

Philip Isbell – Chief Planning Officer
Sustainable Communities

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

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

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

Correspondence Address:
Philip Cobbold Planning Ltd
42 Beatrice Avenue
Felixstowe
IP11 9HB

Applicant:
Mr H Jardine
Orchard Lea
Mill Lane
Creting St Peter
Suffolk
IP6 8QG

Date Application Received: 18-Jun-19
Date Registered: 28-Jun-19

Application Reference: DC/19/02918

Proposal & Location of Development:

Planning Application - Erection of offices and agricultural building.

Grove Farm, Mill Lane, Creting St Peter, Suffolk IP6 8QG

Section A – Plans & Documents:

This decision refers to drawing no./entitled 3483 10A received 18/06/2019 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 3483 10A - Received 18/06/2019
Block Plan - Proposed 3483 10A - Received 18/06/2019
Elevations - Proposed 3483-11A - Received 18/06/2019
Elevations - Proposed 3483-12A - Received 14/08/2019
Floor Plan - Proposed 3483-12A - Received 14/08/2019

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 IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT
OF MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction for all buildings including in this permission have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason - To secure an orderly and well designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT
OF LEVELS

Prior to the commencement of works in association with the buildings hereby approved and/or any change in ground levels, details of existing and proposed levels of the site, finished floor levels and identification of all areas of cut or fill as measured from a fixed off site datum point shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in its entirety in accordance with the levels agreed.

Reason - In order to secure a design in scale with development surrounding the site so as to protect the visual amenities, amenity of neighbouring properties and character of the area. This condition is required to be agreed prior to the commencement of works to buildings and/or ground levels as any construction process beyond this stage without this agreement risks having to be restarted resulting in delay and cost for the developer.

5. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - SURFACE WATER DRAINAGE DETAILS

No development shall commence until a scheme for disposal of surface water for the development has been submitted to and agreed in writing by the Local Planning Authority. This should be informed by soakage tests in accordance with BRE365 and include:

- o Details of the soakage tests
- o Details of design calculations
- o Plans showing exceedance paths and flood storage areas.
- o Proposals for water quality
- o Proposals for maintenance and management of the surface water drainage scheme.

The development shall be implemented in accordance with the approved details.

Reason - To safeguard the ground water environment and minimise the risk of flooding.

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF PRIVATE SEWAGE TREATMENT PLANT

No development shall commence on the hereby permitted office building until details of the private treatment plant for the disposal of sewage effluent have been submitted and agreed in writing by the Local Planning Authority. The details shall include the location of the plant, details of the means of discharge (to ground or surface water) and the volume of effluent to be discharged.

The private sewage treatment plant shall be implemented in accordance with the approved details and thereafter retained.

Reason - To ensure that an adequate and satisfactory means of foul drainage is provided to avoid pollution, in the absence of a foul sewer

7. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: ENERGY AND SUSTAINABILITY STATEMENT

Prior to the commencement of works in association with the buildings hereby approved, an Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority, detailing how the development can secure the required energy efficiency and sustainability standards. The statement shall include:

- Breakdown of energy demands (kWh) and associated carbon dioxide emissions (CO₂/kg)
- Submission of the associated National Calculation Methodology results, detailing both the Target Emission Rate (TER) and the Building Emission Rate (BER)
- Full set of U-Values for the proposed development.
- Technical details of any proposed renewable/low-carbon technology installations.

The energy efficiency and sustainability statement shall be implemented in accordance with the approved details and thereafter retained.

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

**8. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT TO BE AGREED**

Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed.
- d) Details of any protection measures for footpaths surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portalos.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.

The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development.

This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

9. ACTION REQUIRED PRIOR TO USE OF OFFICES - PROVISION OF CYCLE STORAGE.

The use of the hereby approved office building shall not commence until details of the areas to be provided for secure cycle storage shall be submitted to and approved, in writing, by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall thereafter be retained.

Reason - To encourage sustainable and alternative modes of transport and access to the site.

