status of the land to be sufficient to benefit from the PiP process?

Q Please can you confirm that matters relevant to a PiP application are limited to location, land use and amount of development.

Q Please confirm whether the Council accepts PiP applications via the Planning Portal.

Q Please can you confirm if the LPA have an up-to-date brownfield register (more recent than 2017) and if the application site is on it?

Q Please can you confirm that the following items will be sufficient to make a PiP application, as set out in Article 5D of the Town and Country Planning (Permission in Principle) Order 2017 (as amended):



www.parkerplanningservices.co.uk

Steven Bainbridge

From: Steven Bainbridge
Sent: 19 February 2021 16:11
To: Mark Russell
Subject: FW: Pre-application advice request for a Permission in Principle proposal
Attachments: 2659 Pre App Letter.pdf; Site location plan.pdf

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged



Steven Bainbridge MRTPI

Principal Planning Manager

☎ 07548 237530
✉ steven@parkerplanningservices.co.uk
🌐 www.parkerplanningservices.co.uk

Offices: Norfolk Suffolk Cambs Lincs Essex



From: Steven Bainbridge

<steven@parkerplanningservices.co.uk>

Sent: 18 February 2021 18:48

To: planning@babberghmidsuffolk.gov.uk

Subject: Pre-application advice request for a Permission in Principle proposal

Importance: High

Dear Sir / Madam,

Please find attached a letter requesting pre-application advice for a potential Permission in Principle application at Moat Farm, Baylham.

This is not a 'standard' type of application and we cannot find an appropriate entry in the Council's pre-app fee schedule. The site is approximately 0.4ha in size and would probably host up to four dwellings. We are not yet proposing dwelling numbers.

The PiP process is much simpler than that for standard planning applications and therefore much less for the Council to respond on. In that vein we trust this is reflected in the fee the Council's thinks is appropriate.

Once a fee is agreed are we to assume the fee is to be paid via the Council's online form? Please provide details for this.

Regards,



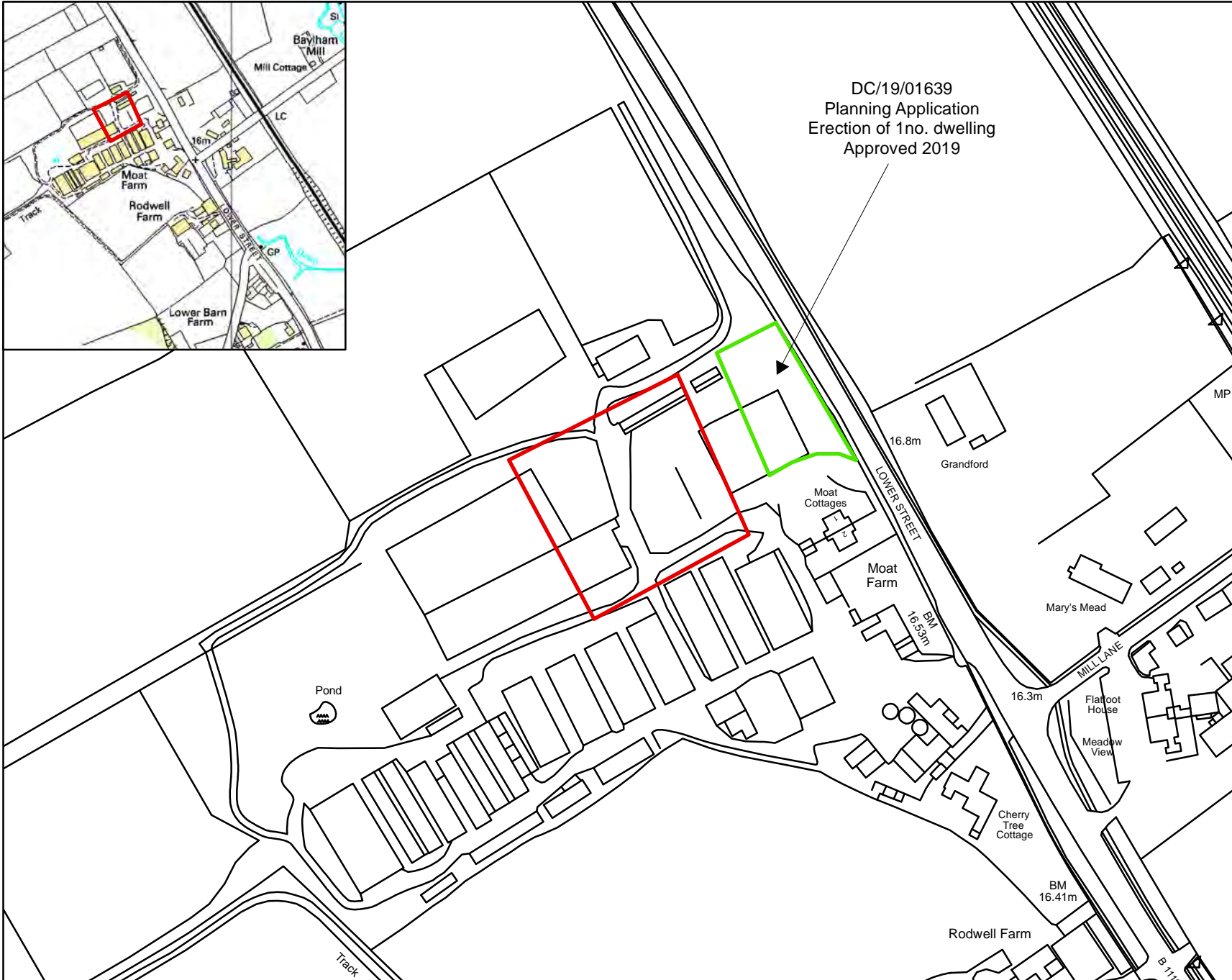
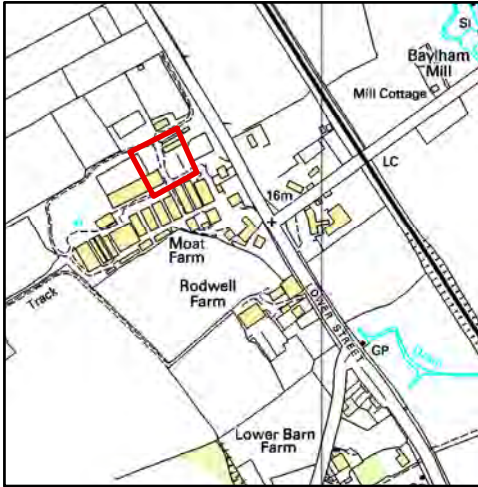
Steven Bainbridge MRTPI

Principal Planning Manager

☎ 07548 237530
✉ steven@parkerplanningservices.co.uk
🌐 www.parkerplanningservices.co.uk


Offices: Norfolk Suffolk Cambs Lincs Essex





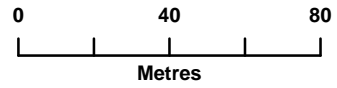
DC/19/01639
Planning Application
Erection of 1no. dwelling
Approved 2019

Key

 Approx. site location

Contains OS data
© Crown copyright and
database right (2021).

Crown Copyright.
All Rights Reserved.
Centremaps OS Licence
No. 100019980.



Project: 2659 Baylham

Drawing title: Site location

Drawing no: 2659 | SLP1

Rev. 0 Date: Feb 2021

Scale: 1:2,000 at A4 Drawn: XX



Steven Bainbridge

From: BMSDC DC Decisions for Signing (Internal use only)
<decisions@babberghmidsuffolk.gov.uk>
Sent: 23 March 2021 16:00
To: Steven Bainbridge
Cc: BMSDC Planning Area Team Blue
Subject: Pre-application - Moat Farm
Attachments: Preapp Moat Farm.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

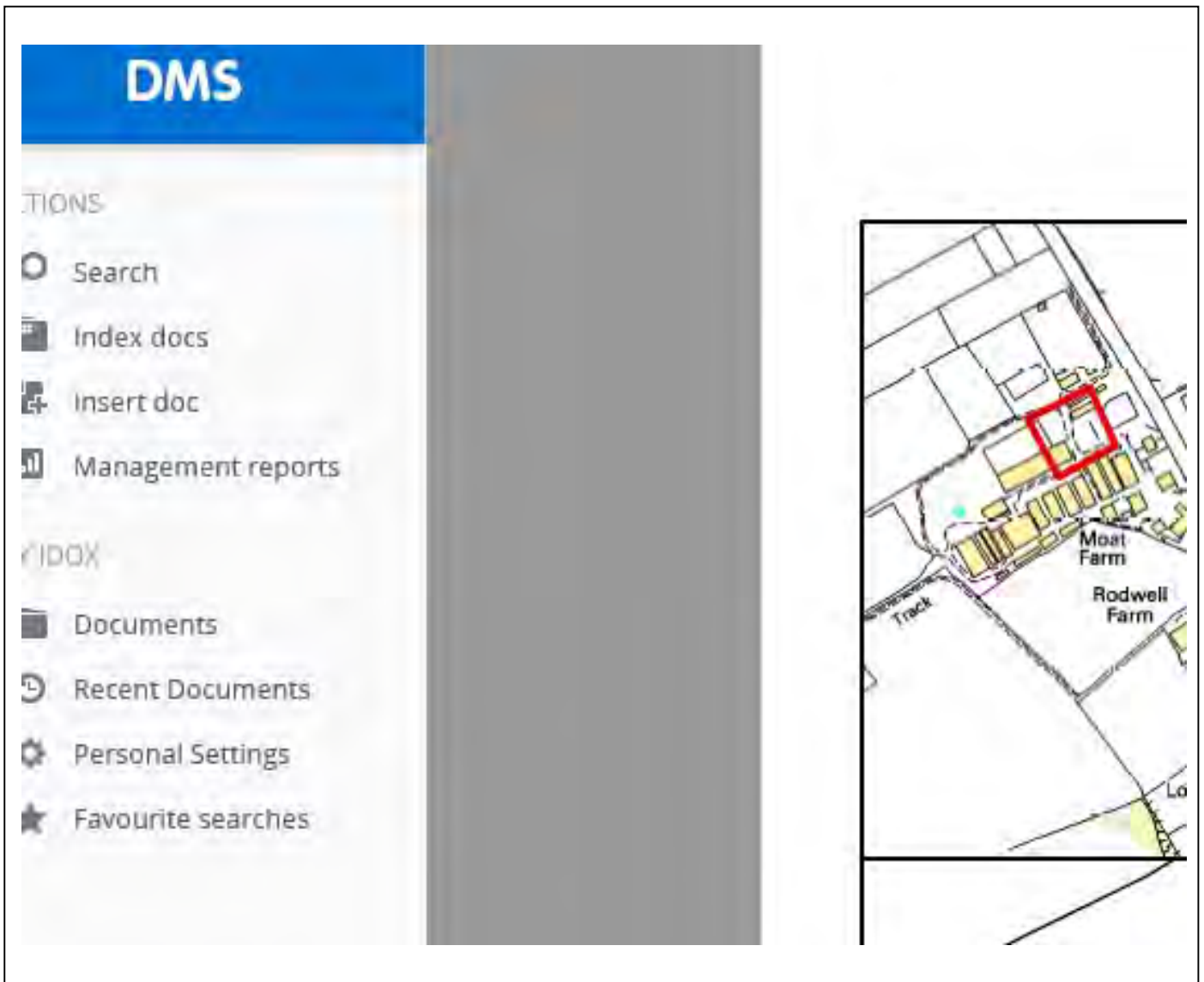
Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@babberghmidsuffolk.gov.uk

