

**Mid Suffolk District Council Planning Control Department  
131 High Street Needham Market IP6 8DL**

**PLANNING PERMISSION  
Town and Country Planning Act 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015**

Date of Application: 24 November 2015 REFERENCE: 4188 / 15

Date Registered: 22 December 2015

Documents to which this decision relates: **Defined Red Line Plan:**

The defined Red Line Plan for this application is Drawing P\_10\_03 B received 18th December 2015 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

**Approved Plans and Documents:**

- Application form received 24th November 2015 and updated by ownership certificate received 22nd December 2015;
- Drawing No. P\_10\_04 (Site Plan) received 18th December 2015;
- Drawing No. 20\_02 (Workshop-Elevations) received 24th November 2015;
- Drawing No. P\_20\_02 Rev A (Workshop - Floor Plan/roof plan) received 3rd December 2015;
- Drawing No. P\_20\_01 Rev A (Training building - floor plan) and P\_30\_01 Rev A (Training building - elevations) received 15th December 2015;
- Design and Access Statement (Revision A) received 3rd December 2015;
- Planning, Design, Sustainable and Access Statement (Revision A) received on the 15th December 2015;
- Environmental Noise Report produced by Sharps Redmore received on the 14th January 2016 and updated by report produced on the 2nd March 2016.
- Desk top contamination report produced by RSA Geotechnics Ltd received 24th November 2015;
- Ecology Report produced by Mill House Ecology received 24th November 2015;
- Arboricultural Report produced by LSDP and accompanying Drawing NO. LSDP 11297.01 (relevant to existing trees only) received 24th November 2015.

**Approved Plans and Documents Not Accepted to Form the Application:**

The following documents were considered / viewed by the Local Planning Authority in the assessment of this application, but not accepted to form part of the application and this decision as further details are to be secured under relevant planning conditions. These documents may not have been the subject of formal consultation on that basis.

- Drawing No. P\_10\_02 (Proposed footpath link) received 24th November 2015;
- Drawing No. P\_40\_01 (Proposed site section) received 24th November 2015;
- Drawing No. P\_10\_10 Rev B (Illustrative - Proposed residential site plan) received 18th December 2015;
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- Drawing No. SK/006 Rev D (Proposed footpath) received 8th March 2016;
- Drawing No. P\_10\_01 Rev C (Illustrative - Proposed residential site plan) received 11th March 2016;
- Flood Risk Assessment produced by Canham Consulting received 24th November 2015.

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**CORRESPONDENCE ADDRESS:**

Wincer Kievenaar Architects Limited  
 2 Market Place  
 Hadleigh  
 Ipswich  
 Suffolk  
 IP7 5DN

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**NAME AND ADDRESS OF APPLICANT:**

Mr T Stiff  
 J Breheny Contractors Ltd  
 Flordon Road  
 Creeting St Mary  
 Ipswich  
 IP6 8NH

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**PROPOSED DEVELOPMENT AND LOCATION OF THE LAND:**

Hybrid application comprising of:

- a) Outline Application for 52 dwellings including access and associated works (matters to be reserved layout, scale, appearance and landscaping).
- b) Full planning application for a proposed new training facility, workshop and parking area.  
 - J Breheny Contractors Ltd, Flordon Road, Creeting St Mary IP6 8NH

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The Council, as local planning authority, hereby gives notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans submitted subject to the following conditions:

1. ***CONDITIONS IN RELATION TO THE OUTLINE APPLICATION ELEMENT OF THIS APPLICATION***
2. ***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*

**3. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:  
PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED  
MATTERS**

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

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

**4. LISTING OF APPROVED PLANS & DOCUMENTS - OUTLINE ELEMENT**

The development hereby permitted shall be carried out in accordance with the following approved documents or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission; or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non material amendment following an application in that regard :

Defined Red Line Plan:

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- Drawing No. P\_10\_01 Rev C (Illustrative - Proposed residential site plan) received 11th March 2016;

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

### **5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: PRE-COMMENCEMENT CONDITION: APPROVAL OF PHASING OF DEVELOPMENT**

Before any development is commenced, and concurrently with the submission of the reserved matters application (s) referred to in Conditions 2 and 3 above, a scheme for the carrying out of the development in successive phases shall be submitted to the Local Planning Authority for approval. The development shall be constructed in accordance with the agreed phased arrangement unless the Local Planning Authority has agreed in a writing to a variation.

