

Philip Isbell – Chief Planning Officer  
Sustainable Communities

Mid Suffolk District Council  
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Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## APPROVAL OF RESERVED MATTERS

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

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**Correspondence Address:**

Ms Laura Dudley-Smith  
Strutt & Parker  
Coval Hall  
Chelmsford  
CM1 2QF

**Applicant:**

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

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**Date Application Received:** 01-Mar-21

**Application Reference:** DC/21/01220

**Date Registered:** 02-Mar-21

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**Proposal & Location of Development:**

Application for approval of reserved matters following grant of Outline Planning Permission DC/18/00233 dated 09/07/2019. Appearance, Landscaping, Layout and Scale for Residential development of up to 190 homes including affordable homes, pre-school facility, with areas of landscaping and public open space, new access from Loraine Way and pedestrian and cycle links

Land East Of The Street And Loraine Way, Bramford, Ipswich, IP8 4NS

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**Section A – Plans & Documents:**

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

Drawing Schedule 8882 - Received 01/10/2021

Supporting Statement Covering letter - Received 19/05/2021

Plans - Proposed Footpath connections 8882-PA 01 - Received 15/10/2021

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**Section B:**

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

1. The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission reference DC/18/00233 relating to this site and

the conditions attached thereto remain in force, except where discharged or superseded by the reserved matters approval.

Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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

3. Prior to first occupation of any dwelling, a Traffic Regulation Order shall be promoted with the local highway authority for the creation of a 20mph speed zone within the residential development hereby granted reserved matters approval and for the relocation of the national speed limit extent further to the north on Loraine Way, both as shown in plan reference 200691-CON-X-00-DR-C-3100 Version P1 received 18th May 2021.

Reason - to ensure the safety of road users, including pedestrians and cyclists around the development.

4. No dwelling shall be occupied until the area(s) within the site shown on Drawing No. 8882 / 27F, 8882 / 21F, 8882 / 29F and as detailed in Covering Letter dated and received 6th July 2021 for the purposes of manoeuvring and parking of vehicles and electric vehicle charging points has been provided for that dwelling, 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.

5. Areas to be provided for secure covered cycle parking for each dwelling shall be provided as shown on plan 8882 / 21F and 8882 / 22F before the occupation of that dwelling, and shall be retained thereafter for no other purpose.

Reason - To ensure that the provision for cycle parking is provided in line with sustainable transport policies.

6. The areas to be provided for presentation and storage of Refuse/Recycling bins for each dwelling shall be provided as shown on plan 8882 / 22F before the occupation of that dwelling, and shall be retained thereafter for no other purpose.

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

7. Prior to the development hereby permitted progressing above slab level, details of the position and content of signage to assist pedestrian and cyclist movement around site and to the wider footpath network, along with details of content of signage within open spaces, will be submitted to and agreed in writing with the Local Planning Authority. The agreed details shall then be implemented and retained as such in perpetuity.

Reason - to ensure pedestrian and cyclist connectivity in and around the site is promoted to assist the legibility of the site and further the wellbeing of residents and visitors to the site.

8. Prior to the development hereby permitted progressing above slab level, details of additional planting around the visitor parking at the main vehicular entrance to the site from Loraine Way along to Plot 139 shall be submitted to and agreed in writing with the Local Planning Authority.

The details to be submitted and agreed shall include the timetable for delivery of the planting, the existing and proposed ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows within that phase 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. The soft landscaping plan should include plant species, quantity, location and sizes of the proposed planting, in addition to those details already submitted with plan PR209-01 Rev P received on 6th July 2021.

Details of the management of this additional landscaping and planting for a minimum of 10 years shall be submitted to and approved in writing by the Local Planning Authority.

The agreed scheme shall be implemented as such.

Reason - To ensure the visual amenity of the surrounding area.

9. Prior to the commencement of any development works on site, the area of archaeological preservation in situ, shown as the "Heritage Assets" on plan 8882/03 Revision 1 Site Masterplan received on 1 October 2021, shall be completely fenced off from, and not accessed for, constructional activities with Heras fencing until such a time that a Management Plan as detailed below is agreed. Prior to the implementation of any landscaping, planting or any other works in this area, details of a Management Plan for the preservation in situ of any underground heritage assets shall be submitted to and agreed in writing with the Local Planning Authority. These details should include details of the plant species, quantity, location and sizes of proposed planting, in addition to those details already submitted with Plan PR209-01 Rev P received on 6 July 2021, and any other works to be undertaken in this area. The plant species in this location should not have extensive root systems to avoid root disturbance into the Heritage Asset Site. The agreed Management Plan shall then be implemented as such.

Reason - To ensure the protection of underground heritage assets.

