

Philip Isbell – Chief Planning Officer
Sustainable Communities

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

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

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

Correspondence Address:

Mr Jonny Rankin
Durrants
Pump Hill House,
2B Market Hill,
Diss
IP22 4JZ

Applicant:

C E Davidson Farms Ltd.
Fennings Farm
Pixey Green
Stradbroke
IP21 5NH
Suffolk

Date Application Received: 17-Dec-21

Application Reference: DC/21/06824

Date Registered: 18-Dec-21

Proposal & Location of Development:

Planning Application - Erection of 6no poultry houses with associated admin blocks, feed bins and ancillary development. (accompanied by EIA statement)

Land At Fennings Farm, Pixey Green, Stradbroke, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled CED-LOC-01 received 17/12/2021 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 CED-LOC-01 - Received 17/12/2021
304301 Cover Letter - Received 23/05/2023
Proposed Site Layout Plan CED-LAY2-09 - Received 23/05/2023
Proposed Plans and Elevations CED-ELEV-03 - Received 23/05/2023
CED-HEATEX-01 heat exchanger - Received 23/05/2023
Noise Impact Assessment - Received 29/06/2023
Odour Assessment 4859-1c1 - Received 05/06/2023

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **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: 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

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 DEVELOPMENT: PHASING PLAN FOR DEVELOPMENT AND WATER SUPPLY

Prior to the commencement of the development hereby permitted a phasing plan shall be submitted to and has been approved in writing by the Local Planning Authority setting out the phasing of the development in association with the phasing of the water supply, including such details as to demonstrate that the water supply (including from the reservoir (DC/23/01988)) shall be provided and available for use prior to the first use or operation of the hereby permitted buildings.

Reason - For the avoidance of doubt and in the interests of proper planning of the development. In order to safeguard the water supply of the District and mitigate any undue burden on the environment arising from water requirements.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT: HGV TRAFFIC

Prior to the commencement of development details of delivery traffic movements to and from the site, by way of a Deliveries Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include measures to report and manage non-compliance by delivery drivers.

No HGV movements associated with this development shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

Reason: In the interests of highway safety, to ensure adequate servicing arrangements are provided for and to reduce or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas. In the interest of local amenity within road networks and hereabouts.

5. ACTION REQUIRED PRIOR TO USE/OCCUPATION - HIGHWAYS: PROVISION OF PARKING.

The use/building/s shall not be occupied/commenced until the area within the site shown on Drawings listed under Section A for the purposes of loading, unloading, manoeuvring, and parking of vehicles, has been provided and made functionally available. Thereafter that area/s 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.

6. ACTION REQUIRED PRIOR TO FIRST USE OF ACCESS: HIGHWAYS - PROVISION OF VISIBILITY SPLAYS

Prior to the first use of the hereby permitted development, visibility splays shall be provided as shown on Drawing No. 210486-01 with an X dimension of 2.4 metres and Y dimensions of 135 and 148 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

7. ACTION REQUIRED: CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and have been approved in writing by the Local Planning Authority.

The CMP shall include and address the following matters:

- parking and turning for vehicles of site personnel, operatives and visitors;
- loading and unloading of plant and materials;
- piling techniques;
- storage of plant and materials;
- programme of works (including measures for traffic management and operating hours);
- provision of boundary hoarding and lighting;

- details of the proposed means of dust suppression;
- details of measures to prevent mud from vehicles leaving the site during construction;
- haul routes for construction traffic on the highway network;
- monitoring and review mechanisms;
- details of delivery times to the site during the construction phase;
- location and nature of compounds and storage areas (including maximum storage heights) and factors to prevent wind-whipping;
- waste storage and removal;
- temporary buildings and boundary treatments;
- noise and vibration management (to include arrangements for monitoring, and specifically for any concrete breaking and any piling);
- litter management during the construction phases of the development;
- during any ground works/construction there shall be no burning of materials on the site;
- any external lighting associated with the development during any ground works/construction for the purposes of security and site safety shall prevent upward and outward light radiation.