*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 IN ACCORDANCE WITH A SPECIFIC TIMETABLE - SURFACE WATER MANAGEMENT STRATEGY**

Notwithstanding the flood risk assessment submitted concurrent with the submission of the first reserved matters application(s) full details of a surface water management strategy shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be constructed until the works have been carried out in accordance with the surface water strategy as approved unless otherwise agreed in writing by the Local Planning Authority. Thereafter the approved strategy shall be retained in perpetuity.

*Reason - To prevent environmental; and amenity problems arising from flooding.*

**7. SPECIFIC RESTRICTION ON DEVELOPMENT: ARBORICULTURAL IMPACT ASSESSMENT: CONCURRENT WITH THE RESERVED MATTERS SUBMISSION**

Concurrent with the submission of the first reserved matters application(s) an Arboricultural Impact Assessment which is related to the reserved matters layout as required under condition 3 above shall be submitted to and approved in writing by the Local Planning Authority.

*Reason - To assess the layout of the residential development on the front boundary vegetation which is important to retain in the interests of visual amenity within the immediate and wider locality.*

**8. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS**

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

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

**9. CONCURRENT WITH THE SUBMISSION OF THE RESERVED MATTERS: FOOTWAY AND KERBING DETAILS**

Concurrent with the submission of the first reserved matters application(s) details of the proposed new footway and kerbing scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved footway and kerbing scheme shall be laid out, constructed and made

functionally available for use by the occupiers of the development prior to the occupation of the first dwelling and thereafter retained in the approved form for the lifetime of the development.

*Reason: To secure an adopted footway in the interests of the sustainable development of the site.*

**10. ACTION REQUIRED BEFORE DEVELOPMENT COMMENCES: FOOTWAY PROVISION AND ADOPTION**

Prior to the commencement of development a scheme, including a timetable, for the provision and adoption of the footway shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be fully implemented and retained as such for the lifetime of the development.

*Reason: To secure an adopted footway in the interests of sustainable development of the site.*

**11. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO ACCESS: HIGHWAYS - SURFACE WATER DISCHARGE PREVENTION DETAILS REQUIRED.**

Prior to the commencement of any works to the access, 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 onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained and maintained thereafter in its approved form.

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

**12. CONCURRENT WITH THE SUBMISSION OF RESERVED MATTERS: PROVISION OF ROADS AND FOOTPATHS.**

Concurrent with the first reserved matters application(s), details of the estate roads and footpaths, any other roads and parking and turning areas, [including layout, levels, gradients, surfacing and means of surface water drainage] and a timetable for said works, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed to satisfy this condition shall be implemented and completed in their entirety in accordance with the timetable agreed.

*Reason: To ensure that roads/footways are constructed to an acceptable standard. This condition is required to be agreed concurrent with the first reserved matters to ensure highway safety is secured early for both development, its construction and addresses areas of work before any other parts of the development can take place. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety and risk of cost to the developer if the details are not found acceptable.*

**13. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: FIRE HYDRANTS**

Prior to the commencement of this element of the development a scheme for the installation of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority. The fire hydrant/s shall be installed fully in accordance with the approved scheme prior to the occupation of the first dwelling in the phase of development to which it relates and thereafter retained as such for the lifetime of the development.

*Reason - In the interests of the safe occupation of the development and avoiding undue pressure on the emergency services.*

**14. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: HEDGEHOG FENCING: DETAILS**

Prior to the commencement of this element of the development details and siting of any permanent fencing, which shall be hedgehog friendly, shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented fully in accordance with the agreed details and thereafter retained as such.