10. All affordable dwelling house types 'Baker', 'Tilman', '3B6P' and ground floor apartments and bungalows, and all market house type 'Sculptor' dwellings shall meet Part M4(2): Category 2 - Accessible and Adaptable Dwellings of Building Regulations 2010 Approved Documents (2021 as amended), as stated in the covering letter received 6th July 2021.

Reason - To ensure accessibility and adaptability of dwellings where possible in line with the duties under the Equality Act 2010 (as amended).

11. The development hereby permitted shall be carried out in accordance with the submitted and approved Arboricultural Impact Assessment, including the details as set out in the Arboricultural Method Statement and in accordance with the Tree Protection Plan by Southern Ecological Solutions, Rev A submitted on 6th July 2021. All tree protection measures shall be retained in situ for the duration of the construction works.

Reason - To retain and protect the trees on site for the wider benefit of biodiversity and visual amenity.

12. Prior to first occupation of any dwelling the works identified within the submitted and approved Flood Risk Assessment by Conisbee reference 200691/J Courtney submitted on 6th July 2021 shall be carried out in full. These shall include the works and site levels in the following plans:

- 200691-CON-X-00-DR-C-1080 Rev 1
- 200691-CON-X-00-DR-C-1081 Rev 1
- 200691-CON-X-00-DR-C-2001 Rev P5
- 200691-CON-X-00-DR-C-2002 Rev P5
- 200691-CON-X-00-DR-C-2003 Rev P1
- 200691-CON-X-00-DR-C-2004 Rev P1
- 200691-CON-X-00-DR-C-2005 Rev P1
- 200691-CON-X-00-DR-C-2006 Rev P1
- 200691-CON-X-00-DR-C-2007 Rev P1
- 200691-CON-X-00-DR-C-2008 Rev P1
- 200691-CON-X-00-DR-C-2009 Rev P1
- 200691-CON-X-00-DR-C-2010 Rev P1
- 200691-CON-X-00-DR-C-2011 Rev P1
- 200691-CON-X-00-DR-C-2012 Rev P1
- 200691-CON-X-00-DR-C-2003 Rev P1
- 200691-CON-X-00-DR-C-2014 Rev P1
- 200691-CON-X-00-DR-C-2015 Rev P1
- 200691-CON-X-00-DR-C-20016 Rev P1

For the avoidance of doubt these shall include the minimum finished ground floor levels of 9.05m AOD.

Reason - To ensure no risk to people or property from flooding.

13. Prior to any development progressing above slab level a Flood Response Plan shall be submitted to and agreed in writing with the Local Planning Authority. This plan shall detail measures to ensure that owners and occupiers of the dwellings hereby granted consent are aware that the land is at risk of flooding and the appropriate course of action to be taken in the event of a flood event. The agreed details shall then be implemented as such.

Reason - To ensure there is no unacceptable level of flood risk to the proposed development.

14. Prior to commencement of the development, a construction environmental management plan (CEMP Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. This shall follow the details contained within the Ecological Assessment (Ecology Solutions, September 2017) and the Protected Species Addendum

(Ecology Solutions, February 2019), details approved under discharge of condition application DC/21/02182 and details within Ecology Note (Ecology Solution, October 2021).

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To conserve Protected and Priority species and allow the Local Planning Authority to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the Natural Environment and Rural Communities Act (NERC) 2006 This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to ensure no significant adverse harm results.

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

FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
FC01 - Presumption In Favour Of Sustainable Development  
FC02 - Provision And Distribution Of Housing  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS03 - Reduce Contributions to Climate Change  
CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
CS09 - Density and Mix  
GP01 - Design and layout of development  
HB01 - Protection of historic buildings  
HB07 - Protecting gardens and parkland of historic interest  
HB08 - Safeguarding the character of conservation areas  
HB14 - Ensuring archaeological remains are not destroyed  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
CL08 - Protecting wildlife habitats  
CL09 - Recognised wildlife areas

CL11 - Retaining high quality agricultural land  
T04 - Planning Obligations and highway infrastructure  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
T13 - Bus Service  
RT04 - Amenity open space and play areas within residential development  
SC04 - Protection of groundwater supplies  
SC08 - Siting of new school buildings  
H04- Proportion of Affordable Housing

**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. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

3. Notes:

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- Any works to a main river may require an environmental permit

4. The applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The River Gipping, is designated a 'main river'. Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities->

environmental-permits. Anyone carrying out these activities without a permit where one is required, is breaking the law.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: [infrastructure@baberghmidsuffolk.gov.uk](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/21/01220

**Signed: Philip Isbell**

**Dated: 9th December 2021**

**Chief Planning Officer  
Sustainable Communities**

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

### **Please read carefully**

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

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

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

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

### **Building Control:**

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



## Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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