The development shall only be carried out in accordance with the CMP as may be approved.

Reason: In the interest of highway safety and residential amenity, countryside and local amenity.

8. ACTION REQUIRED: SURFACE WATER DRAINAGE STRATEGY

The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated January 2022, ref: 27344 Rev A) shall be implemented as approved in writing by the local planning authority (LPA). Surface Water drainage shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

9. ONGOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the hereby 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.

10. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No development shall take place on 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. Timetable for the site investigation to 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.

11. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

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 as may be agreed by the Local Planning Authority. Provision shall be 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.

12. ACTION REQUIRED PRIOR TO COMMENCEMENT ABOVE SLAB LEVELS: ENERGY WATER AND RESOURCE EFFICIENCY MEASURES

Prior to commencement of development above slab level, a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and use of the building/s. The scheme shall be constructed, and the measures provided and made available for use in accordance with such timetable as may be agreed.

The scheme shall detail how the development will minimise the environmental impact during construction and use including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water.

The development shall thereafter be delivered and developed/operated in accordance with the agreed scheme.

Reason - To enhance the sustainability of the development through better use of water, energy and resources. 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 include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

13. ACTION REQUIRED: CARRY OUT IN ACCORDANCE WITH ECOLOGY APPRAISAL

All mitigation measures and works shall be carried out in accordance with the Ecological Impact Assessment (Wild Frontier Ecology - Fennings Farm, Pixey Green, Suffolk - Ecology Report (July 2021)). This must include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities and all works shall be carried out in accordance with the approved details.

Reason: To conserve and enhance protected and priority species and allow the LPA to discharge its statutory duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Countryside and Wildlife Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats and species).

14. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

Prior to commencement of development a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority, in line with the details contained within the Ecology Report (Wild Frontier Ecology Ltd, December 2021).

The CEMP (Biodiversity) shall include the following.

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

h) Use of protective fences, exclusion barriers and warning signs.

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

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

15. PRIOR TO COMMENCEMENT: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development.

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 organisation 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 Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)

16. PRIOR TO BENEFICIAL USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

A lighting design scheme to safeguard biodiversity shall be submitted to and approved in writing by the Local Planning Authority prior to first use. 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 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 shall any other external lighting be installed without prior consent from the local planning authority.

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

17. REQUIREMENT OF A SCHEME FOR WATER NEUTRALITY

The livestock occupation of the 6no poultry houses of the development authorised by this permission shall not begin until:

a. the local planning authority has approved in writing a full scheme of works to:

i. construct a grey water reuse storage reservoir to store additional on-site water supply to the proposed 6no poultry houses. Also, the timeline of when the reservoir will be filled by a combination of the following:

- a. Rainwater harvesting from existing and proposed poultry houses.
- b. Diversion of land drainage flows.
- c. A new groundwater or surface water abstraction arrangement

b. the above approved works have been completed in accordance with the approved scheme of works and have been certified in writing as complete on behalf of the local planning authority; unless alternative arrangements to secure the specified additional works have been approved in writing by the Local Planning Authority.

The scheme of works shall demonstrate water neutrality for the use of the hereby permitted buildings without reliance upon additional connection to the mains water network and there shall be no additional connection of the buildings to a separate mains water supply at any time the building is in use.

Reason: Essex and Suffolk water has only sufficient water resources in Hartismere water resource zone to meet all current and forecast household demand and all current non-household (business) demand. However, they do not have sufficient water resources to meet all forecast new non-household demand (equivalent to a 35% increase in overall household and nonhouseholder demand). For the operations to be acceptable, the applicant is required to demonstrate water neutrality.

