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## OUTLINE PLANNING PERMISSION Town and Country Planning Act 1990

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### Correspondence Address:

Last & Tricker Partnership  
3 Lower Brook Mews  
Lower Brook Street  
IPSWICH  
Suffolk  
IP4 IRA

**Applicant:** Mr G Cook

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### Part 1 - Particulars of Application

Date of application: 06 January 2015

**Application No:** B/15/00029/OUT/AS

Date Received: 08 January 2015

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**Outline - Demolition of existing dwelling & erection of 14 No. dwellings with access from Ventris Close & erection of 2 No. dwellings with access from Hadleigh Road Russetts, Hadleigh Road, Sproughton, IPSWICH, IP2 0BT**

### Part 2 - Particulars of decision

The **Babergh District Council** hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **permission has been granted** for the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions:

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

*Reason – Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004*

2. Before any development is commenced, approval of the details of the appearance and scale of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

*Reason – To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.*

3. **LISTING OF APPROVED PLANS & DOCUMENTS**

The development hereby permitted shall be carried out in accordance with the following approved documents 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 :

Defined Red Line Plan:

The defined Red Line Plan for this application is the drawing entitled 1:1250 Site Location Plan, Licence number 100020449, received 8 January 2015 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Approved Plans and Documents:

The outline planning application forms; the 1:1250 scale Site Location Plan, ref: 100020449; the planning statement, incorporating local validation requirements statement & design and access statement to accompany Outline Planning Application (notwithstanding paragraphs 6 and 29), Ref: 3765, December 2014; the arboricultural report and drawing no. LSDP 11031.01 Rev A, produced by Land & Sculpture Design Partnership, dated 07 January 2015; Topographical survey drawing no. 146/108/01; and proposed access and layout drawing no. 3765-11-C, all received on the 08th January 2015.

And

The Phase I Contaminated Land Assessment, produced by JP Chick & Partners Ltd for Mr G Cook, dated 18 November 2013 (notwithstanding paragraph 2.04 and appendix B), received by the local planning authority on the 24th January 2014.

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

4. Concurrently with the submission of a reserved matters application, in respect of the scale and appearance of buildings, precise 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, for the written approval of the Local Planning Authority. The development shall be then be constructed and carried out in its entirety in accordance with the approved 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, in accordance with the provisions of the NPPF (2012), policies CS1 and CS15 of the Babergh Local Plan 2011-2031, Core Strategy & Policies (2014), and saved policies CN01 and HS28 of the Babergh Local Plan, Alteration No. 2 (2006).*

5. Concurrently with the submission of a reserved matters application, in respect of the scale and appearance of buildings, precise details of the manufacturer and types and colours of all external facing and roofing materials to be used in construction (and samples, if requested) shall be submitted to, for the written approval of the Local Planning Authority. Such materials and colour finishes as may be agreed shall be those used and applied to the development and shall be fully applied prior to first use/occupation.

*Reason – To secure an orderly and well designed finish sympathetic to the visual amenity and the character and appearance of the area, in accordance with the provisions of the NPPF (2012), policies CS1 and CS15 of the Babergh Local Plan 2011-2031, Core Strategy & Policies (2014), and saved policies CN01 and HS28 of the Babergh Local Plan, Alteration No. 2 (2006).*

6. Concurrently with the submission of a reserved matters application, in respect of the

scale and appearance of buildings, precise details of the provision, siting, design and materials of screen walls and fences shall be submitted to, for the written approval of the Local Planning Authority.

The screen walls and fences as may be approved shall be erected prior to the dwelling/s to which they relate being first occupied and thereafter be retained in the approved form.

*Reason – In the interests of visual amenity and the character and appearance of the area, in accordance with the provisions of the NPPF (2012), policies CS1 and CS15 of the Babergh Local Plan 2011-2031, Core Strategy & Policies (2014), and saved policies CN01 and HS28 of the Babergh Local Plan, Alteration No. 2 (2006).*

7. The accesses shall be completed in all respects in accordance with approved Drawing No. 3765-11-C, received on the 08th January 2015, and be available for use before first occupation of any dwelling, hereby approved. Thereafter they shall be retained in their approved form. At this time all other means of access to the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority prior to the commencement of the accesses.

*Reason - In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety, in the interests of highway safety, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

8. The gradient of the approved vehicular accesses and associated estate roads and/or access drives shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

*Reason: To ensure that vehicles can enter and leave the public highway in a safe manner, in the interests of highway safety, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

9. Prior to the new dwellings hereby permitted being first occupied, the new vehicular access onto the Hadleigh Road, A1071, shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority. The bound material as may be agreed shall be retained and maintained thereafter as approved.

*Reason - To secure appropriate improvements to the existing vehicular access in the interests of highway safety having regard to the increase in its use which will result from the development permitted and to prevent hazards caused by loose materials being carried out into the highway, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

10. Before the development is commenced, details of the estate roads and footpaths, [including layout, levels, gradients, surfacing and means of surface water drainage] and a timetable for said works, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed to satisfy this condition shall be implemented and completed in their entirety in accordance with the timetable agreed.