*Alternatively phone 0300 1234000 Option 5 Option 3
Or email planning@babberghmidsuffolk.gov.uk*

The above number and email will always be answered while the offices are open. Some customers are selecting Option 5 then Option 5 again which directs them to Planning Enforcement. Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council. Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

PRE-APPLICATION ENQUIRY DC/21/01070



The image displays a screenshot of a Document Management System (DMS) interface on the left and a site plan map on the right.

DMS Interface:

- Header:** DMS
- FUNCTIONS:**
 - Search
 - Index docs
 - Insert doc
 - Management reports
- INDEX:**
 - Documents
 - Recent Documents
 - Personal Settings
 - Favourite searches

Site Plan Map:

- Shows a layout of buildings and tracks.
- Labels include: Moat Farm, Rodwell Farm, Track, and Lo.
- A red square highlights a specific building on the site plan.

Moat Farm, Lower Street, Baylham, Ipswich Suffolk IP6 8JW

Pre-application Enquiry

This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This Advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this Advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and National Planning Practice Guidance [NPPG]

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

The proposed development is for:

Written Enquiry -Permission In Principle for residential development at Moat Farm

The supporting material comprises:

Defined Red Line Plan - Received 19/02/2021

Planning Statement - Received 19/02/2021

The Proposed Development and Site

The proposed development is for the erection of an unspecified number of dwellings under Permission in Principle.

The site is comprised of a farm located west of Lower Street within the countryside. There are a cluster of dwellings located east (No.1- No.2 Moat Cottages) and south east (Moat Farm and Mary's Mead). The site is not within a Conservation Area, however there is a Grade II listed building located south east (Cherry Tree Cottage). There are no protected trees on site. There is a public right of way running along the northern edge of the site. The site falls within Flood Zone 1 and is also at a low risk of pluvial flooding.

Relevant Planning History

REF: DC/19/01639	Planning Application - Erection of 1no. dwelling	DECISION: GTD 29.07.2019
REF: 1591/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages	DECISION: GTD 25.07.2012
REF: 0063/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages.	DECISION: WDN 14.03.2012
REF: 2687/09	1. Construction of new vehicular access. 2. Barn conversion.	DECISION: REC
REF: 0829/85	Erection of broiler house	DECISION: GTD 09.01.1986
REF: 1657/07	Change of use of former packing shed/shop (agricultural buildings) to Class B1 business use	DECISION: GTD 17.08.2007
REF: 0891/01/	NEW DORMER WINDOW TO REAR ELEVATION (IN RELATION TO LOFT CONVERSION).	DECISION: GTD 12.10.2001

Planning Policy

Emerging Local Plan – New Joint Local Plan

The Council is currently in the process of drafting the new Joint Local Plan, however policies are not currently sufficiently advanced as to be given weight at this time. However, as the plan emerges and undergoes the stages of consultation the weight given to these policies will increase and may affect the considerations outlined within this advice. You are advised to review the progression of the Local Plan as it comes forward with regards to any impacts new policies may have on this proposal, details are available on the link below.

<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>

National Planning Policy Framework (NPPF)

The NPPF was revised in 2019, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making. It is still a material consideration and you are advised to consult it prior to submitting an application. [Title \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

The Council's Adopted Development Plan is:

Mid Suffolk Core Strategy Focused Review (2012)

Mid Suffolk Core Strategy (2008)

Mid Suffolk Local Plan (1998)

[Mid Suffolk District Council » Babergh Mid Suffolk](#)

Relevant Policies include:

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
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
T09 - Parking Standards
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Constraints

- Public right of way
- Nearby heritage asset
- Countryside location
- Surrounding agricultural use

Advice:

The considerations of any permission in principle would be done with regard to the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Permission in principle is a two-step approach starting with establishing the principle of development and subsequently submitting the technical details of the development. Government Guidance is found here: [Permission in principle - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

Principle of Development

You are advised to discuss your site and proposal with the Council's Strategic Planning Policy Team in regard to checking whether the site is on the Brownfield Land Register. If it was on the Brownfield Register, then "Permission in Principle" is automatically granted, but an application to agree the technical consent details is required.

Alternatively, if the site is not on the Brownfield Register, an application would be required to be submitted to the Local Planning Authority. If an application were made, it would firstly be assessed against the Development Plan and NPPF on the narrow focus of matters relating to location, land use and amount of development to establish if the site is suitable for residential development.

The Council can currently demonstrate an adequate five-year housing land supply measured at 7.67 years (October 2020).

It is acknowledged that a dwelling to the north of the site has been approved under DC/19/01639; however, each application is dealt with on a case-by-case basis and DC/19/01639 was for one dwelling in this location and would have been dealt with as such. This pre-application site and any subsequent proposal that comes forward would be considered in cumulation alongside the existing dwelling north in terms of increased traffic generation and the sustainability of the location in permitting more private motor vehicle journeys, especially as the report for DC/19/01639 noted that there would be heavy reliance on private motor vehicle.

It is noted that the site is located between Needham and Great Blakenham with a nearby train station and the A14 accessible; and that services and facilities could be used and supported by this development in those adjacent areas. However, any permission in principle application would need to demonstrate that the proposal would amount to sustainable development. As it currently stands, the location is not well located; therefore, a submission would need to demonstrate and show how the development could amount to sustainable development (as per paragraph 8 of the NPPF) to tilt consideration in favour of the proposal, as the location in itself is not considered appropriate for further residential development. To this end, cycle storage, sustainable construction methods and biodiversity gains would assist in supporting this.

Without demonstrating that the proposal would constitute sustainable development, it is likely that it would be refused on unsustainable location.

Design

At an application stage for Permission in Principle, the only matter that can be considered is the amount of development on site, this has not been specified within this pre-application and therefore cannot be commented on. Any development should not be excessive or cramped on site and should be of a suitable amount proportionate to the size of the site.

The Historic Environment

A proposal that includes the curtilage or setting of a Listed Building or works to a Listed Building must respond to this significant consideration. The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given "considerable importance and weight". (*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303).

If a Permission in Principle application were made at this stage, consideration of the impact of development on the setting and significance of the nearby listed building would be taken into account. You are therefore encouraged to speak to the Heritage Team prior to making an application to determine if they consider there to be potential harm. Any finding of harm is likely to result in a refusal, as the provision of dwellings on site has a limited public benefit which would not be considered to outweigh the harm.

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The site falls within the 13km Zone of Influence of the Stour and Orwell Estuaries Special Protection Area/ Ramsar and as such a contribution would be required to the emerging Suffolk Recreational Avoidance and Mitigation Strategy. Contributions can be made for Zone A on our website [Habitats Sites Mitigation » Babergh Mid Suffolk](#).

As the site falls within a Zone of Influence of a European Site a Habitats Regulations Assessment will need to be carried out by the Local Planning Authority prior to determination of any application made. An ecology report is likely to be required at the Permission in Principle to ensure there is no adverse impact on protected species as per the Council's statutory duties as a competent authority under the Conservation of Habitats and Species Regulations 2017 and public body under the Natural Environment and Rural Communities Act 2006.

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At the permission in principle stage, it will need to be demonstrated that the surrounding functional agricultural use would not detrimentally affect future occupants on the site which would affect whether the site is acceptable for residential use. In the same way, a land contamination

questionnaire will need to be submitted to ensure that there is no impact on future occupants arising from land contamination.

Conclusions/ Planning Balance

If the land is on the Brownfield Land Register, which you will need to check with the Strategic Planning Policy Team, then Permission in Principle is already granted and a technical consent application will need to be submitted in light of the advice above.

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Substantial evidence would need to be provided to confirm that the site and technical details would create a development which meets the three objectives of sustainability as per paragraph 8 of the NPPF. As it currently stands, without evidence to suggest that the proposed development could be considered on balance to be sustainable, the increase in residential development in this location is unlikely to be acceptable and a Permission in Principle is likely to be refused.

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If the site is not on the Brownfield Land Register, an application would be required and in this instance the risk of the application being refused is moderate, however if evidence is provided to support the sustainability of the site, residential development may be acceptable.

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- Ecology report
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- Details of agricultural operations on site- including hours and type of agricultural use
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Jasmine Whyard

Planning Officer

Tel: 07547 980983

Email: jasmine.whyard@baberghmidsuffolk.gov.uk

23rd March 2021

Any questions please contact us



Steven Bainbridge

From: Steven Bainbridge
Sent: 23 March 2021 17:43
To: BMSDC DC Decisions for Signing (Internal use only); Mark Russell
Cc: BMSDC Planning Area Team Blue; Jasmine.Whyard@babberghmidsuffolk.gov.uk
Subject: RE: Pre-application - Moat Farm
Attachments: RE: Pre-Application Advice - DC/20/05546; FW: Pre-Application Advice - DC/20/05546; RE: Pre-Application Advice - DC/20/05546; Preapp Moat Farm_highlighted.pdf

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mark,

You may recall we spoke recently when we received pre-app advice on a site near Lavenham which was intended to be a PiP application (attached emails relate). You will recall we were concerned that the pre-app advice was very poor; assuming as it did that the proposal was a 'normal' planning application and not a PiP. We were also concerned that questions we had specifically posed in the pre-app cover letter had not been answered and the requirements we were being asked to accede to were not relevant for the PiP stage, but were instead relevant to the technical details stage.

