

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

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

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



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## **PLANNING PERMISSION**

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

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### **Correspondence Address:**

Mr Lee French  
Medusa Design Ltd  
Eagle House  
Sudbury Road  
Great Whelnetham  
Bury St Edmunds  
IP30 0UN  
United Kingdom

### **Applicant:**

Mr & Mrs Jardine  
Paddock Barn  
Creting St Peter  
IP6 8QZ

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**Date Application Received:** 12-Jun-23  
**Date Registered:** 15-Jun-23

**Application Reference:** DC/23/02768

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### **Proposal & Location of Development:**

Planning Application. Erection of single-storey building (Class E(g)), following demolition of existing building.

Creting Hall Farm, Mill Lane, Creting St Peter, IP6 8QZ

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### **Section A – Plans & Documents:**

This decision refers to drawing no./entitled 2044.23.01A+existing details received 12/06/2023 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:

Site Plan 2044/22/03A prop foul drainage - Received 15/06/2023  
Ecological Survey/Report MHE Consulting Feb 2023 - Received 12/06/2023  
Ecological Survey/Report BIODIVERSITY ENHANCEMENT STRATEGY PLAN - Received 12/06/2023  
Application Form - Received 12/06/2023  
Planning Statement - Received 12/06/2023  
Proposed Plans and Elevations 2044.23.02A +block plan+3D - Received 12/06/2023  
Defined Red Line Plan 2044.23.01A +existing details - Received 12/06/2023

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### **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. ONGOING REQUIREMENT OF DEVELOPMENT: REQUIREMENT FOR NOISE ASSESSMENT

No fixed machinery or plant shall be installed or used at the development other than small sewing machines until full details of all plant to be installed including precise acoustic specification, as well as a noise assessment, to include details of the current existing background level, to be based on methodology as given in British Standard BS4142:2014 have been submitted to and approved by the LPA, in order to allow the likelihood of loss of amenity to be determined. Please note this shall include any form of Air source heat pump or air conditioning unit.

Reason: to minimise detriment to nearby residential amenity

4. ONGOING REQUIREMENT OF DEVELOPMENT: CLOSURE OF WINDOWS/DOORS

All doors and windows to the premises shall be kept closed during operation of sewing machinery except for the explicit purpose of entry to or exit from the premises.

Reason: to minimise detriment to nearby residential amenity.

6. ONGOING REQUIREMENT OF DEVELOPMENT: EXTERNAL LIGHTING

No external lighting shall be installed without details being submitted to and approved in writing of the Local Planning Authority.

Reason: to minimise detriment to nearby residential amenity

7. ONGOING REQUIREMENT OF DEVELOPMENT: CONSTRUCTION HOURS

Operations related to the construction (including site clearance and demolition phases) of the permitted development/use shall only operate between the hours of 07:30 and 18.00hrs Mondays to Fridays and between the hours of 08.00 and 13.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

Reason: to minimise detriment to nearby residential amenity

8. SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTION ON CHANGES OF USE

Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the site shall only be used for class E(g) purposes respectively of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument and reenacting that Order with or without modification).

Reason - In the interests of preventing the buildings from changing use, causing harm to residential amenity and to enable the Local Planning Authority to retain control over the development in the interests of the amenity.

9. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS AND BIODIVERSITY ENHANCEMENT STRATEGY

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (MHE Consulting, February 2023) including the GCN Precautionary Method Statement and the Biodiversity Enhancement Scheme as well as the Biodiversity Enhancement Strategy Plan drawing CREETINGS/PETER/23/BES (BES) (MHE Consulting, Feb. 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Non-Licensed bat Method Statement in the Discussion section and the Non-Licensed Great Crested Newt Method Statement in the General Good Working Practices section of the Ecological Assessment (MHE Consulting, February 2023), which avoid impacts on European Protected Species. This will 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 works shall be carried out, in accordance with the approved details.

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).

10. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMELINE: FOUL DRAINAGE

Prior to the works about slab level, final details of the foul drainage scheme to serve the development shall be submitted to and approved, in writing, by the Local Planning Authority. Where package treatment plants are proposed, the applicant must provide confirmation in writing detailing how the proposal will meet the requirements of the updated General Binding Rules as outlined General binding rules: small sewage discharge to a surface water - GOV.UK ([www.gov.uk](http://www.gov.uk)).

No part of the development shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is functionally available for use. The foul water drainage scheme shall thereafter be maintained as approved.

Reason: to minimise detriment to nearby residential amenity

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

NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance  
GP01 - Design and layout of development  
CS05 - Mid Suffolk's Environment  
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  
H16 - Protecting existing residential amenity  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
LP09 - Supporting a Prosperous Economy  
LP19 - The Historic Environment  
LP24 - Design and Residential Amenity  
E08 - Extensions to industrial and commercial premises  
E12 - General principles for location, design and layout

### **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](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/23/02768

**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.