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF ILLUMINATION

Prior to the installation of any external lighting associated with the hereby approved development a detailed lighting scheme for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include types, angle, lux levels and position of luminaires, hours of operation, lighting contour plans, and a polar luminance diagram based on vertical luminance at the site boundary, and at Orchard Lea, the nearest residential property that it;

- a) Clearly demonstrates that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED.
- b) Clearly demonstrates that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.
- c) Clearly demonstrates the impact on nearest residential property.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme, and shall be maintained thereafter in accordance with the scheme. No other external lighting shall be installed without prior consent from the Local Planning Authority.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

11. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING SCHEME

No development shall commence within a development area or phase, until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant establishment); schedules of plants (including existing trees, hedges and shrubs to be retained); noting species, plant sizes and proposed numbers/ densities, weed control and pest protection and maintenance and any tree works to be undertaken during the course of the development. The soft landscaping scheme shall include additional landscaping to the north-west of the hereby approved office along the north-eastern edge of the concrete track adjacent to the existing bund.

The hard landscaping shall include precise details of the type, colour and finish of new hard surfaces.

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.

12. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details agreed under Condition 13 of this permission shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development.

Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

13. ON GOING REQUIREMENT OF USE: RESTRICTION ON OPERATION TIMES

The hereby permitted uses (Office and Industrial building) shall only operate between the hours of 08:00 and 18:00 Mondays to Fridays and between the hours of 08:00 and 13.00 on Saturday. There shall be no working on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these hours.

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

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

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 3, Class I and O and Part 7 Classes F and G of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):-

There shall be

- no extension or alteration of office building and no creation of hard surfaces for offices,

- change of use

except pursuant to the grant of planning permission on an application made in that regard.

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

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

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 3, Class S, R and Q of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):-

There shall be

- no extension or alteration of agricultural building and no creation of hard surfaces for agricultural building,

- change of use

except pursuant to the grant of planning permission on an application made in that regard.

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

16. SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTED OCCUPATION AND USE

The hereby approved offices shall be occupied and used solely in association with the adjacent B2 and B8 industrial operation.

Reason - To control the use of the site and to control the impact on the highway network.

17. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DEMOLITION OF TEMPORARY ACCOMODATION

The temporary units indicated on drawing 3483-10A received 18 June 2019 shall be removed from the site within three months of the first occupation of the hereby approved offices. At that time the land shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity and the character and appearance of the landscape.

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

The use shall not commence until the area within the site shown on Drawing No 3483-10A received 19 January 2016 for the purposes of manoeuvring and parking of vehicles has been provided and made functionally available.

Thereafter that area shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

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

19. PART 1 - ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT
- ARCHAEOLOGICAL EVALUATION

No development shall take place until a scheme of archaeological evaluation of the site has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order to carry out the evaluation). The evaluation shall be carried out in its entirety as may be agreed to the satisfaction of 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 as there is an unacceptable risk of loss and damage to archaeological and historic assets.

20. PART 2 - ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT
- ARCHAEOLOGICAL WRITTEN INVESTIGATION

No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.

Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full 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. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously 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 features of archaeological importance are identified, preserved and secured to avoid damage or lost

resulting from 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.

21. PART 3 - ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed 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.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

GP01 - Design and layout of development
E08 - Extensions to industrial and commercial premises
CL02 - Development within special landscape areas
H17 - Keeping residential development away from pollution
HB01 - Protection of historic buildings
H16 - Protecting existing residential amenity
CL11 - Retaining high quality agricultural land
E12 - General principles for location, design and layout
T09 - Parking Standards
T10 - Highway Considerations in Development

NOTES:

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

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

2. Please note that the hereby approved application does not include any use for accommodation for employees or any other person. This would require a change of use application.
3. I draw the attention of the applicant to the Suggested Informative Statements and Conditions Report received by Anglia Water for further information.

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/19/02918

Signed: Philip Isbell

Dated: 20th August 2019

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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

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

Discharging your obligations under a condition:

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

Building Control:

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

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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