*Reason - In order to safeguard wildlife species and their habitats. This condition is required to be agreed prior to the commencement of any development as development including fencing has the potential to disturb species and their habitat.*

**15. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED**

Prior to the commencement of this element of the development a construction works timetable for the development which shall be outside of the bird breeding season shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved construction works timetable unless the Local Planning Authority has agreed in writing to a variation.

*Reason - In order to safeguard wildlife species and their habitats. 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.*

**16. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: LIGHTING DESIGN SCHEME**

Prior to the commencement of this element of the development a lighting scheme to safeguard 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 provision of appropriate lighting contour plans 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 retained thereafter in accordance with the scheme.

No other external lighting shall be installed without the prior written consent of the Local Planning Authority.

*Reason: To ensure compliance with the requirements of Regulations 61 and 62 of the Habitats Regulations and in respect of European Protected Species.*

**17. MITIGATION IMPLEMENTATION - TO BE COMPLIED WITH**

The hereby permitted development shall be carried out fully in accordance with the details and mitigation measures as set out in the Mill House Ecology Report. No development shall be undertaken except in accordance with the scheme of mitigation and timings.

*Reason - In order to safeguard protected wildlife species and their habitats.*

**18. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: CONTAMINATION**

No development shall take place until;

(i) A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.

(ii) Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.

(iii) A written report shall be submitted detailing the findings of the investigation referred to in (ii) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate), for approval in writing by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.

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

(v) Following remediation, evidence shall be provided to the Local Planning



Authority verifying that remediation has been carried out in accordance with the approved Remediation scheme

*Reason - To identify the extent and mitigate risk to the public, wider environment and buildings arising from land contamination.*

19. **CONCURRENT WITH RESERVED MATTERS: FOUL DRAINAGE DETAILS**

Concurrent with the submission of the first reserved matters application(s) a foul water strategy shall be submitted to and approved, in writing, by the Local Planning Authority. The agreed strategy shall be fully implemented and functionally available for use prior to the occupation of the first dwelling in the phase of development to which it relates and thereafter retained as such.

*Reason: To ensure appropriate foul drainage is secured for the proposed development.*

20. **SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS**

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A and E, (or any Order revoking and re-enacting that Order with or without modification):-

- no enlargement, improvement, or other alteration of the dwelling house(s) shall be carried out,
- no garage, car port, or any other building or structure shall be erected,

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

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

21. **CONCURRENT WITH THE RESERVED MATTERS SUBMISSION: ATTENUATION BUND AND ACOUSTIC BARRIER**

Concurrent with the first reserved matters application(s) details of the attenuation bund and acoustic barrier in the northern part of the application site of a height not less than 7 metres shall be submitted to and agreed in writing by the Local Planning Authority. Such details as may be agreed shall be fully implemented in accordance with the agreed details before the occupation of the first dwelling and thereafter retained as such.

*Reason: To provide appropriate attenuation measures are provided to ensure that the occupiers of the proposed development will be able to enjoy a reasonable level of amenity given the proximity to the A14.*

**22. ACOUSTIC DOUBLE GLAZING: TO BE COMPLIED WITH**

Prior to the first occupation of any dwelling with first floor bedrooms facing the A14 all windows to those rooms shall have acoustic double glazing with a minimum weighted sound reduction index of 35 dB Rw +Ctr or better.

Such windows shall be subsequently retained to provide this level attenuation throughout the lifetime of the development.

*Reason: To protect the occupiers of the proposed dwellings from adverse noise effects from the A14.*

**23. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: PASSIVE VENTILATION**

Prior to the commencement of development details of passive ventilation for first floor bedrooms for dwellings in the eastern and northern parts of the site shall be submitted to and approved in writing and thereafter fully implemented in accordance with the approved scheme.

*Reason: To protect the occupiers of the proposed dwellings from adverse noise effects.*

**24. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: BOUNDARY TREATMENT SCHEME**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of boundary treatment works for the site and for the hereby permitted dwellings, the development shall be fully implemented in accordance with the agreed scheme with the boundary treatments for completed prior to the occupation of the dwelling to which it relates.

