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Growth & Sustainable Planning

Mid Suffolk District Council
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OUTLINE PLANNING PERMISSION

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

Correspondence Address:

Mr Paul Foster
Barton Willmore
St Andrews House
St Andrews Road
Cambridge
CB4 1WB

Applicant:

CEMEX Operations UK Ltd
c/o agent

Date Application Received: 16-Jan-18

Application Reference: DC/18/00233

Date Registered: 18-Jan-18

Proposal & Location of Development:

Outline Application (with access and all other matters reserved) - 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 (Revised application).

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

Section A – Plans & Documents:

This decision refers to drawing no./entitled 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:

Site Location Plan J0010676_507 2 - Received 16/01/2018
Flood Risk Assessment PART 1 - Received 16/01/2018
Flood Risk Assessment PART 2 - Received 16/01/2018
Ecological Survey/Report Dated September 2017 - Received 16/01/2018
Planning Statement - Received 16/01/2018
Transport Assessment Amended by letter to Suffolk County Council Highways received 16th April 2018 - Received 16/01/2018
Archaeological Assessment - Received 16/01/2018
Tree Protection Plan 7320-D-AIA - Received 26/02/2019

Plans - Proposed Parameter Plan - Land Use J00010676-508 6 - Received 26/02/2019
Plans - Proposed Loraine Way Emergency Access 130880/A/05 - Received 16/01/2018
Arboricultural Assessment - Received 26/02/2019
Design and Access Statement Amended by Addendum to Technical Reports May 19 - Received 26/02/2019
Landscape and Visual Impact Assessment Amended by Addendum to Technical Reports May 19 - Received 26/02/2019
Ecological Survey/Report Protected Species Addendum - Received 26/02/2019
Ecological Survey/Report Appropriate Assessment to be read with Addendum to Technical Reports - Received 10/05/2019
Supporting Statement Site Delivery Plan - Received 26/02/2019
Response to Suffolk County Council Floods and Water Team - Received 11/09/2018
Drainage Details Drainage Strategy Report - Received 23/04/2018
Supporting Statement Drainage Proforma - Received 16/01/2018
Addendum to Technical Reports - Received 10/05/2019
Addendum on Affordable Housing Mix - Received 10/05/2019
Plans - Proposed Loraine Way Development Access dated July 2017 Appendix D of Transport Assessment 130880/A/04 - Received 16/01/2018
Plans - Proposed Indicative Masterplan J0010676_005 10 - Received 10/05/2019
Written Scheme of Investigation (Archaeological Evaluation) - Received 16/01/2018
Plans - Proposed Loraine Way Emergency Access dated 15th March 2018 130880/A/05 - Received 31/03/2019

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. Application for the approval of the reserved matters must be made before the expiration of TWO YEARS from the date of this permission. The development hereby permitted should be begun before the expiration of TWO YEARS from the date of approval of the last of the reserved matters to be approved.

Reason - A reduced time limit is imposed to ensure there is a realistic prospect of housing being delivered in 5 years in line with paragraph 73 of the NPPF as the Local Planning Authority's decision to grant planning permission has been made on the basis of not being able to evidence a sufficient five year supply of housing. Furthermore a time limit is required to be imposed by 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, scale and layout of the building(s), the means of access thereto 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. 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.

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

4. Before any development is commenced, and concurrently with the submission of reserved matters referred to in Condition 2 above, a scheme for the carrying out of the development in successive phases shall be submitted to the Local Planning Authority for approval. No development forming part of any phase other than the first, including any scheme subsequently approved in writing, shall be commenced until 75% of the development in the preceding phase has been occupied.

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. 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.

5. The development hereby permitted shall be restricted to up to two storeys in height. For the avoidance of doubt this does not permit two and a half storey buildings with accommodation in roof spaces.

Reason - To enable the Local Planning Authority to secure an orderly and well designed development to ensure minimal detriment to residential amenity and the environment.

6. Before the access is first used visibility splays shall be provided as shown on Drawing No. 130880/A/04 with an X dimension of 2.4m and a Y dimension of 215m and 120m 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 vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

7. Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

8. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

9. 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.