I'm afraid it appears a similar 'product' has been issued by the LPA – see attached.

In this case I have the following questions. Please can someone respond asap. Please can the pre-app be re-done so we get a good product for the cost?

- Why have the questions we posed in our pre-app letter not been answered, again?
- Why are we being told to provide an ecology report?
- Why are we being told to worry about the listed cottage which is some 130m south of our site and separated from it by a variety of buildings etc?
- Why are we being told to submit parking details?
- Why are we being told the site red line must access the highway when that is not a requirement set out in article 5d of the 2017 order? This was a question in our pre-app letter.
- Why are we being told to provide a land contamination questionnaire when another PiP application of ours hasn't?
- Why when we asked specifically about the previously developed status of the land and for confirmation this was sufficient for it to be a PiP are we being told to contact policy ourselves?
- Why are we being told that “**Substantial evidence** would need to be provided to confirm that the site **and technical details** would create a development which meets the three objectives of sustainability as per paragraph 8 of the NPPF” at the PiP stage?
- Why are we being directed to the council's standard validation requirements when the PPG states “local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission”?

The Council is very tough in terms of how it 'sells' its pre-app service:

“Pre-application advice is optional - you don't have to use it. However, if you don't use it or if advice given is not reflected in your application, we will not negotiate further changes to the project.”

The NPPF extols the virtues of front loading and positive engagement. The Council's website hardly conveys positivity.

You acknowledged previously that the Council's pre-app proforma does not allow for good responses where PiPs are concerned, so why is it still being used? Why does it appear we are being told to provide information not relevant to a PiP? The Council cannot hold such a high bar on their pre-app requirements and yet issue inconsistent and potentially technically incorrect advice, because, as your website says, if we don't do pre-app the Council will not negotiate.

Please can you look into this situation, as you did the last one, and ask that the pre-app advice is reissued. We asked this last time but all we got was a follow up email, the poor pre-app advice wasn't amended.

Having to pick apart poor pre-app advice costs us and our clients time. Your prompt response would therefore be appreciated.

Regards,



Steven Bainbridge MRTPI
Principal Planning Manager (South West)

☎ 07548 237530
✉ steven@parkerplanningservices.co.uk
🌐 www.parkerplanningservices.co.uk

Offices: Norfolk Suffolk Cambs Dorset
Lincs Essex



From: BMSDC DC Decisions for Signing (Internal use only) <decisions@baberghmidsuffolk.gov.uk>
Sent: 23 March 2021 16:00
To: Steven Bainbridge <steven@parkerplanningservices.co.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: Pre-application - Moat Farm

Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@baberghmidsuffolk.gov.uk

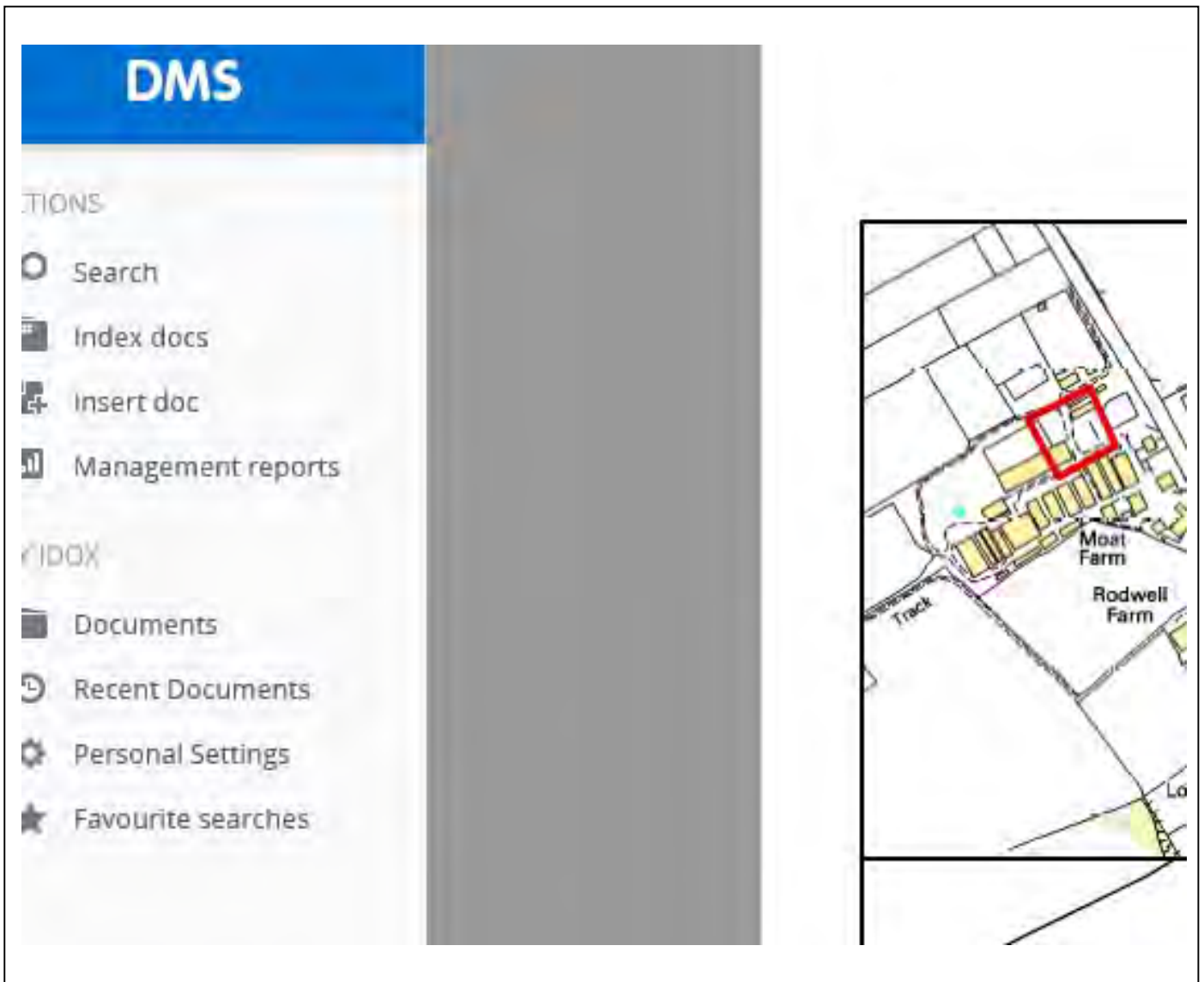
*Alternatively phone 0300 1234000 Option 5 Option 3
Or email planning@baberghmidsuffolk.gov.uk*

The above number and email will always be answered while the offices are open. Some customers are selecting Option 5 then Option 5 again which directs them to Planning Enforcement. Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council. Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for

information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

PRE-APPLICATION ENQUIRY DC/21/01070



Moat Farm, Lower Street, Baylham, Ipswich Suffolk IP6 8JW

Pre-application Enquiry

This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This Advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this Advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and National Planning Practice Guidance [NPPG]

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

The proposed development is for:

Written Enquiry -Permission In Principle for residential development at Moat Farm

The supporting material comprises:

Defined Red Line Plan - Received 19/02/2021

Planning Statement - Received 19/02/2021

The Proposed Development and Site

The proposed development is for the erection of an unspecified number of dwellings under Permission in Principle.

The site is comprised of a farm located west of Lower Street within the countryside. There are a cluster of dwellings located east (No.1- No.2 Moat Cottages) and south east (Moat Farm and Mary's Mead). The site is not within a Conservation Area, however there is a Grade II listed building located south east (Cherry Tree Cottage). There are no protected trees on site. There is a public right of way running along the northern edge of the site. The site falls within Flood Zone 1 and is also at a low risk of pluvial flooding.

Relevant Planning History

REF: DC/19/01639	Planning Application - Erection of 1no. dwelling	DECISION: GTD 29.07.2019
REF: 1591/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages	DECISION: GTD 25.07.2012
REF: 0063/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages.	DECISION: WDN 14.03.2012
REF: 2687/09	1. Construction of new vehicular access. 2. Barn conversion.	DECISION: REC
REF: 0829/85	Erection of broiler house	DECISION: GTD 09.01.1986
REF: 1657/07	Change of use of former packing shed/shop (agricultural buildings) to Class B1 business use	DECISION: GTD 17.08.2007
REF: 0891/01/	NEW DORMER WINDOW TO REAR ELEVATION (IN RELATION TO LOFT CONVERSION).	DECISION: GTD 12.10.2001

Planning Policy

Emerging Local Plan – New Joint Local Plan

The Council is currently in the process of drafting the new Joint Local Plan, however policies are not currently sufficiently advanced as to be given weight at this time. However, as the plan emerges and undergoes the stages of consultation the weight given to these policies will increase and may affect the considerations outlined within this advice. You are advised to review the progression of the Local Plan as it comes forward with regards to any impacts new policies may have on this proposal, details are available on the link below.

<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>

National Planning Policy Framework (NPPF)

The NPPF was revised in 2019, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making. It is still a material consideration and you are advised to consult it prior to submitting an application. [Title \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

The Council's Adopted Development Plan is:

Mid Suffolk Core Strategy Focused Review (2012)

Mid Suffolk Core Strategy (2008)

Mid Suffolk Local Plan (1998)

[Mid Suffolk District Council » Babergh Mid Suffolk](#)

Relevant Policies include:

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
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
T09 - Parking Standards
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

Constraints

- Public right of way
- Nearby heritage asset
- Countryside location
- Surrounding agricultural use

Advice:

The considerations of any permission in principle would be done with regard to the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Permission in principle is a two-step approach starting with establishing the principle of development and subsequently submitting the technical details of the development. Government Guidance is found here: [Permission in principle - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

Principle of Development

You are advised to discuss your site and proposal with the Council's Strategic Planning Policy Team in regard to checking whether the site is on the Brownfield Land Register. If it was on the Brownfield Register, then "Permission in Principle" is automatically granted, but an application to agree the technical consent details is required.