*Reason – In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of boundary treatment are secured.*

**25. REFUSE AND GARDEN COMPOSTING BIN STORAGE: SPECIFIC TIMETABLE**

Prior to the first occupation of any dwelling hereby approved details of refuse and garden composting bin storage shall be submitted to and approved in writing by the Local Planning Authority. The approved storage area shall be provided for each dwelling prior to 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.*

**26. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:  
LANDSCAPING SCHEME**

No development shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme for Tree Protection, of any trees, shrubs or hedgerows within, or at the boundary of the application site, including method statement and monitoring schedule. The required scheme shall, also accurately identifying 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 agreed tree protection works shall be in place prior to the commencement of development and the Local Planning Authority shall be advised in writing that the approved protective measures/fencing have been provided. The approved protection measures shall be retained for the duration of the construction works.

Within the fenced area no work shall take place, no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of 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 to ensure matters of tree and hedgerow protection are 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 important trees and hedgerow that would result in harm to amenity.*

**27. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT:  
SOFT LANDSCAPING SCHEME**

No development shall commence, in any area or phase until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping for that development area/phase, drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedule of plants noting species, plant sizes and proposed numbers/densities, weed control protection and maintenance and any tree works to be undertaken during the course of development. 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.

*Reason – In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are secured early to ensure avoidance of damage or 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 important trees and hedgerow that would result in harm to amenity.*

**28. 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 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

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

**29. HARD LANDSCAPING: PRIOR TO COMMENCEMENT**

No development shall commence, in any area or phase, until full details of a hard landscaping scheme for that area/phase has been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthwork's and mounding; surfacing materials; means of enclosure; car parking layouts, other vehicle and pedestrian access and circulation areas; hard surfacing materials; signage, existing and proposed functional services above and below ground (drainage, utilities). The approved scheme shall be fully implemented within the development.

*Reason: To ensure an orderly development.*

**30. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SUBMISSION OF GROUND FLOOR LEVELS WITH RESERVED MATTERS APPLICATION.**

Concurrently with the submission of the first reserved matters application(s) details of the proposed finished ground floor level measured from a fixed off

site datum point shall be submitted for approval, in writing, by the Local Planning Authority, and the development shall thereafter be constructed in accordance with the approved levels.

*Reason - In order to secure a design in scale with development surrounding the site so as to protect the visual amenities, amenity of neighbouring properties and character of the area.*

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

Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of external lighting installed and/or operated on/at the site.

*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.*

**32. ACTION REQUIRED: PLAY EQUIPMENT**

Concurrent with the submission of the first reserved matters application(s) details of the play equipment to be provided on the open space shall be submitted to and approved in writing by the Local Planning Authority, and subsequently fully implemented in accordance with the agreed details.

*Reason: To provide appropriate provision of equipment.*

**33. CONDITIONS IN RELATION TO THE FULL PART OF THE APPLICATION**

These conditions relate to the full planning application.

**34. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: COMMENCEMENT TIME LIMIT**

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

*Reason – To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004*

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

The development hereby permitted shall be carried out in accordance with the following approved documents or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission; or such drawings/documents as may

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

**36. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS**

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

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

**37. SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTION ON CHANGES OF USE**

Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the hereby approved training facility shall be used for a training facility and for no other purpose without the grant of planning permission.

*Reason – To enable the Local Planning Authority to retain control over the development in the interests of the amenity.*

**38. ACTION REQUIRED PRIOR TO OCCUPATION - HIGHWAYS: PROVISION OF PARKING.**

The use of either the hereby permitted workshop or training centre shall not commence until the area within the site shown on Drawing No P\_10\_04 (received 18th December 2015) for the purposes of manoeuvring and parking of vehicles has been provided and made functionally available. Thereafter that area shall be retained and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles.

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

**39. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING SCHEME**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which 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.

*Reason – In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are secured early to ensure avoidance of damage or 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 important trees and hedgerow that would result in harm to amenity.*

**40. 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 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

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

**41. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO ACCESS: HIGHWAYS - SURFACE WATER DISCHARGE PREVENTION DETAILS REQUIRED.**

Prior to the commencement of any works to the access, 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



onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

**42. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - SURFACE WATER MANAGEMENT STRATEGY**

No development shall commence until the surface water drainage strategy for the site has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage strategy shall be implemented as agreed and shall be managed and maintained thereafter in accordance with the management and maintenance plan that forms part of the agreed surface water drainage strategy.