18. ACTION REQUIRED PRIOR TO FIRST USE: BIODIVERSITY ENHANCEMENT PLAN

Prior to first use of the development, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include, but is not limited to, the following details:

- i. Description, design or specification of the type of feature(s) or measure(s) to be provided;
- ii. Materials and construction to ensure long lifespan of the feature/measure
- iii. A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.

iv. The timetable when the features or measures will be installed within the construction, occupation, or phase of the development.

The approved scheme shall be implemented in full in accordance with the timetable and thereafter retained at all times the building/s is in use.

Reason: To ensure species and habitats enhancement having regard to the Wildlife and Countryside Act 1981, Conservation of Habitats and Species Regulations (2017), National Planning Policy Framework, NERC Act (2006).

19. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: ODOUR MANAGEMENT PLAN

Prior to the first occupation of the hereby approved poultry units, a scheme for the management of odours arising from the use hereby permitted shall be submitted to and be approved in writing by the Local Planning Authority.

The scheme shall include, but is not limited to, the following details:

- i. Monitoring
- ii. Reporting
- iii. Community liaison arrangements which shall include measures for the participation of parish Council/s and the District Council and Councillors
- iv. Complaints process
- v. Control measures and contingency plan

The approved scheme shall be implemented in full at the commencement of use and operated at all times that the use is in being.

Reason: In order to ensure that odours are properly monitored, managed and subject of appropriate community engagement in the interests of the amenities of residential, countryside and other users in the locality.

20. PRIOR TO FIRST USE CONDITION : INSTALLATION OF COOLING SYSTEM

Prior to the first use of the hereby permitted buildings, a scheme of building cooling shall have been submitted to the Local Planning Authority and agreed in writing. The scheme shall include details of the cooling mechanisms/measures to be employed and the temperature conditions when they would become operational. The scheme shall be implemented as agreed and operational at all times that the building/s are in use.

Reason: In the interest of local and countryside amenity and to ensure that the cooling of the buildings does not adversely affect local residential and countryside amenity when temperature conditions require cooling to be active.

21. WASTE MANAGEMENT PLAN TO SECURE REMOVAL OF LITTER FROM THE SITE TO PROVIDE CHICKEN LITTER ENERGY

The waste/litter/manure arising from the keeping of the poultry in the buildings shall be managed and disposed of in accordance with the application documents including Environmental Statement submitted on 17 Dec 2021 and there shall be no spreading of waste/litter/manure on land within ownership or control of the applicant.

Reason : To ensure the proper management of manure/litter/muck on site, and in the interest of amenity of the locality

22. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: EV CHARGING

Before the first use of the development, details of appropriate electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose at all times the use is in being.

Reason: To ensure the provision of charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019)

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
GP01 - Design and layout of development
T10 - Highway Considerations in Development
T09 - Parking Standards
CL08 - Protecting wildlife habitats
CL13 - Siting and design of agricultural buildings
CL14 - Use of materials for agricultural buildings and structures
CL15 - Livestock buildings and related development
CS02 - Development in the Countryside & Countryside Villages
H16 - Protecting existing residential amenity
CS03 - Reduce Contributions to Climate Change
CS05 - Mid Suffolk's Environment
CL17 - Principles for farm diversification
LP14 - Intensive Livestock and Poultry Farming

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. The granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way, including the authorisation of gates. These consents are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

To apply to carry out work on the Public Right of Way or seek a temporary closure, visit <http://www.suffolkpublicrightsofway.org.uk/home/temporary-closure-of-a-public-right-of-way> or telephone 0345 606 6071.

To apply for structures, such as gates, on a Public Rights of Way, visit <http://www.suffolkpublicrightsofway.org.uk/home/land-manager-information/> or telephone 0345 6066071.

3.
 - Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
 - Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
 - Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
 - Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
 - Any works to a main river may require an environmental permit
4. The principle of the development is in accordance to all three sustainability objectives of the NPPF,
5. Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 426M from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control or appoint Approved Inspector in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

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/21/06824

Signed: Philip Isbell

Dated: 24th August 2023

**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/appeal-planning-decision>.

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.

Babergh District Council

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