

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

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

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



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## **OUTLINE PLANNING PERMISSION**

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

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**Correspondence Address:**

Mr Leslie Short  
Berwick House  
Baylham  
Ipswich  
IP6 8RF

**Applicant:**

Mr North  
c/o Agent

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**Date Application Received:** 14-Jun-19

**Application Reference:** DC/19/02878

**Date Registered:** 15-Jun-19

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**Proposal & Location of Development:**

Outline Planning Application (some matters reserved - Access and Landscaping to be considered) - Erection of up to 64 dwellings (including up to 22 affordable dwellings).

Land Off Church Road, Church Road, Old Newton, IP14 4EF

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 3773-01C received 14/06/2019 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 3773-01C - Received 14/06/2019  
Transport Assessment - Received 14/06/2019  
Land Contamination Assessment Phase 1 Report - Received 14/06/2019  
Draft Travel Plan - Received 14/06/2019  
Heritage Statement - Received 14/06/2019  
Flood Risk Assessment - Received 14/06/2019  
Design and Access Statement - Received 14/06/2019  
Ecological Survey/Report - Received 14/06/2019  
Proposed Landscaping Plan LSDP 1129-01 C - Received 14/06/2019  
Drainage Details EX1820711-002 - Received 14/06/2019  
Topographic Survey 3773-104D - Received 14/06/2019  
Site Plan Site Access Layout and Footway Improvement EXD18-207-11-100 - Received

14/06/2019

Technical Note - Received 27/08/2019

Reptile Survey Amphibian and Reptile Survey - Received 27/08/2019

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### **Section B:**

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE 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: TIME LIMIT FOR RESERVED MATTERS APPLICATION

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. APPROVED PLANS & DOCUMENTS

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

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

3. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: APPROVAL OF RESERVED MATTER

Before any development is commenced, approval of the details of layout, appearance, scale and layout of the buildings (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority. The Reserved Matters submission shall also include detailed cross-sections of proposed buildings and those immediately adjoining the site where there are listed buildings (Pond Farmhouse and Burnham Cottage) along with detailed finished floor levels and a heritage assessment.

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 and to safeguard residential amenity and to provide the Council with sufficient information to assess the impact on the listed buildings and their setting.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT: SPECIFICS OF LAYOUT

For the avoidance of doubt the layout details submitted as part of any Reserved Matters application shall accord with the principles shown on Drawing No. 3773- 104D with particular regard to the location and size of open space areas, the degree of separation and setting back of new development between/from the adjacent listed building and the position and orientation of dwellings such as to present, where possible, front elevations to the countryside to the south, rear elevations and gardens to existing dwellings around the edge of the site and front elevation to internal roads.

Reason - To enable the Local Authority to secure an orderly and well designed development, to ensure residential amenity and in the interesting of preserving the setting of the listed buildings.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: APPROVAL OF PHASING OF DEVELOPMENT

Before any development is commenced, and concurrently with the submission of reserved matters referred to in Conditions 1 and 2 above, a scheme for the carrying out of the development in successive phases shall be submitted to the Local Planning Authority for approval.

Reason - To enable the Local Planning Authority to secure an orderly and well-designed development provided in appropriate phases to ensure minimal detriment to residential amenity, the environment and highway safety prior to the commencement of such development.

6. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: ARCHAEOLOGY

No development shall take place within the area indicated [the whole 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) 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.

7. ACTION REQUIRED PRIOR TO CONSTRUCTION ABOVE SLAB LEVEL :  
ARCHAEOLOGY

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 5 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.

8. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS:: CONSTRUCTION  
MANAGEMENT

Before the development hereby permitted is commenced a Construction Management Plan (CMP) shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters as and if required:

- a) Site Operating Hours
- b) A prominent notice readily visible from a public vantage point providing details of site manager name, email and contact phone number.
- c) Full details of any piling required to implement the permission [details shall include types of piling technique, noise suppression, operating hours of piling machinery including guaranteed no piling times throughout the day and the piling programme
- d) Means of Access and haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- e) vehicle parking and manoeuvring areas (site operatives and visitors)
- f) Loading and unloading of plant and materials
- g) Wheel washing facilities
- h) Location and nature of compounds and storage areas (including maximum storage heights), site office and welfare unit/s location and height, external lighting, pa systems, location of top-soil mounds, generators and fuel tanks) and factors to prevent wind-whipping
- i) Waste storage and removal
- j) provision of boundary hoarding and lighting
- k) details of proposed means of dust suppression
- l) details of measures to prevent mud from vehicles leaving the site during construction

- m) details of deliveries times to the site during construction phase
- n) details of provision to ensure pedestrian and cycle safety
- o) programme of works (including measures for traffic management and operating hours)
- p) parking and turning for vehicles of site personnel, operatives and visitors
- q) storage, loading and unloading of plant and materials
- r) Temporary buildings, skip location and boundary treatments
- s) Dust, Noise and vibration management measures (to include arrangements for monitoring, and specifically for piling if proposed)
- t) Arrangements for Litter management during the construction phases of the development
- u) maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Thereafter, the approved construction management plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority. Note: The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

9. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: BIODIVERSITY, MITIGATION AND LANDSCAPING

Prior to the commencement of development a scheme of appropriate protected species mitigation measures (including precise details of the timing, any translocation measures deemed necessary and method of protection) shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved scheme of mitigation and timings as may be agreed in writing.

Reason - In order to safeguard protected wildlife species and their habitats and because 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 disturb protected species and their habitat.

10. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: BIODIVERSITY, MITIGATION AND LANDSCAPING

Notwithstanding such detail as shall have previously been submitted no development shall commence until a detailed 'hard' and 'soft' Landscaping Scheme, which shall include any proposed changes in ground levels, has been submitted to, and approved in writing by, the Local Planning Authority.

The landscaping scheme required under this permission shall make provision for the planting of a substantial tree and hedge belt comprising species indigenous to Suffolk which shall be planted within the belt as specified on Drawing No. LSDP 1299-01 Rev C to the southern boundary of the site.

The 'hard' landscaping shall include details of all hard surface materials and boundary treatments to be used within the development with a timetable for implementation, including all means of enclosure and boundary treatments, residential screen walls and fences.

The 'hard' landscaping shall be implemented and completed in accordance with the approved details and agreed timetable.

The 'soft' landscaping shall include details of the existing trees and plants on site 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 shall include details (including species, size of stock at time of planting, location) of all new plants and trees to be provided as well as any areas for seeding. The new landscaping should comprise of native species only as defined in Schedules 2 and 3 of the Hedgerow Regulations 1997.

Any trees, hedges, shrubs or turf identified within the approved Landscaping Scheme (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 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.

The approved Landscaping Scheme shall be carried out in its entirety and shall accord with the approved drawings under this permission.

Reason - In the interests of visual amenity, the countryside character and appearance of the area having regard to the NPPF and to ensure a full assessment can be made of all elements including the wooded area.

#### 11. 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 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 10 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.

#### 12. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE PROTECTION

No development shall be commenced until the existing tree/s on the site, agreed with the Local Planning Authority for inclusion in the scheme of landscaping, have been protected by the erection of temporary protective fences of a height, size and in positions which shall previously have been approved, in writing, with the Local Planning Authority prior to the commencement of development. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree/s to be protected. Any

tree/s dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with a tree or trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be approved, in writing, with the Local Planning Authority up to first use or first occupation of the development, following the death of, or severe damage to the tree/s.

Reason - For the avoidance of damage to protected tree/s included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area. This condition is required to be carried out prior to the commencement of any other development to ensure trees are protected 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 trees.

13. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE PROTECTION

The landscaping belt proposed along the site's southern boundary as shown on the drawing LSDP 1299-01 Rev C., shall be retained unless otherwise agreed in writing with the Local Planning Authority

Reason - To ensure that the proposed landscaping scheme continues to provide the visual amenity and character and appearance of the area.

14. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: SITE DRAINAGE - SURFACE WATER.

Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:

- a) Dimensioned plans and drawings of the surface water drainage scheme;
- b) Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c) If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to 7.0l/s for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d) Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e) Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f) Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local

planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- b. Temporary drainage systems
- c. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- d. Measures for managing any on or off-site flood risk associated with construction

Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented as approved.

Reason - To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

15. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: SITE DRAINAGE - FOUL.

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.

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

16. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: HIGHWAYS.

Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage, lighting and traffic calming), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and agreed timetable.

Reason - To ensure that roads/footways are constructed to an acceptable standard.

17. ACTION REQUIRED PRIOR TO OCCUPATION: ACCESS

Before the access is first used visibility splays shall be provided as shown on Drawing No. & EX18-207-11-100A with an X dimension of 2.4m and a Y dimension of 49m and 52m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (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 that satisfactory access is provided for the safety of residents and the public



18. ACTION REQUIRED PRIOR TO CONSTRUCTION ABOVE SLAB LEVEL: ACCESS

No part of the development shall be commenced above slab level until the new vehicular access onto Church Road has been laid out and completed in all respects in accordance with Drawing EX18-207-11-100A and with an entrance width of no less than 5.5 metres and been made available for use. Thereafter the access shall be retained in the specified form.

Reason - To ensure that satisfactory access is provided for the safety of residents and the public.

19. ACTION REQUIRED PRIOR TO OCCUPATION: ACCESS

No dwelling shall be 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 except with the written agreement of the Local Planning Authority.

Reason - To ensure that satisfactory access is provided for the safety of residents and the public

20. ACTION REQUIRED PRIOR TO OCCUPATION: REFUSE/RECYCLING

No dwelling shall be occupied until details of the areas to be provided for storage and presentation of Refuse/Recycling bins 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 for no other purpose.

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

21. ACTION REQUIRED PRIOR TO CONSTRUCTION ABOVE SLAB LEVEL:VEHICLE INFRASTRUCTURE

No development shall commence above slab level until a scheme for the provision of electric vehicle charging points and secure, covered cycle storage has been submitted to and approved in writing by, the Local Planning Authority. The approved scheme shall be in accordance with Suffolk Parking Guidance 2015 and carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason - To promote the use of sustainable travelling alternatives within the area and use of electric vehicles.

22. ACTION REQUIRED PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of any dwelling, details of the provision of fire hydrants shall be submitted to and approved, in writing, by the Local Planning Authority. The fire hydrants shall be carried out in accordance with these details in their entirety and in accordance with the timetable as may be agreed.

Reason - To ensure the site is suitably served by fire hydrants.

23. ACTION REQUIRED PRIOR TO CONSTRUCTION ABOVE SLAB LEVEL: BROADBAND INFRASTRUCTURE

No development shall commence above slab level until details of how superfast or ultrafast broadband infrastructures will be delivered to every household in the development, subject to network capacity being available, shall be submitted to and approved in writing by the Local Planning Authority. The approved superfast broadband infrastructures for each dwelling shall be installed prior to first occupation of that dwelling.

Reason - To ensure the site is suitably served by broadband infrastructure

24. ACTION REQUIRED PRIOR TO OCCUPATION: SUDS DESIGN

The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register. Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.