Alternatively, if the site is not on the Brownfield Register, an application would be required to be submitted to the Local Planning Authority. If an application were made, it would firstly be assessed against the Development Plan and NPPF on the narrow focus of matters relating to location, land use and amount of development to establish if the site is suitable for residential development.

The Council can currently demonstrate an adequate five-year housing land supply measured at 7.67 years (October 2020).

It is acknowledged that a dwelling to the north of the site has been approved under DC/19/01639; however, each application is dealt with on a case-by-case basis and DC/19/01639 was for one dwelling in this location and would have been dealt with as such. This pre-application site and any subsequent proposal that comes forward would be considered in cumulation alongside the existing dwelling north in terms of increased traffic generation and the sustainability of the location in permitting more private motor vehicle journeys, especially as the report for DC/19/01639 noted that there would be heavy reliance on private motor vehicle.

It is noted that the site is located between Needham and Great Blakenham with a nearby train station and the A14 accessible; and that services and facilities could be used and supported by this development in those adjacent areas. However, any permission in principle application would need to demonstrate that the proposal would amount to sustainable development. As it currently stands, the location is not well located; therefore, a submission would need to demonstrate and show how the development could amount to sustainable development (as per paragraph 8 of the NPPF) to tilt consideration in favour of the proposal, as the location in itself is not considered appropriate for further residential development. To this end, cycle storage, sustainable construction methods and biodiversity gains would assist in supporting this.

Without demonstrating that the proposal would constitute sustainable development, it is likely that it would be refused on unsustainable location.

Design

At an application stage for Permission in Principle, the only matter that can be considered is the amount of development on site, this has not been specified within this pre-application and therefore cannot be commented on. Any development should not be excessive or cramped on site and should be of a suitable amount proportionate to the size of the site.

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Jasmine Whyard

Planning Officer

Tel: 07547 980983

Email: jasmine.whyard@baberghmidsuffolk.gov.uk

23rd March 2021

Any questions please contact us



Steven Bainbridge

From: BMSDC DC Decisions for Signing (Internal use only)
<decisions@babberghmidsuffolk.gov.uk>
Sent: 23 March 2021 17:49
To: Steven Bainbridge; BMSDC DC Decisions for Signing (Internal use only)
Cc: BMSDC Planning Area Team Blue; Jasmine Whyard
Subject: RE: Pre-application - Moat Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Steven, yes we will see to this.


Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@babberghmidsuffolk.gov.uk

Alternatively phone 0300 1234000 Option 5 Option 3
Or email planning@babberghmidsuffolk.gov.uk

The above number and email will always be answered while the offices are open.
Some customers are selecting Option 5 then Option 5 again which directs them to Planning Enforcement.

From: Steven Bainbridge <steven@parkerplanningservices.co.uk>
Sent: 23 March 2021 17:43
To: BMSDC DC Decisions for Signing (Internal use only) <decisions@babberghmidsuffolk.gov.uk>; Mark Russell <Mark.Russell@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Jasmine Whyard <Jasmine.Whyard@babberghmidsuffolk.gov.uk>
Subject: RE: Pre-application - Moat Farm
Importance: High

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Good afternoon Mark,

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Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Subject: Pre-application - Moat Farm

Kind regards.

Mark Russell BA (Hons) MA MRTPI

Area Manager

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Direct Dial: 01449 724 552

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For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

Steven Bainbridge

From: Steven Bainbridge
Sent: 06 April 2021 10:26
To: BMSDC DC Decisions for Signing (Internal use only)
Cc: BMSDC Planning Area Team Blue; Jasmine Whyard
Subject: RE: Pre-application - Moat Farm

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Good morning Mark,

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Area Manager

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Sent: 23 March 2021 16:00
To: Steven Bainbridge <steven@parkerplanningservices.co.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: Pre-application - Moat Farm

Kind regards.

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Steven Bainbridge

From: Steven Bainbridge
Sent: 07 May 2021 17:54
To: Mark Russell; BMSDC DC Decisions for Signing (Internal use only)
Cc: BMSDC Planning Area Team Blue; Jasmine Whyard; John Pateman-Gee
Subject: RE: Pre-application - Moat Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mark,

Thank you for responding. We understand the Council has been busy, everyone is busy, but the lack of even an acknowledgement or apology from anyone since March (on a pre-app submitted in February) is very poor.

Why had no-one responded to the numerous emails? Is Jasmine Whyard not receiving her emails? Are the planningblue@ and decisions@ email inboxes not being monitored?

When will the Council respond? The Council's website claims that the pre-app services have been operating fully since 4th May.

Please can the pre-app be re-issued as per the request in the email trail below. The quality of the document was poor and, as you can see from the nine questions in my email below, the content fell well short of the customer's expectations.

We know the Council says it is very busy, but if the Council is going to charge people money for this service, then the quality needs to be better. Alternatively, maybe the Council should consider not charging for the service until it improves and/or offering refunds where customers are not satisfied? I would have liked to copy the Council's customer services team into this email trail but, ironically, they do not share their contact details on the Council's website or in their own strategy document. I hope you can agree that the planning dept. is currently falling well short of the Council's customer services strategy <https://www.babergh.gov.uk/the-council/customer-services/>

You say *"I believe that Jasmine has answered all or most of your questions"* but please see question 1 of 9 in my email below, highlighted in yellow.

We remain hopeful that the Council will demonstrate good customer service in the end, although, you hope you will appreciate from the evidence below, we are justified in resigning ourselves to the opposite outcome and somewhat exasperated with the service at the moment.

Regards,



Steven Bainbridge MRTPI
Principal Planning Manager (South West)

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🌐 www.parkerplanningservices.co.uk

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From: Mark Russell <Mark.Russell@babermidsuffolk.gov.uk>

Sent: 07 May 2021 17:26

To: Steven Bainbridge <steven@parkerplanningservices.co.uk>; BMSDC DC Decisions for Signing (Internal use only) <decisions@babermidsuffolk.gov.uk>

Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Jasmine Whyard <Jasmine.Whyard@babberghmidsuffolk.gov.uk>
Subject: RE: Pre-application - Moat Farm

Hello Steven, we will get back to you but it has been very busy for the last couple of weeks. I believe that Jasmine has answered all or most of your questions, but I will run through this with her next week.

Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
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Sent: 07 May 2021 13:43
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Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Jasmine Whyard <Jasmine.Whyard@babberghmidsuffolk.gov.uk>
Subject: RE: Pre-application - Moat Farm

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Good afternoon,

Ref the email trail below, will anyone from the Council be responding please?

Regards,



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From: Steven Bainbridge
Sent: 05 May 2021 11:02
To: BMSDC DC Decisions for Signing (Internal use only) <decisions@babberghmidsuffolk.gov.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Jasmine Whyard <Jasmine.Whyard@babberghmidsuffolk.gov.uk>
Subject: RE: Pre-application - Moat Farm

Good morning Mark,

Ref the email trail below, is there any progress with this please? We are a week or so away from this pre-app reaching three months from submission. I appreciate the Council's website currently says there are delays with pre-apps, but this was submitted in February, well before that note appeared.

Please can we have an eta for the pre-app and PLEASE can whoever does it take notice of the comments in the email trail below.

On a side note, I've referenced the Slough Farm site below, and your records will tell you that was recently refused. To avoid that influencing the officer giving pre-app in this case, you need to know that a resubmission has just been made at Slough Farm (initially invalidated for incorrect reasons) because in our opinion the officer made an error in judgement (fingers crossed quicker than an appeal).

Regards,



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Sent: 06 April 2021 10:26

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Cc: BMSDC Planning Area Team Blue <planningblue@babberghmidsuffolk.gov.uk>; Jasmine Whyard <Jasmine.Whyard@babberghmidsuffolk.gov.uk>

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Steven Bainbridge

From: Steven Bainbridge
Sent: 20 May 2021 16:02
To: BMSDC DC Decisions for Signing (Internal use only); Mark Russell
Cc: BMSDC Planning Area Team Blue; customer.services@babberghmidsuffolk.gov.uk; John Pateman-Gee
Subject: RE: Amended PiP Pre-application Response: DC/21/01070
Attachments: RE: Pre-application - Moat Farm

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Mark,

Thank you sending the amended pre-app over. I am sorry if having to amend the first pre-app has frustrated the planning officer, but as we set out in one of our emails, if the Council is going to take the approach it does with its pre-app service, it is vital it is timely and technically correct the first time. We note there has been little if anything in the way of an apology for the poor service thus far.

Unfortunately, yet again, the pre-app advice appears to be incorrect.

The potential error is in the section headed Principle of Development where it says:

“Permission in Principle cannot be granted for habitats development, this is defined as ‘development which is likely to have a significant effect on a European site or European offshore marine site (either alone or in combination with other plans and projects) and is not directly connected with or necessary to the management of the site’.”

We assume, although the officer does not say, that text comes from 5b ‘Exemption of Certain Developments’ of the 2017 PiP amendment order:

<https://www.legislation.gov.uk/uksi/2017/1309/made>

However, more up to date guidance is available in the PPG:

Can local planning authorities grant permission in principle to sites that have been subject to a Habitats assessment?

Permission in principle must not be granted for development which is habitats development. From 28 December 2018 habitats development means development which is likely to have a significant effect on a qualifying European site or a European offshore marine site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017. This means for sites where development is likely to have a significant effect on a qualifying European site or a European offshore marine site without any mitigating measures in place, the local planning authority should ensure an appropriate assessment has been undertaken before consideration of the grant of permission in principle. If the local planning authority is satisfied, after taking account of mitigation measures in the appropriate assessment and concluding that the development will not adversely affects the integrity of the protected site, then, subject to compliance with other statutory requirements regarding the permission in principle process, it can grant permission in principle.

Paragraph: 005 Reference ID: 58-005-20190315

Revision date: 15 03 2019 See previous version

We are reliably told this came in because of an amendment to the Habitats Regs in 2018.

If that is the case then the officer's advice is clearly and inherently wrong.

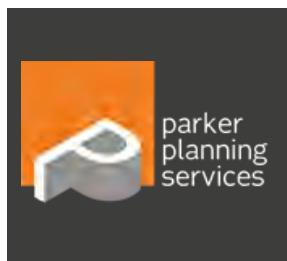
Please can the LPA confirm whether this is correct and if so, reissue the pre-app advice, again.