10. Before first use, the developer shall construct the emergency and footway access to existing footway network in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason - To ensure that suitable footways are provided to access the application site and to connect the sites with adjacent footways.

11. Before the development is commenced, a Construction Management Plan shall be 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:
 - a. haul routes for construction traffic on the highway network and monitoring and review mechanisms.
 - b. provision of boundary hoarding and lighting
 - c. details of proposed means of dust suppression
 - d. details of measures to prevent mud from vehicles leaving the site during construction
 - e. details of delivery times to the site during the construction phase
 - f. details of provision to ensure pedestrian and cycle safety
 - g. hours of construction which shall only be between 08:00 and 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and no work on Sundays or Bank Holidays
 - h. programme of works (including measures for traffic management and operating hours)
 - i. parking and turning for vehicles of site personnel, operatives and visitors
 - j. loading and unloading of plant and materials
 - k. storage of plant and materials

Reason - In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. 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.

12. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development site onto the existing highway on Loraine Way. No dwelling shall be occupied until the approved scheme for that dwelling has been carried out and shall be retained thereafter and used for no other purpose.

Reason - To prevent hazards caused by flowing water or ice on the highway. 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.

13. Before the development is commenced, details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved scheme for that dwelling has been carried out and shall be retained thereafter and used for no other purpose.

Reason - To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety. 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.

14. Before the development is commenced details of the areas to be provided for presentation and storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. No development shall be occupied until the approved scheme for that dwelling has been carried out 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. 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.

15. Before the first dwelling is occupied, a planning consent shall be secured for a pedestrian and cycle path connecting this application site (shown in red on plan J0010676_507_REV2) with the land being developed under outline consent application reference 2986/15 and reserved matters 0156/17, as indicated on Illustrative Masterplan J0010676_005_REV10, including details of surface material to be agreed with the Local Planning Authority in consultation with the Local Highway Authority.

The pedestrian and cycle path should be made publicly available prior to the first occupation of the development hereby permitted.

Reason - To ensure good pedestrian and cycle connectivity for the proposed development into the wider village of Bramford.

16. Before any works commence on site, details of advance planting shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be carried out prior to any other construction work and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to ensure no significant adverse harm results.

17. Before any works commence on site, a landscape management plan for a minimum of 10 years shall be submitted to and approved in writing by the Local Planning Authority. Both new and existing planting will be required to be included in the plan.

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to ensure no significant adverse harm results.

18. With the exception of any site clearance works, site investigation works and tree protection works, no works shall commence on site, a scheme of hard and soft landscaping and boundary treatment for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication BS 5837:2012 Trees in relation to design, demolition and construction. The soft landscaping plan should include plant species, quantity, location and sizes of the proposed planting. The plans should clearly show the position of new fencing and gates in relation to existing and proposed planting. Tree pit details will also need to be provided for the different planting environments proposed including trees planted in hard landscaping, close to road boundaries and within the public open space (POS).

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to ensure no significant adverse harm results.

19. Prior to the commencement of the construction of the first dwelling, details of SuDS shall be submitted to and approved in writing by the Local Planning Authority. This should include detailed topographical plans, a timetable for their implementation and a management and maintenance plan.

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to ensure no significant adverse harm results.

20. 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).

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.

21. Prior to the occupation of the first dwelling, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason - To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

22. Prior to occupation of the first dwelling, a Biodiversity Enhancement Strategy for Protected/Priority species 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).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) Detailed designs to achieve stated objectives;
- c) Locations of proposed enhancement measures by appropriate maps and plans;
- d) Persons responsible for implementing the enhancement measures;
- e) Details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

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

23. Prior to the occupation of the first dwelling, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason - To 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 NERC Act 2006.

24. Prior to the occupation of the first 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 installed in accordance with these details and in accordance with the timetable as may be agreed.

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

25. Prior to the commencement of any phase of residential development, a strategy to facilitate broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

Reason - To ensure that the needs of future residents to connect to the internet does not necessarily entail engineering works to an otherwise finished and high quality living environment and to meet the requirements of paragraph 112 of the National Planning Policy Framework 2019. 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.