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

25. ACTION REQUIRED PRIOR TO CONSTRUCTION ABOVE SLAB LEVEL : SUSTAINABILITY STRATEGY

Before works extend beyond slab level a Sustainability Strategy detailing how the development can secure the required energy efficiency and sustainability standards (CS12,13 &15) of the Local Planning Authority including details of environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water ( suggested maximum of 110ltr per person per day). Details as to the charging point infrastructure provision for electric vehicles should also be included. This document shall be submitted to, and approved in writing by, the Local Planning Authority before works extend beyond slab level. The development shall be implemented in accordance with the approved Sustainability Strategy and shall not commence above ground level until full Design Stage calculations under the National Calculation Method have been submitted to and approved in writing by the Local Planning Authority demonstrating that the development is capable of achieving the required standard in accordance with the approved Energy Strategy, and any subsequent approved revisions. Also details of the sustainability features of the dwellings including construction materials and other features must be presented to the authority. Prior to first occupation of the building(s), evidence (e.g. photographs, commissioning certificates and As-Built paperwork derived from the National Calculation Methodologies) which demonstrates that the development has been constructed in accordance with the approved Energy Strategy (and any subsequent approved revisions) should be submitted to the Local Planning Authority and approved in writing.

Reason - In order to ensure the long-term sustainability of the development through on-site use of sustainable building techniques, passive design, renewable resources, and to ensure that the development makes the fullest contribution to minimising carbon dioxide emissions in accordance with the development plan.

26. SPECIFIC RESTRICTION ON DEVELOPMENT: BURNING/SITE CLEARANCE

No burning shall take place on the site at any stage during the site clearance/construction process.

Reason - In the interests of residential amenity.

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

No illumination shall be installed until such time as a written scheme has been submitted to and agreed in writing by the local planning authority that specifies the provisions to be made for the level of illumination of the site and to control light pollution. The scheme shall be implemented prior to beneficial use of the approved development and maintained for the lifetime of the approved development and shall not be altered without the prior written approval of the local planning authority. The scheme shall provide that each pole/wall mounted light must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical. All pole/wall mounted lighting shall be designed and operated to have full horizontal cut-off such that the Upward Waste Light Ratio does not exceed 2.5%. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent sensitive properties (including those within the scheme where appropriate). Note: The applicant's attention is drawn to the lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage).

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.

28. ACTION REQUIRED PRIOR TO OCCUPATION - HIGHWAYS: PROVISION OF GARAGE/PARKING SPACES

Notwithstanding the provisions of Schedule 2 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 development shall be carried out in such a position as to preclude vehicular access to those vehicular parking spaces and no alterations shall be carried out to the approved garage units that would preclude the parking of vehicles within them without planning permission being granted in that regard.

Reason - In the interests of highway safety and to ensure adequate vehicular parking and turning provision within the site is provided and maintained.

29. ACTION REQUIRED PRIOR TO OCCUPATION - HIGHWAYS: TRAVEL PLAN

Not less than three months prior to the first occupation of any dwelling, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised travel planning and a multimodal travel voucher. The RTP shall be maintained and operated thereafter.

Reason - To enhance the sustainability of the development.

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

NPPF - National Planning Policy Framework  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS03 - Reduce Contributions to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
CS09 - Density and Mix  
GP01 - Design and layout of development  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
H03 - Housing development in villages  
H04- Proportion of Affordable Housing  
H05 - Affordable Housing Rural Exception Sites  
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  
H17 - Keeping residential development away from pollution  
HB01 - Protection of historic buildings  
CL05 - Protecting existing woodland  
CL08 - Protecting wildlife habitats  
CL09 - Recognised wildlife areas  
T04 - Planning Obligations and highway infrastructure  
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. 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.

2. **Section 106 Agreement Note**

This planning permission has been granted having regard to a related Section 106 planning obligation. Reference should be made to that planning obligation in conjunction with this decision notice.

3. **Condition Precedent Note**

This permission / consent includes a condition precedent. Your development is potentially at risk of enforcement if you do not comply with the terms of any condition which requires you to do something before you commence development / start work. Development which is commenced in breach of a condition is normally unlawful and may not constitute a valid implementation of the permission. We strongly advise you to allow reasonable time for the preparation, and consideration of, any conditional matters before the time limit on this applications expires.

4. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.

5. **Building Control Note**

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.

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/19/02878

**Signed: Philip Isbell**

**Dated: 12th February 2021**

**Chief Planning Officer  
Sustainable Communities**

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

### **Please read carefully**

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

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

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

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

### **Building Control:**

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

## Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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