In doing so, please can the LPA take a more positive approach to the matter of the site location. We acknowledge the point made about previously developed land in the pre-app advice, however the redline was annotated as 'approximate'. It would have been more positive were the officer to highlight the issue and advise that the red line be amended, as need be, in order to benefit from the PiP procedure.

We would be grateful if you could look into this as a matter of urgency because this pre-app has been ongoing since February.

Regretfully, we have copied in customer services, because we want this matter taken forward as part of a formal complaint. On that basis we have attached previous emails so the Customer Service Dept. can see for themselves the quality of the Council's pre-app service.

Regards,



Steven Bainbridge MRTPI
Principal Planning Manager (South West)

01305 237593 / 07548 237530
steven@parkerplanningservices.co.uk
www.parkerplanningservices.co.uk

Offices: Norfolk Suffolk Cambs Dorset
Lincs Essex



From: BMSDC DC Decisions for Signing (Internal use only) <decisions@baberghmidsuffolk.gov.uk>
Sent: 12 May 2021 15:00
To: Steven Bainbridge <steven@parkerplanningservices.co.uk>
Cc: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>
Subject: Amended PiP Pre-application Response: DC/21/01070

Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@baberghmidsuffolk.gov.uk

Alternatively phone 0300 1234000 Option 5 Option 3
Or email planning@baberghmidsuffolk.gov.uk

The above number and email will always be answered while the offices are open. Some customers are selecting Option 5 then Option 5 again which directs them to Planning Enforcement. Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official

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Steven Bainbridge

From: Mark Russell <Mark.Russell@babberghmidsuffolk.gov.uk>
Sent: 02 June 2021 15:00
To: Steven Bainbridge
Subject: PIP Moat Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Steven.

I have met with the Case Officer and with our Legal Team. We are now in a position to confirm in our Pre-application advice that the Local Planning Authority can grant a Permission in Principle provided appropriate assessment (Habitats Regulation Assessment) has been carried out at the Permission in Principle stage and where appropriate mitigation can be provided. Mitigation in this case is likely to be in the form of a proportionate contribution to the Suffolk Recreational Avoidance and Mitigation Strategy.

Notwithstanding that the PPG carries less weight than the Statutory Instrument, that SI itself is out-of-date due to the change in the Habitat Regulations following the "People over Wind" judgement. Apologies for the out of date reference.

As a separate matter, you would, of course, require further information at the Technical stage in relation to possible bat/owl roosts etc. in the buildings.

Notwithstanding the above, on the matters of site location, this is a matter of planning judgement, which you are of course free to disagree with; however, this aspect of the pre-application advice as previously issued does remain unchanged. Our overall conclusion will therefore remain the same, discouraging you from submitting a formal application on the basis of site location.

I will, however, request that Jasmine make the slight amendment and re-send you the advice.

I hope that this is of assistance to you.

Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@babberghmidsuffolk.gov.uk

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Steven Bainbridge

From: BMSDC DC Decisions for Signing (Internal use only)
<decisions@babberghmidsuffolk.gov.uk>
Sent: 10 June 2021 16:28
To: Steven Bainbridge
Cc: BMSDC Planning Area Team Blue
Subject: Moat Farm
Attachments: Preapp PiP Moat Farm.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Bainbridge, please find attached an amended pre-application response for the proposed PiP at Moat Farm.

Kind regards.

Mark Russell BA (Hons) MA MRTPI
Area Manager
Babergh District Council & Mid Suffolk District Council – Working Together
Direct Dial: 01449 724 552
Mobile: 07543237616
Email: mark.russell@babberghmidsuffolk.gov.uk

Alternatively phone 0300 1234000 Option 5 Option 3
Or email planning@babberghmidsuffolk.gov.uk

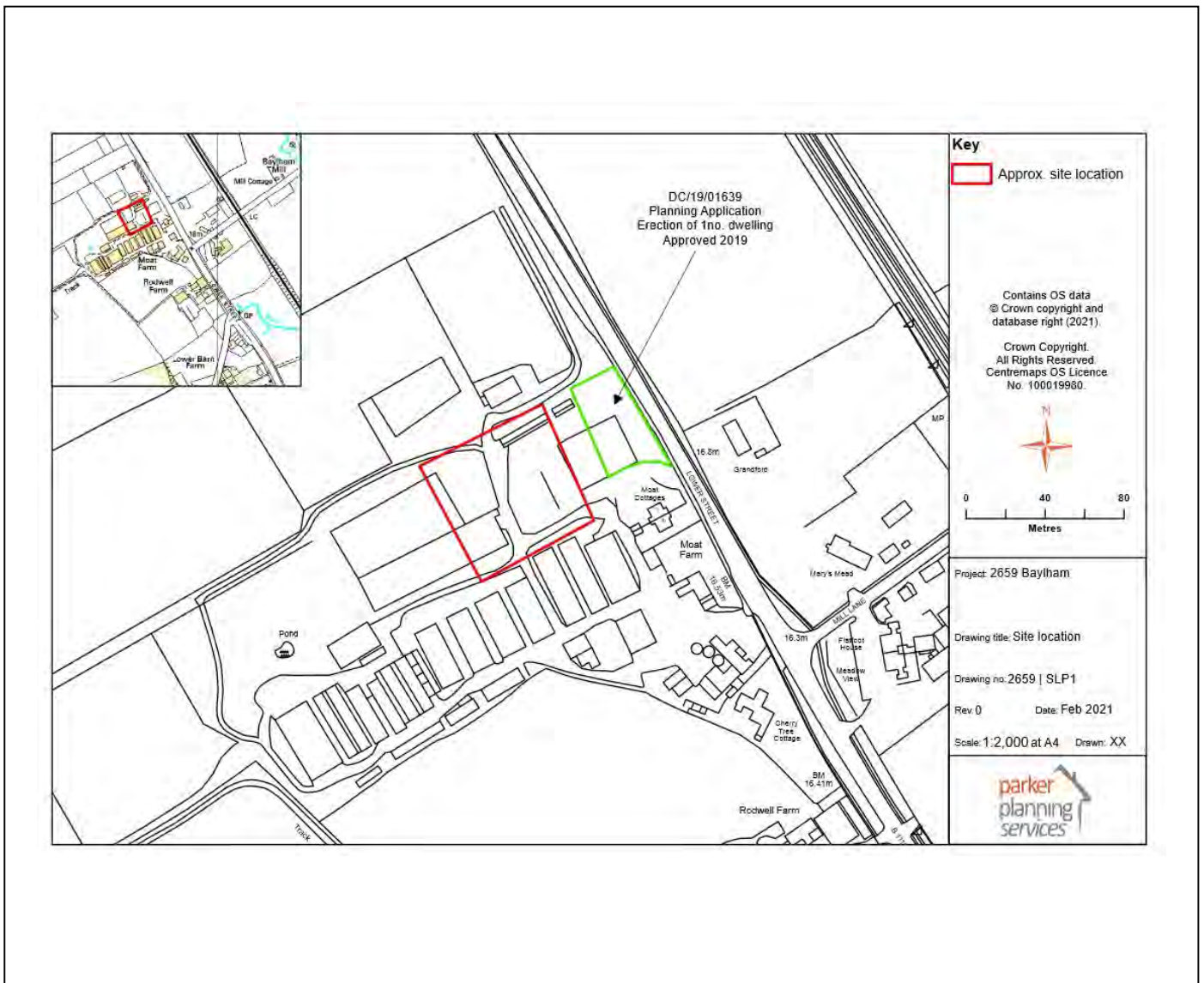
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PRE-APPLICATION ENQUIRY DC/21/01070



Moat Farm, Lower Street, Baylham, Ipswich Suffolk IP6 8JW

Pre-application Enquiry

This advice is provided as part of the Council's pre-application advice service.

The advice provided here represents a professional officer opinion based on the material submitted and is given in good faith. The Council as Local Planning Authority must consider every planning application on its own merits after having regard to all material planning considerations. The advice provided here is not in respect of a planning application, has not been subject to public consultation or appropriate statutory consultations and is not necessarily accompanied by all the required supporting material and on that basis the advice is not binding on the Council as the Local Planning Authority.

This Advice does not pre-determine the outcome of any subsequent planning application based on the submitted material and/or the Advice provided.

In providing this Advice the Council is seeking to proactively and constructively provide support to potential applicants seeking to deliver sustainable development as encouraged by the Government within the National Planning Policy Framework [NPPF] and National Planning Practice Guidance [NPPG]

The Council is permitted to charge for this advice under the provisions of the Local Government Act 2003. The intention is to recover the cost of providing the service and not to deter applicants and their agents from engaging in pre-application discussions.



The Proposal

The proposed development is for:

Written Enquiry -Permission In Principle for residential development at Moat Farm

The supporting material comprises:

Defined Red Line Plan - Received 19/02/2021

Planning Statement - Received 19/02/2021

The Proposed Development and Site

The proposed development is for the erection of an unspecified number of dwellings under Permission in Principle.

The site is comprised of a farm located west of Lower Street within the countryside. There are a cluster of dwellings located east (No.1- No.2 Moat Cottages) and south east (Moat Farm and Mary's Mead). The site is not within a Conservation Area, however there is a Grade II listed building located south east (Cherry Tree Cottage). There are no protected trees on site. There is a public right of way running along the northern edge of the site. The site falls within Flood Zone 1 and is also at a low risk of pluvial flooding.

Relevant Planning History

REF: DC/19/01639	Planning Application - Erection of 1no. dwelling	DECISION: GTD 29.07.2019
REF: 1591/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages	DECISION: GTD 25.07.2012
REF: 0063/12	Formation of new vehicular access to serve livery stables and Moat Farm Cottages.	DECISION: WDN 14.03.2012
REF: 0829/85	Erection of broiler house	DECISION: GTD 09.01.1986
REF: 1657/07	Change of use of former packing shed/shop (agricultural buildings) to Class B1 business use	DECISION: GTD 17.08.2007
REF: 0891/01/	NEW DORMER WINDOW TO REAR ELEVATION (IN RELATION TO LOFT CONVERSION).	DECISION: GTD 12.10.2001

Planning Policy

Emerging Local Plan – New Joint Local Plan

The Council is currently in the process of drafting the new Joint Local Plan, which is currently at Regulation 22 stage and has been submitted for examination. The policies are not currently sufficiently advanced as to be given weight at this time. However, as the plan emerges and undergoes the stages of consultation the weight given to these policies will increase and may affect the considerations outlined within this advice. You are advised to review the progression of the Local Plan as it comes forward with regards to any impacts new policies may have on this proposal, details are available on the link below.