26. With the exception of any site clearance works, site investigation works and tree protection works no development in relation to each phase identified under Condition 4 of this permission shall take place unless a Mineral Safeguarding Assessment and Minerals Management Plan for that phase has been submitted to and approved in writing by the local planning authority in consultation with the minerals planning authority. The Mineral Safeguarding Assessment shall assess the potential for the onsite reuse of mineral resource arising from groundwork, drainage and foundation excavations in accordance with an agreed methodology. The Minerals Management Plan will identify for each phase of development the type and quantum of material to be reused on site, and the type and quantum of material to be taken off site and to where. The development shall then be carried out in accordance with the Mineral Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the safeguarding of appropriate minerals in accordance with policy 5 of Suffolk County Council's Minerals Core Strategy 2008 and paragraphs 103 and 104 of the NPPF 2019.

27. No development shall take place 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 to define the scope of the investigation; and:
- a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. The provision to be made for analysis of the site investigation and recording
 - d. The provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. The provision to be made for archive deposition of the analysis and records of the site investigation
 - f. The nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - g. That 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, in accordance with Core Strategy Objective SO4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019). 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.

28. 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 27 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, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2019).

29. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority. All development shall cease and shall not recommence until:
- 1) a report has been submitted and agreed in writing by the Local Planning Authority which includes results of an investigation and risk assessment together with proposed remediation scheme to deal with the risk identified and
 - 2) the agreed remediation scheme has been carried out and a validation report demonstrating its effectiveness has been approved in writing by the Local Planning Authority.

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 offsite receptors in accordance with paragraph 178 of the NPPF.

30. With the exception of any site clearance works, site investigation works and tree protection works, no development shall take place within each phase of the scheme in pursuance of this permission until a Sustainability and Renewable Energy Statement for that phase has been submitted to and agreed in writing with the local planning authority. This statement shall include measures to help to reduce greenhouse gas emissions, such as the location, orientation and design of buildings to reduce energy demands, and how the development will meet the Government's policy for national technical standards.

Reason - To reduce the emission of greenhouse gases in line with paragraph 150 of the NPPF (2019).

31. Prior to the commencement of development, 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 Flood Risk Assessment (PBA, January 2018, as amended by the Updated Addendum to Supporting Technical Documents, May 2019) 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 Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the Flood Risk Assessment;
 - 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 flowpaths and demonstration that the flows would not flood buildings or flow offsite. 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;
 - g. 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). The approved CSWMP shall include:
 - i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 1. Temporary drainage systems
 2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 3. Measures for managing any on or offsite flood risk associated with construction

h. Details of the maintenance and management of the surface water drainage scheme.

i.

The scheme shall be fully implemented as approved and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reasons - 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. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/Informatives>

32. Prior to the occupation of the first dwelling, details of all Sustainable Urban Drainage System components and piped networks shall be submitted 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. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering 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. The site is adjacent to the Special Landscape Area of the Gipping Valley. Throughout the course of designing the reserved matters scheme, including built form and landscaping, it is requested that special regard is had to this landscape designation.
3. The developers are encouraged to adhere to 'Technical housing standards - nationally described space standard' as published March 2015 for all dwellings to be built on site. Whilst this is not a planning condition it is encouraged to ensure a good quality of development and standard of living for future occupants.
4. 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. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.
5. Cadent have identified operational gas apparatus within the application site boundary. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance.

All developers are required to contact Cadent's Plant Protection Team for approval before carrying out any works on site and ensuring that Cadent Gas requirements are adhered to.

Email: plantprotection@cadentgas.com Tel: 0800 688 588

6. 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 2003. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be 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 section 50 license under the New Roads and Street Works Act. Any works to a main river may require an environmental permit

7. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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.

8. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

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

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

This relates to document reference: DC/18/00233

Signed: Philip Isbell

Dated: 9th July 2019

**Acting Chief Planning Officer
Growth & Sustainable Planning**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

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

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

Discharging your obligations under a condition:

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

Building Control:

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

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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