

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 Joseph Robson  
139 Southgate Street  
Bury Saint Edmunds  
IP33 2AF  
United Kingdom

### Applicant:

Mrs Carina Ann Robinson  
Annaire Moats Tye  
Combs  
Suffolk  
IP14 2EZ

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**Date Application Received:** 10-Nov-23

**Application Reference:** DC/23/05275

**Date Registered:** 11-Nov-23

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### Proposal & Location of Development:

Householder Application - Erection of two storey side and single storey rear extensions to provide annexed accommodation for family relatives.

Annaire, Moats Tye, Combs, Stowmarket Suffolk IP14 2EZ

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### Section A – Plans & Documents:

This decision refers to drawing no./entitled 0252-0100-P01 received 10/11/2023 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:

Defined Red Line Plan 0252-0100-P01 - Received 10/11/2023  
Block Plan - Proposed 0252-0101-P01 - Received 10/11/2023  
Plans - Existing 0252-0300-P01 - Received 10/11/2023  
Planning Statement 0252-0000-P01 - Received 10/11/2023  
Plans - Proposed 0252-0311-P07 - Received 12/01/2024

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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. SPECIFIC RESTRICTION ON DEVELOPMENT: HOURS OF CONSTRUCTION

During the construction period for the hereby approved development, all noisy works shall be restricted to:

07:30 - 18:00hrs Monday - Friday

08:00 - 13:00hrs Saturdays

With no working on Sundays or Bank Holidays.

No HGVs shall arrive at or depart the site before 07:30hrs.

Reason: In the interests of protecting residential amenity.

4. DISCHARGE REQUIRED PRIOR TO WORKS ABOVE SLAB LEVEL: BIODIVERSITY  
ENHANCEMENT MEASURES

Prior to development above slab level, a scheme of biodiversity enhancement measures shall be formally submitted to the Local Planning Authority for their written approval. The approved measures shall then be implemented in full prior to first occupation and shall then be retained.

Reason: In the interests of enhancing biodiversity on site in accordance with Joint Local Plan policies SP09 and LP16.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), all proposed ensuite bathroom windows on the south elevations shall be glazed in obscured glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 3 Standard as published January 2010.

Reason - To protect the privacy and amenities of the occupiers of proposed and existing residential development.

6. ACTION REQUIRED PRIOR TO FIRST OCCUPATION OF DEVELOPMENT:  
VEHICULAR PARKING

The development shall not be occupied until the area(s) within the site shown on Drawing No. 0252-0101 Rev P01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

7. SPECIFIC RESTRICTION ON DEVELOPMENT: OCCUPATION RESTRICTION

This permission shall only authorise the use and occupation of the accommodation for purposes incidental and ancillary to the principal dwelling known as and does not permit the use of the accommodation for a separate household.

Reason - With some minor alteration the proposed annexe could constitute a physically separate unit of dwelling accommodation which would not be acceptable under the established policies of Local Plan and NPPF and having regard to its particular relationship with the principal dwelling and the potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling. The Council therefore wishes to control any future subdivision in order to ensure that the entire property remains a single dwellinghouse.

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

- SP03 - The sustainable location of new development
- LP03 - Residential Extensions and Conversions
- LP16 - Biodiversity & Geodiversity
- LP19 - The Historic Environment
- LP24 - Design and Residential Amenity
- LP29 - Safe, Sustainable and Active Transport
- NPPF - National Planning Policy Framework
- SP09 - Enhancement and Management of the Environment

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/23/05275

**Signed: Philip Isbell**

**Dated: 15th January 2024**

**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-householder-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.