

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 Joe Tynan
Archers Cottage
Broadway
Halesworth
Suffolk
IP19 8QW
United Kingdom

Applicant:

Ms Diana Holman
Laurel Cottage Hascot Hill
Battisford
Suffolk
IP14 2HJ

Date Application Received: 22-May-23

Application Reference: DC/23/02411

Date Registered: 19-Jun-23

Proposal & Location of Development:

Full Planning Application - Erection of replacement dwelling (following demolition of existing property due to fire).

Laurel Cottage, Hascot Hill, Battisford, Stowmarket Suffolk IP14 2HJ

Section A – Plans & Documents:

This decision refers to drawing no./entitled TQRQM23138134029454 received 01/06/2023 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:

Design and Access Statement & Heritage Statement - Received 09/06/2023

Flood Risk Assessment - Received 19/06/2023

Application Form - Received 22/06/2023

Floor Plan - Proposed 1966.2A - Received 31/05/2023

Elevations - Proposed 1966.3A - Received 31/05/2023

Block Plan - Proposed 1966.1 - Received 22/05/2023

Defined Red Line Plan TQRQM23138134029454 - Received 01/06/2023

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 IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
FENESTRATION

Prior to the commencement of any works to install fenestration to the hereby approved dwelling, detailed large appropriately scaled drawings which shall include details of materials, finishes, method of opening, glazing and colour of all new windows and roof lights and their surrounds to be installed shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.

Reason - In the interests of the character, integrity and preservation of the building and in the interests of visual amenity and principles of good design in accordance with the NPPF. (Note: The large scale drawings should be of appropriate scale to clearly show the detailing of the fenestration and you are advised to discuss these with the Local Planning Authority in advance.)

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT
OF MATERIALS - BRICK PLINTH

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing bricks to be used in construction of the brick plinth 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.

5. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS - ROOFING MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the 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.

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

The use shall not be commenced until the area within the site shown on Drawings listed under Section A for the purposes of loading, unloading, manoeuvring and parking (including garage spaces as applicable) 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.

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMESCALE - HIGHWAYS: ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

Prior to first occupation of the hereby approved dwelling, details of electric vehicle charging infrastructure shall have been submitted to and approved, in writing, by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to first occupation and shall be retained thereafter for no other purposes.

Reason - To ensure the provision of charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking 2019.

8. ACTION REQUIRED PRIOR TO USE/OCCUPATION - CYCLE STORAGE

The use shall not be commenced until the area within the site shown on Drawings listed under Section A for the purposes of secure cycle storage has been provided and made functionally available. Thereafter that area/s shall be retained, maintained and used for no other purpose.

Reason - To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas for the storage of cycles in accordance with Suffolk Guidance for Parking 2019.

9. COMPLIANCE REQUIRED: WORKING HOURS

No construction or demolition work related to the hereby permitted development shall operate outside the hours of 07:30 and 18:00; Mondays to Fridays, and 08:00 and 13:00 on Saturday. There shall be no working on Sundays and Bank Holidays. There shall be no deliveries to or from the site 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.

10. ON GOING REQUIREMENT OF DEVELOPMENT/USE: PROHIBITION ON BURNING

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the development.

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

11. COMPLIANCE REQUIRED - FLOOD MITIGATION MEASURES

All flood mitigation measures and/or works shall be carried out in accordance with the details contained in the Flood Risk Assessment (Innervision Design Ltd, June 2023) as already submitted with this planning application and agreed in principle with the local planning authority prior to determination.

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

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
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
H08 - Replacement dwellings in the countryside
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
HB01 - Protection of historic buildings
HB02 - Demolition of listed buildings
CL08 - Protecting wildlife habitats
SP03 - The sustainable location of new development
LP04 - Replacement Dwellings and Conversions
LP16 - Biodiversity & Geodiversity

LP17 - Landscape
LP19 - The Historic Environment
LP24 - Design and Residential Amenity

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.
- o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
 - o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
 - o 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
 - o 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
 - o Any works to a main river may require an environmental permit

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/23/02411

Signed: Philip Isbell

Dated: 10th 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.