*Reason: To ensure that roads/footways are constructed to an acceptable standard, in the interests of highway safety, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

*This condition is required to be agreed prior to the commencement of any development to ensure highway safety is secured early for both development, its*

*construction and addresses areas of work before any other parts of the development can take place. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety and risk of cost to the developer if the details are not found acceptable.*

11. No dwelling shall be first occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details.

*Reason - To ensure that satisfactory access is provided for the safety of residents and the public, in the interests of highway safety, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

12. Before the development is commenced precise details of the areas to be provided for the manoeuvring and parking of vehicles including 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 be retained thereafter and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles and used for no other purpose.

*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, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

13. Before the access onto the Hadleigh Road, A1071, is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason - 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 to take avoiding action, in the interests of highway safety, in accordance with the provisions of paragraph 32 of the NPPF (2012).*

14. No development shall take place until:

- (i) A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
- (ii) Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
- (iii) A written report shall be submitted detailing the findings of the investigation referred to in (ii) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval in writing by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme and timetable for the scheme for agreement in writing by the

Local Planning Authority should the authority consider it is required.

(iv) Any remediation work as may be agreed shall be carried out in its entirety in accordance with the approved Remediation Scheme and timetable.

(v) Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation scheme prior to the first use/occupation of the development.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of this condition and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of this condition, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with this condition.

*Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors. This condition is required to be agreed prior to the commencement of any development to ensure health and safety is secured early for both development and its construction including the health of all workers during all phases of construction. If agreement was sought at any later stage there is an unacceptable risk to health and safety.*

15. No development shall take place within the area indicated [BLANK] 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. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

*Reason - 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.*

16. 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 approved under condition 15 and the provision 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.*

17. Prior to the first occupation of any of the dwellings hereby approved, full details of the proposals for the disposal of surface water from the development shall be submitted for the written approval of the Local Planning Authority in consultation with the Local Drainage Authority, and shall be fully implemented as approved, and thereafter retained.

*Reason - To ensure that the development is connected to a satisfactory means of surface water disposal and to attenuate run off into the watercourse thereby reducing the likelihood of flooding downstream of the development, in accordance with the provisions of the NPPF (2012) and policy CS15 Babergh Local Plan 2011-2031, Core Strategy and Policies (2014).*

18. 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 portaloos.
  - 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.*

19. No development shall commence until details of the number and location of fire hydrant provision for the approved development have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of the development.

*Reason - To ensure fire hydrants are provided in sufficient numbers and locations to*

*meet fire safety requirements.*

20. Prior to the commencement of development (including any part or phased submissions) precise details of a scheme/schedule of measures to demonstrate compliance with the approach of 'Secured by Design Principles' (2004) or any subsequent guidance that may accompany or replace it shall be submitted to the Local Planning Authority for approval in writing. The detailed scheme of approved measures shall thereafter be fully implemented prior to the first occupation of each relevant part of the development.

*Reason - In the interests of crime prevention and community safety. In pursuance of the Council's duty under S.17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions. In accordance with the Government's PPS1 – 'Delivering Sustainable Development' and policy CN04 of the Babergh Local Plan, Alteration No.2, 2006.*

#### **Notes to Applicant:**

1. This permission contains conditions that have to be discharged before the development or use commences. If you do not comply with the condition precedent you could invalidate this permission. A condition precedent cannot legally be complied with retrospectively and a new application could be required. There is normally a charge applicable per request to discharge a condition of a planning permission. The applicant/developer is therefore advised to submit relevant details for all conditions in a single request.
2. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2010 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case Council officers have worked with the applicant in order to resolve issues of viability with regards contribution towards affordable housing.
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's Central Area Manager should be contacted on Telephone 01473 341414. Further information go to: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/)
4. Public utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.
5. The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.
6. The existing street lighting system may be affected by this proposal. The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.
7. There is a suspicion that the site may be contaminated or affected by ground gases.

The applicant and/or developer is hereby made aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Unless agreed in writing with the local planning authority, no development work should be carried out (including demolition or site preparation) until the requirements of the condition have been met, or without the prior approval of the Local Planning Authority.

The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following

bodies:

- Local Planning Authority
- Environmental Services
- Building Inspector
- Environment Agency

Any site investigations and remediation strategies in respect of site contamination (including ground gases, where appropriate) shall be carried out in accordance with current approved standards and codes of practice.

The applicant/developer is advised, in connection with the above condition(s) requiring the submission of a strategy to establish the presence of land contaminants and any necessary investigation and remediation measures, to contact the Council's Environmental Protection Team on: 01449 724715.

8. A legal agreement completed by the Applicant and Babergh District Council under the provisions Section 106 of the Town and Country Planning Act, 1990 is linked to this permission.

Summary of Reasons for Approval:



**Christine Thurlow DipEnvP MRTPI**  
**Corporate Manager - Development Management**

Date: 11 December 2015