Reason: To prevent the development from causing increased flood risk off site over the lifetime of the development and ensure that the principles of sustainable drainage are incorporated into this proposal.

**43. ON GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON OPERATION TIMES**

The hereby permitted development/use shall only operate between the hours of 07:30 and 18:00 Monday to Friday and 08:00 and 18:00 on Saturdays. There shall be no working on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these hours.

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

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

Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved.

There shall be no other means of external lighting installed and/or operated on/at the site.

*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.*

**45. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPING SCHEME**

No development shall commence until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme for Tree Protection, of any trees, shrubs or hedgerows within, or at the boundary of the application site, including method statement and monitoring schedule. The required scheme shall, also accurately identifying 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 agreed tree protection works shall be in place prior to the commencement of development and the Local Planning Authority shall be advised in writing that the approved protective measures/fencing have been provided. The approved protection measures shall be retained for the duration of the construction works.

Within the fenced area no work shall take place, no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of 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 to ensure matters of tree and hedgerow protection are 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 important trees and hedgerow that would result in harm to amenity.*

#### SUMMARY OF POLICIES AND PROPOSALS WHICH ARE RELEVANT TO THE DECISION:

1. This permission has been granted having regard to policy(ies)

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

COR1 - CS1 SETTLEMENT HIERARCHY

COR2 - CS2 DEVELOPMENT IN THE COUNTRYSIDE & COUNTRYSIDE VILLAGES

COR5 - CS5 MID SUFFOLKS ENVIRONMENT

COR6 - CS6 SERVICES AND INFRASTRUCTURE

of the Mid Suffolk Core Strategy Document, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

2. This permission has been granted having regard to policy(ies)

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT  
HB13 - PROTECTING ANCIENT MONUMENTS  
CL8 - PROTECTING WILDLIFE HABITATS  
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION

RT12 - FOOTPATHS AND BRIDLEWAYS  
CL9 - RECOGNISED WILDLIFE AREAS  
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY  
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT  
E6 - RETENTION OF INDIVIDUAL INDUSTRIAL AND COMMERCIAL SITES

H7 - RESTRICTING HOUSING DEVELOPMENT  
T9 - PARKING STANDARDS  
H4 - PROPORTION OF AFFORDABLE HOUSING IN NEW HOUSING DEVELOPMENT  
H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT  
H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS  
H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS  
E12 - GENERAL PRINCIPLES FOR LOCATION, DESIGN AND LAYOUT

of the Mid Suffolk Local Plan, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

3. This permission has been granted having regard to policy(ies)

NPPF - NATIONAL PLANNING POLICY FRAMEWORK

of the Planning Policy Statement, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

#### NOTES:

1. 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 requires.

2. 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 contract, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums regarding the provision of new electrical equipment and energy, and changes to the existing street lighting and signing.
3. 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.
4. **Summary Reason(s) for Decision**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Whilst the application site is outside of any settlement boundary, the proposed development can be considered to represent sustainable development particularly in view of the current Housing Land Supply situation. The re use of a brownfield site and the provision of a footpath for public use will render it "well connected" to facilities of Needham Market and secures other financial and non financial obligations via Section 106 Planning Obligation to make it acceptable. The layout and design of the commercial development is considered consistent with the established commercial use of the site and is sympathetic to the countryside location. The number of dwellings proposed is considered acceptable and an acceptable layout and design can be secured for this site by a reserved matters submission. The proposal would not cause unacceptable harm in relation to material planning issues. The development is considered to be in accordance with the relevant development plan policies and the objectives of the NPPF.

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

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 and duty planning officer 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.

This relates to document reference: 4188 / 15

**Signed: Philip Isbell**

**Dated: 08 April 2016**

**Corporate Manager  
Development Management**

**MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET,  
IPSWICH IP6 8DL**