<https://www.midsuffolk.gov.uk/planning/planning-policy/new-joint-local-plan/>

National Planning Policy Framework (NPPF)

The NPPF was revised in 2019, and includes, at its heart, a presumption in favour of sustainable development, however this does not affect the statutory status of the development plan (Local Plan) as the starting point for decision making. It is still a material consideration and you are advised to consult it prior to submitting an application. [Title \(publishing.service.gov.uk\)](https://www.gov.uk/publishing-service)

The Council's Adopted Development Plan is:

Mid Suffolk Core Strategy Focused Review (2012)

Mid Suffolk Core Strategy (2008)

Mid Suffolk Local Plan (1998)

[Mid Suffolk District Council » Babergh Mid Suffolk](#)

Relevant Policies include:

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

GP01 - Design and layout of development

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

T09 - Parking Standards

T10 - Highway Considerations in Development

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

Advice:

The letter submitted with the pre-application and subsequent correspondence has made it explicitly clear no advice is to be offered in regard of the Technical Consent Stage associated with the potential development of the site. As such, the following advice solely relates to the first stage of the Permission in Principle process. No details have been given on current land use nor the amount of development proposed.

The considerations of any Permission in Principle would be done with regard to the Town and Country Planning (Permission in Principle) Order 2017 (as amended). Permission in Principle is a two-step approach, starting with establishing the principle of development and subsequently submitting the technical details of the development. Further Government guidance is found here: [Permission in principle - GOV.UK \(www.gov.uk\)](https://www.gov.uk/permission-in-principle).

The relevant considerations for assessing a Permission in Principle application are still first and foremost assessed against the Development Plan and subsequently any other material planning considerations (including the NPPF).

A series of five questions were asked in the pre-application letter which shall be answered in turn:

- Previously developed land is defined as *'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.'* However, previously developed land status explicitly excludes *'land that is or was last occupied by agricultural or forestry buildings'* as per Annex 2: Glossary of the NPPF. Therefore, the site which has agricultural buildings on is not considered previously developed land and is not considered to benefit from such status for the purposes of Permission in Principle.

However, it is noted from the planning history that the site *could* have some equine/ B1 use, however at this stage there is no information about the site's current use and it is not clear from Google Maps. If it is currently/ was last used solely for equestrian/ B1 purposes, it could be considered previously developed land for the purposes of Permission in Principle.

- The matters relevant to a Permission in Principle are limited to location, land use and amount of development. However, as the site falls within the 13km Zone of Influence of the Stour and Orwell Estuaries SPA and RAMSAR site, appropriate assessment and mitigation measures will also be assessed during the course of the application.
- The Council accepts Permission in Principle applications through the Planning Portal.
- You would need to speak directly to the Council's Strategic Planning Policy Team to enquire about an updated version of the Brownfield Land Register. However, as discussed at point 1 if the site is agricultural in nature and use it is not considered previously developed land and it would therefore not appear on any Brownfield Land Register.
- An application form, site location plan and the correct application fee is all that is required for the application to be validated.

Principle of Development

If the site is not on the Brownfield Land Register, it does automatically benefit from having Permission in Principle.

If the site is not on the Brownfield Land Register the principle of development on site would be assessed against the development plan and specifically policies CS1, CS2 and H7 as the site falls within the countryside. The Council can currently demonstrate that it has a 5-year housing land supply measured at 7.67 years. However, as these policies would be the most important to the determination of the proposal, the 'tilted balance' under paragraph 11d) of the NPPF would likely be engaged.

Whilst it is noted that a single dwelling was approved on the frontage of the site, this does not automatically mean that further development is acceptable in the same location as each application is assessed on a case-by-case basis on its own merits. It was noted within that previous application DC/19/01639 that there would be heavy if not sole reliance on private motor vehicle. As such the site is not considered a suitable nor sustainable location for further housing growth. The site is located 1.8 miles from the services and facilities in Needham Market and 1.5 miles from those in Great Blakenham. Therefore, whilst there may be a footpath, future occupants would be heavily if not solely reliant on private motor vehicle to access essential daily services and facilities based on distances. There are no facilities or services in Baylham which is the nearest settlement (0.4 miles)

to the south west of the site, which has been found to be an unsustainable location through appeal decisions.

Moreover, whilst previously developed land is preferable to development on greenfield land under the NPPF, this again does not automatically equate to a grant of planning permission as the proposal must still demonstrate that its location is acceptable. In light of the above, the site's location it is likely to be considered unsustainable for further housing growth.

Unless the site is on the Brownfield Land Register, the principle of development in locational terms is likely to be considered unacceptable and as such a Permission in Principle application would likely be refused.

The site falls within the 13km Zone of Influence of the Stour and Orwell Estuaries Spa and Ramsar site which is a designated European Site. If you choose to ignore the advice given in this pre-application in regard to location, then all residential development (regardless of amount) proposed on site would be subject to a Habitats Regulation Assessment which would be carried out by the Council during the course of the application and a proportionate contribution (calculated per dwelling) to the Suffolk Recreational Avoidance and Mitigation Strategy would be the mechanism in which to secure appropriate mitigation. Such contribution would be secured online via the Council's website [Habitats Sites Mitigation » Babergh Mid Suffolk](#).

Conclusions/ Planning Balance

If the site is not on the Brownfield Register, where it automatically benefits from permission in principle, then based on the site's location it is unlikely to be considered an appropriate location for housing growth.

You are therefore strongly discouraged from submitting an application as it is highly likely the application would be refused.

Planning Risk Assessment

The risk of submitting an application and it being refused is high.

Jasmine Whyard

Planning Officer

Tel: 07547 980983

Email: jasmine.whyard@baberghmidsuffolk.gov.uk

11th May 2021

Any questions please contact us



Appendix – Bus Timetable

88 89

Ipswich ▶ Needham Market ▶ Stowmarket

Calling at Bramford (89), Claydon, Great Blakenham & Combs Ford

Monday to Fridays except Public Holidays

	88A	88A	89A	88A	89	88	89	88	89A	88	89	88	89A	88	89	88A	89	88A	89	88
Ipswich, Old Cattle Market	0630	0735	0744	0750	0820	0850	89	88	88	89A	88	89	88	89A	88	89	88A	89	88	89
Ipswich, Tower Ramps	0633	0738	0747	0753	0823	0853	20	50	1350	1415	1450	1535	1620	1650	1720	1750	1820			
Norwich Road, Bridge	0640	0746	0801	0801	0901		23	53	1353	1418	1453	1538	1623	1653	1723	1753	1823			
Bramford Road, Red Lion	0640	0746	0753	0830	0901		01	30	1401	1501	1635	1735	1735	1735	1735	1735	1735			
Sproughton, Wild Man	0640	0746	0758	0758	0901		30	30	1425	1545	1704	1704	1704	1704	1704	1704	1704			
Bramford, The Angel	0640	0746	0805	0836	0901		36	36	1430	1545	1704	1704	1704	1704	1704	1704	1704			
Bramford, The Angel	0640	0746	0805	0836	0901		36	36	1437	1551	1711	1711	1711	1711	1711	1711	1711			
Claydon, Greyhound	0649	0755	CHS	0810	0843	0910	43	10	1410	1444	1510	1558	1645	1718	1745	1818	1842			
Claydon, York Crescent	0649	0755	CHS	0810	0845	0910	45	10	1446	1600	1720	1720	1720	1720	1720	1720	1720			
Great Blakenham, Chequers PH	0651	0758	0813	0852	0912		52	12	1412	1453	1512	1607	1647	1727	1748	1827	CC			
Needham Market, Foxglove Ave, Orchard Way	0651	0758	0813	0852	0912		22	22	1422	1522	1657	1657	1657	1657	1657	1657	1657			
Needham Market, High Street, Swan	0658	0805	0820	0900	0925		00	25	1425	1501	1525	1615	1700	1735	1755	1835				
Needham Market, Hurstlea Rd, Burton Dr	0658	0805	0929	0929	0929		29	29	1429	1529	1704	1704	1704	1704	1704	1704	1704			
Lavenham Way, School	0705	0813	0828	0907	0937		37	37	1437	1537	1712	1744	1804	1844	1844	1844	1844			
Combs Ford, Cracknell's Shop	0709	0817	0832	0911	0941		11	41	1441	1541	1626	1715	1747	1807	1847	1847	1847			
Stowmarket, Market Place	0713	0824	0839	0918	0948		18	48	1448	1519	1548	1633	1721	1753	1813	1853				
Gainsborough Road, Leisure Centre	0721	0832	0847	0926	0956		26	56	1456	1527	1556	1641	1729	1801	1821	1901				
Chilton Way, Kipling Way	0728	0839	0854	0933	1003		33	03	1503	1534	1603	1648	1734	1806	1826	1906				

CC Journey finishes at Claydon, Crown at 1848 CHS Arrives at Claydon High School at 0810

School days only

Not School days only

Saturdays

	88A	88A	89	88	89	88	89	88	89A	88	89	88	89A	88	89	88A	89		
Ipswich, Old Cattle Market	0725	0755	0820	0850	89	88	89	88	88	89	88	89	88	89	88A	89			
Ipswich, Tower Ramps	0728	0758	0823	0853	20	50	1450	1535	1620	1650	1720	1750	1750	1750	1750	1750	1750		
Norwich Road, Bridge	0736	0806	0901	0901	23	53	1453	1538	1623	1653	1723	1753	1753	1753	1753	1753	1753		
Bramford Road, Red Lion	0736	0806	0830	0901	30	30	1501	1631	1731	1731	1731	1731	1731	1731	1731	1731	1731		
Bramford, The Angel	0736	0806	0836	0901	36	36	1545	1651	1706	1706	1706	1706	1706	1706	1706	1706	1706		
Bramford, The Angel	0736	0806	0836	0901	36	36	1551	1657	1706	1706	1706	1706	1706	1706	1706	1706	1706		
Claydon, Greyhound	0745	0815	0843	0910	43	10	1510	1558	1640	1713	1740	1813	1813	1813	1813	1813	1813		
Claydon, York Crescent	0745	0815	0845	0910	45	10	1600	1715	1715	1715	1715	1715	1715	1715	1715	1715	1715		
Great Blakenham, Chequers PH	0748	0818	0852	0912	52	12	1512	1607	1642	1722	1743	1822	1822	1822	1822	1822	1822		
Needham Market, Foxglove Ave, Orchard Way	0748	0818	0922	0922	22	22	1522	1652	1652	1652	1652	1652	1652	1652	1652	1652	1652		
Needham Market, High Street, Swan	0755	0825	0900	0925	00	25	1525	1615	1655	1730	1750	1830	1830	1830	1830	1830	1830		
Needham Market, Hurstlea Rd, Burton Dr	0755	0825	0929	0929	29	29	1529	1659	1659	1659	1659	1659	1659	1659	1659	1659	1659		
Lavenham Way, School	0803	0833	0937	0937	37	37	1537	1707	1739	1759	1839	1839	1839	1839	1839	1839	1839		
Combs Ford, Cracknell's Shop	0807	0837	0911	0941	11	41	1541	1626	1710	1742	1802	1842	1842	1842	1842	1842	1842		
Stowmarket, Market Place	0814	0844	0918	0948	18	48	1548	1633	1716	1748	1808	1848	1848	1848	1848	1848	1848		
Gainsborough Road, Leisure Centre	0822	0852	0926	0956	26	56	1556	1641	1724	1756	1816	1856	1856	1856	1856	1856	1856		
Chilton Way, Kipling Way	0829	0859	0933	1003	33	03	1603	1648	1729	1801	1821	1901	1901	1901	1901	1901	1901		

Times in italics are estimated times only

All fares, tickets and bus stop information is correct at the time of printing. We reserve the right to change these during the life of the timetable if needed. Please check our website for up to date information.

88 89

Stowmarket ▶ Needham Market ▶ Ipswich

Calling at Combs Ford, Great Blakenham, Claydon & Bramford (89)

Monday to Fridays except Public Holiday

	89	88A	89	88	89A	88	89	88	89	88	89	88	89	88	89	88	89	88	89	88
Gainsborough Road, Leisure Centre	0600	0630	0649	0721	0832	0847	0926	56	26	1356	1426	1456	1527	1556	1641	1729	1801			
Chilton Way, Kipling Way	0605	0635	0656	0730	0840	0905	0935	05	35	1410	1435	1505	1535	1605	1650	1740	1810			
Stowmarket, Bury Street arr	0610	0642	0703	0737	0847	0912	0942	12	42	1417	1442	1512	1542	1612	1657	1748	1818			
Stowmarket, Bury Street dep	0610	0645	0705	0739	0849	0914	0944	14	44	1419	1444	1514	1544	1614	1659	1748	1818			
Combs Ford, Layby	0616	0651	0711	0745	0855	0920	0950	20	50	1425	1450	1520	1550	1620	1705	1754	1824			
Lavenham Way, School	0619	0654	0714	0748	0858	0953	0953	53	53	1453	1453	1520	1553	1620	1705	1754	1824			
Needham Market, Hurstlea Rd, Burton Dr	0629	0705	0725	0759	0910	0930	1005	30	05	1435	1435	1505	1530	1605	1630	1720	1803	1834		
Needham Market, High Street, Swan	0629	0705	0725	0759	0910	0930	1005	30	05	1435	1435	1505	1530	1605	1630	1720	1803	1834		
Needham Market, Foxglove Ave, Orchard Way	0635	0711	0731	0805	0921	0936	1016	36	16	1441	1441	1516	1536	1616	1636	1731	1809	1840		
Great Blakenham, Chequers PH	0639	0715	0735	0817	0933	1028	1028	40	20	1445	1445	1540	1540	1640	1640	1743	1852			
Claydon, York Crescent	0649	0746	0746	0817	0951	1051	1051	51	21	1456	1456	1551	1551	1651	1651	1754	1824			
Claydon High School	0649	0746	0746	0817	0951	1051	1051	51	21	1456	1456	1551	1551	1651	1651	1754	1824			
Claydon, Crown	0644	0715	0740	0809	0925	0945	1020	45	20	1450	1501	1520	1545	1620	1645	1735	1818	1844		
Norwich Road, Bridge	0644	0715	0740	0809	0925	0945	1020	45	20	1450	1501	1520	1545	1620	1645	1735	1818	1844		
Bramford, The Angel	0649	0746	0746	0817	0951	1051	1051	51	21	1456	1456	1551	1551	1651	1651	1754	1824			
Sproughton, Wild Man	0655	0752	0752	0817	0958	1058	1058	57	27	1506	1506	1516	1516	1616	1616	1716	1716	1716		
Bramford Road, Red Lion	0655	0752	0752	0817	0958	1058	1058	57	27	1506	1506	1516	1516	1616	1616	1716	1716	1716		
Ipswich, Old Cattle Market	0705	0735	0810	0835	0945	1015	1040	10	40	1515	1525	1540	1610	1640	1710	1755	1843	1900		

BS Journey starts from Stowmarket, Bury Street on School days

Not School days only

Not School days only

Saturdays

	89	88A	89	88	89	88	89	88	89	88	89	88	89	88	89	88A
Gainsborough Road, Leisure Centre	0724	0754	0822	0852	0926	0956	1026	56	26	1526	1556	1641	1724	1756	1805	
Chilton Way, Kipling Way	0731	0801	0835	0905	0935	1005	1035									

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whole route mTicket £9.50
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 £5 adult / £3.60 young person (Ipswich & Needham Market)

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between Ipswich & Needham Market or Stowmarket

Stowmarket + Ipswich Zone tickets		all Day		all Week		10-trips		all Month	
		Adult	Young Person	Adult	Young Person	Adult	Young Person	Adult	Young Person
		£6	£3.90	£5.70	£3.60	£20	£15	£19	£13
		£21	£16	£19.50	£13.50	£70	£52	£66	£45

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anywhere from **Gt Blakenham & Claydon** to **Ipswich**

Ipswich Zone tickets		all Day		all Week		10-trips		all Month	
		Adult	Young Person	Adult	Young Person	Adult	Young Person	Adult	Young Person
		£5	£3.60	£4.70	£3.30	£17	£12.50	£16	£11
		£18	£13.50	£16.50	£11.50	£60	£44	£56	£38

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or if you're at school, college or 6th form go online to find out about our great value **Student Saver** tickets



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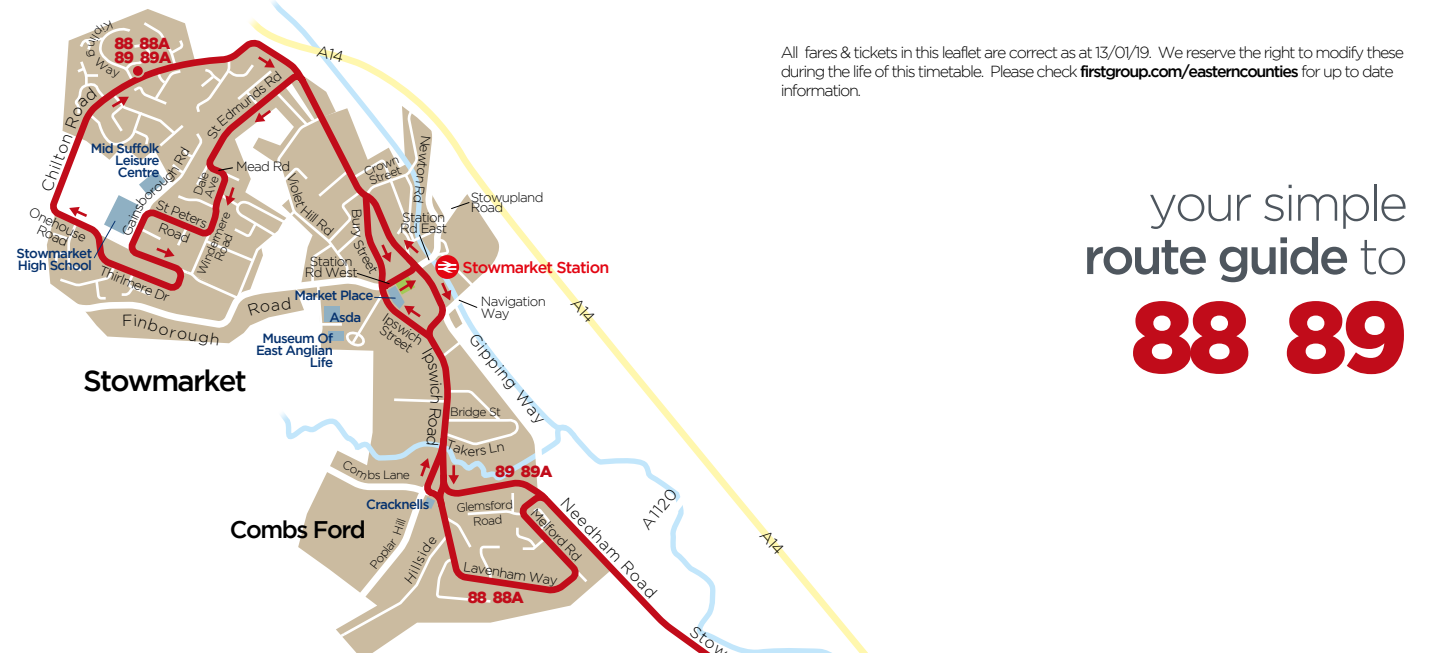
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- stop for buses coming into town
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 at **Old Cattle Market Bus Station** buses call at **Stand D**



All fares & tickets in this leaflet are correct as at 13/01/19. We reserve the right to modify these during the life of this timetable. Please check firstgroup.com/easterncounties for up to date information.

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- ◆◆◆ section of route served by some journeys
- ➔ buses travel one way along this section

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from **First EasternCounties**

for more information

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or to get in touch

Customer Services 0345 646 0707
 Monday - Friday 0700-1900 Weekends 0900-1700

Contact us at firstgroup.com/easterncounties

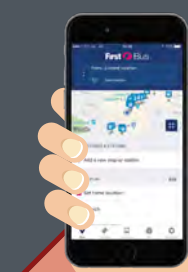
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Appendix – 19/01639 Officer’s Report and Approval

Target Decision Date: 24/07/2019

Expiry Date: 31/07/2019

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Katherine Hale
CASE REFERENCE: DC/19/01639

The Openness of Local Government Bodies Regulations 2014

The new national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

PROPOSAL: Planning Application - Erection of 1no. dwelling
LOCATION: Moat Farm, Lower Street, Baylham, Ipswich, Suffolk, IP6 8JW
PARISH: Baylham.
WARD: Needham Market.
APPLICANT: Mr And Mrs A Rose

ENVIRONMENTAL IMPACT ASSESSMENT:

SITE NOTICE DATE: 11/04/2019

PRESS DATE: 10/04/2019

BACKGROUND DOCUMENTS

This decision refers to drawing number OS Map at Scale 1:1250 received 03/04/2019 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:

Defined Red Line Plan OS Map at Scale 1:1250 - Received 03/04/2019
Supporting Statement - Received 03/04/2019
Land Contamination Assessment - Received 03/04/2019
Land Contamination Questionnaire - Received 03/04/2019
Plans - Proposed 2019.11 - Received 03/04/2019
Block Plan - Proposed 2019.11 - Received 03/04/2019

The application, plans and documents submitted by the Applicant can be viewed online at www.babergh.gov.uk or www.midsuffolk.gov.uk.

SUMMARY OF CONSULTATIONS AND REPRESENTATIONS

Environmental Health - Land Contamination Comments Received - 09/04/2019
No objection

SCC - Highways Comments Received - 23/04/2019
Recommend conditions

Ecology - Place Services Comments Received - 25/04/2019
No objection subject to securing:

- a) a financial contribution towards visitor management measures for the Stour and Orwell SPA & Ramsar site
- b) biodiversity enhancement measures

SCC - Archaeological Service Comments Received - 12/04/2019
Please see documents tab 12/04/2019

PLANNING POLICIES

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats
H03 - Housing development in villages
H07 - Restricting housing development unrelated to needs of countryside
H09 - Conversion of rural buildings to dwellings
H10 - Dwellings for key agricultural worker
H15 - Development to reflect local characteristics

PLANNING HISTORY

REF: DC/19/01639 Planning Application - Erection of 1no. dwelling DECISION: PDE

REF: 0829/85 Erection of broiler house DECISION: GTD

REF: 1657/07 Change of use of former packing shed/shop (agricultural buildings) to Class B1 business use DECISION: GTD

REF: 0891/01/NEW DORMER WINDOW TO REAR ELEVATION (IN RELATION TO LOFT CONVERSION). DECISION: GTD

ASSESSMENT

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected.

Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

Site and Surroundings

Moat Farm is situated to the north east of Baylham set back from the highway of Lower Street. The application site is currently used as grassland with Moat Farm. The nearest neighbours are 1 and 2 Moat Cottages to the south and Grandford to the east. There are agricultural fields to the north.

Principle of Development

As a full application for the erection of one detached dwelling, the proposal has been assessed having regards to saved policies GP1, H3, H13, H15, H16, H17, of the Mid Suffolk Local Plan adopted 1998 and policies CS1, CS5 of the Core Strategy and the NPPF.

Policy CS1 of the Core Strategy Development Plan states that all settlements not included in the Settlement Hierarchy list will be designated as countryside and countryside villages as such development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy.

The Council have recently published and consulted on a Housing Land Supply Position Statement. This identified a housing land supply position of 5.32 years. Since this report was published the consultation period has closed and comments received during this consultation period have been considered. The Council's final position statement on this was published on 26th March 2019, which confirmed the Council has a 5.06 year supply.

The application site sits less than a mile to the northeast of the settlement boundary for Baylham whilst Needham Market is located approximately 2miles away to the north along Lower Street and Great Blakenm 1.3 miles away to the south.

It is noted the lack of facilities within Baylham itself, however, Needham Market is located at the top of the settlement hierarchy set out within Core Strategy policy CS01 and would give access to a wide range of services and facilities including connection to a wider transport network. Great Blakenham, similar to Baylham, is not listed within Core Strategy policy CS01 such that it is considered to form part of the countryside and provides a similar lack of facilities. Footpaths are provided to link the site to Great Blakenham to the south, and Needham Market to the north. It is not disputed that the site would place some reliance on the private motorcar as a mode of transport, however, due to the scale of the proposed development the length of journey and frequency of vehicle movements would likely be low. The development would not be isolated despite its position in a countryside village and would therefore provide sustainable development in accordance with the NPPF when taken as a whole.

The proposed development has been considered on the basis of its planning merits and the officer's recommendation is given accordingly, having had regard for all material planning considerations; those key issues being discussed under their respective headings below.

Design and Layout

The proposal seeks the erection of a detached dwelling. The application site is 0.15hectares. The proposed dwelling would be two storey with an eaves height of 5.1m and a ridge height of 8.3m. The proposed dwelling would have a gross internal floor area of 122.9 square metre. The proposed materials would be red brick plinth with render finish and a grey slate roof. The proposed dwelling would be set back from the highway and would provide a parking and turning area to the front of the dwelling and a modest amenity space to the side and rear. The proposed design, materials, form and scale are considered to respect the characteristic of the area and local surroundings, not constitute over

development of the site and not harm local distinctiveness. Overall, the works are not unacceptable in terms of design and layout and it would be inappropriate to consider refusal in this respect.

Highway Safety (Parking, Access, Layout)

The application site is situated off Lower Road within a 60mph speed limit. The existing access would be used and would be laid out to Suffolk County Council Drawing DM01 standards. The visibility splay would be 2.4m x 215m in each direction. The proposal is not considered to have a detrimental impact on highway safety or significantly increase the amount of traffic on the road such that the application would warrant refusal. The proposal is therefore considered to be in accordance with the NPPF and the development plan.

Residential Amenity

The proposal would not result in significant harm to residential amenity so as to warrant refusal in this regard. The proposal would result in a dwelling similar in appearance, scale and form to reflect the character of the dwellings along Lower Street. The proposal would not affect the privacy of the nearby properties nor their visual amenity. The proposal is acceptable in this regard.

Other Matters

Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." It has been considered that no criminal offence under the 2010 Regulations against any European Protected Species is likely to be committed. There are no recordings of protected species or their habitats within the site or likely to be affected in the immediate area. It is highly unlikely that any protected species would be found within this site and as such this proposal is not considered to be harmful in terms of biodiversity issues.

CONCLUSION

The scale, siting and design of the proposed dwelling would not result in such unacceptable harm to the character of the area. The layout ensures the amenities of the neighbouring properties would not be detrimentally impacted by the development. Sufficient parking and private amenity space has been provided. The proposed dwelling would be read in conjunction with the adjacent dwellings and would have access to the same facilities and amenities as residential properties in this area. The proposal would not cause significant harm to residential amenity so as to warrant refusal. The proposal accords with relevant development plan policies and national planning guidance. The proposal is acceptable.

RECOMMENDATION

I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and wellbeing of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.

RECOMMENDED DECISION: Granted

SUGGESTED CONDITIONS OR REASONS

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

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

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

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

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

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

5. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: PROVISION OF ACCESS

The vehicular access hereby permitted shall be a minimum width of 4.5 metres for a distance of 10 metres measures from the nearby edge of the carriageway. The access shall be retained thereafter in its specified form.

Reason - To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

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

The use shall not commence until the area(s) within the site shown on Drawing No. 2019.11 for the purposes of manoeuvring and parking of vehicles 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 of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

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

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any means of frontage enclosure shall be set back 2.4 metres from the edge of the carriageway of the adjacent highway and tapered accordingly to provide splays of $x=2.4m$ by $y=215m$ in each direction.

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.

8. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING 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, which 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.

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 lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to important trees and hedgerow that would result in harm to amenity.

9. PRIOR TO OCCUPATION: 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. n

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

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.

Case Officer Signature: Katherine Hale
Date: 29 July 2019

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



PLANNING PERMISSION

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

Correspondence Address:

Build To Plans
19 Aldham Gardens
Stowmarket
Suffolk IP14 2PS

Applicant:

Mr And Mrs A Rose
Benicia House
Lower Farm Road
Ringshall IP14 2JB

Date Application Received: 02-Apr-19

Application Reference: DC/19/01639

Date Registered: 04-Apr-19

Proposal & Location of Development:

Planning Application - Erection of 1no. dwelling

Moat Farm, Lower Street, Baylham, Ipswich Suffolk IP6 8JW

Section A – Plans & Documents:

This decision refers to drawing no./entitled OS Map at Scale 1:1250 received 03/04/2019 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:

Land Contamination Assessment - Received 03/04/2019
Land Contamination Questionnaire - Received 03/04/2019
Plans - Proposed 2019.11 - Received 03/04/2019
Block Plan - Proposed 2019.11 - Received 03/04/2019
Defined Red Line Plan OS Map at Scale 1:1250 - Received 03/04/2019
Supporting Statement - Received 03/04/2019

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

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

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

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

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

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

5. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: PROVISION OF ACCESS

The vehicular access hereby permitted shall be a minimum width of 4.5 metres for a distance of 10 metres measures from the nearby edge of the carriageway. The access shall be retained thereafter in its specified form.

Reason - To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

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

The use shall not commence until the area(s) within the site shown on Drawing No. 2019.11 for the purposes of manoeuvring and parking of vehicles 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 of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

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

Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any means of frontage enclosure shall be set back 2.4 metres from the edge of the carriageway of the adjacent highway and tapered accordingly to provide splays of $x=2.4m$ by $y=215m$ in each direction.

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.

8. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING 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, which 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.

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 was 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.

9. PRIOR TO OCCUPATION: 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. n

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

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats
H03 - Housing development in villages
H07 - Restricting housing development unrelated to needs of countryside
H09 - Conversion of rural buildings to dwellings
H10 - Dwellings for key agricultural worker
H15 - Development to reflect local characteristics

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/19/01639

Signed: Philip Isbell

Dated: 29th July 2019

**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>

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.