

**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:**

Whitworth  
18 Hatter Street  
Bury St Edmunds  
IP33 1NE

**Applicant:**

The Trustees of TA Harwood  
1 Church Road  
Battisford  
Stowmarket  
IP14 2HQ  
Suffolk

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**Date Application Received:** 21-Aug-18

**Application Reference:** DC/18/03787

**Date Registered:** 05-Sep-18

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**Proposal & Location of Development:**

Planning Application -Change of use and conversion of barns to 5 No dwellings.

Battisford Hall Barns , Battisford Hall, Church Road, Battisford

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled A received 21/08/2018 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 A - Received 21/08/2018

Elevations - Existing 18416SE-01 A - Received 21/08/2018

Plans - Existing Existing floor plans and elevations 18416SE-02 A - Received 21/08/2018

Floor Plan - Existing 18416SE-03 A - Received 21/08/2018

Plans - Proposed Proposed floor plans, elevations and section open barn 5103-23 C - Received 09/05/2019

Plans - Proposed Proposed floor plans, elevations and section grain barn 5103-24 D - Received 09/05/2019

Plans - Proposed Proposed floor plans, elevations and section the Mill 5103-25 C - Received 25/02/2019

Plans - Proposed Proposed floor plans, elevations and section the Cartlodge 5103-26 A - Received 21/08/2018

Plans - Proposed 5103-16 D - Received 25/02/2019

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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. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF PHASING OF DEVELOPMENT

Before any development is commenced, a scheme for the carrying out of the development in successive phases shall be submitted to the Local Planning Authority for approval. No development forming part of any phase other than the first, of any scheme subsequently approved in writing, shall be commenced until 75% of the development in the preceding phase has been occupied.

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.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT: HGV ROUTING STATEMENT

Before the development hereby permitted is commenced, a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- Details of deliveries times to the site during construction phase
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

5. ACTION REQUIRED PRIOR TO WORKS: AGREEMENT OF MATERIALS

No external facing or roofing materials shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

6. ACTION REQUIRED PRIOR TO INSTALLATION OF WINDOWS AND DOORS: DETAILS OF FENESTRATION AND DOORS

Notwithstanding the details shown in the plans hereby approved, prior to the insertion of any fenestration or doors into the barns, additional architectural drawings at appropriate scale in elevation and section, detailing these shall be submitted to, and approved in writing, by the Local Planning Authority.

For the avoidance of doubt the drawings should provide detail on, the windows themselves as well as any reveals, cills, transoms and mullions and doors and doorcases.

Reason: To protect the character of the curtilage listed barns.

7. ACTION REQUIRED PRIOR TO FIRST PLANTING SEASON FOLLOWING FIRST OCCUPATION: IMPLEMENTATION OF LANDSCAPING

The landscaping details as shown on the approved drawings shall be carried out in full prior to the end of the first planting season following the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

Reason: In order to ensure that there is a sufficient landscaping scheme for the development where there is insufficient detail within the submitted application.

8. ACTION REQUIRED PRIOR TO COMMENCEMENT: LAND REMEDIATION

No development shall take place until:

1. A Scheme of Remedial works has been submitted to the approval of the Local Planning Authority to address risks outlined in the Combined Phase I and II Report (reference:) P3159.1.0 by AGB Environmental Limited..
2. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
3. 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, the wider environment and buildings arising from land contamination.

9. ACTION REQUIRED PRIOR TO OCCUPATION: PROVISION OF PARKING

No occupation of any unit shall be permitted until and unless the areas shown within the approved plans for the purposes of parking the vehicles associated with that property have been provided for the use of that property.

Reason: To ensure that adequate parking in line with adopted standards is available for the use of the occupants of said dwelling.

10. ACTION REQUIRED PRIOR TO COMMENCEMENT: CONSTRUCTION METHOD STATEMENT

No works shall take place, including any demolition, until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period and shall provide details for:

the parking of vehicles of site operatives and visitors;  
hours of deliveries and hours of work;  
loading and unloading of plant and materials;  
storage of plant and materials used in constructing the development;  
the erection and maintenance of security hoarding;  
wheel washing facilities;  
measures to control the emission of dust and dirt during construction; and  
a scheme for recycling/disposing of waste resulting from construction works.

Reason: In order to ensure that the construction takes place in a suitable manner and to ensure that amenities of existing residents are protected as far as reasonable.

11. COMPLIANCE REQUIRED: DEVELOPMENT IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Ltd, October 2016) and the Protected Species Survey Report (Greenlight Environmental Consultancy Ltd, July 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

12. ACTION REQUIRED PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF THE EPS LICENCE FOR BATS

The following works to convert buildings two and three shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

13. ACTION REQUIRED PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF THE EPS LICENCE FOR GCN

The proposed development shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

14. ACTION REQUIRED PRIOR TO WORKS ABOVE SLAB LEVEL: BIODIVERSITY COMPENSATION AND ENHANCEMENT STRATEGY

Prior to any works above slab level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority, following the details contained within the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Ltd, October 2016) and the Protected Species Survey Report (Greenlight Environmental Consultancy Ltd, July 2019).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

15. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to occupation of the development hereby approved, a lighting design scheme for 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 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 should 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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

16. COMPLIANCE REQUIRED: RESTRICTION ON PERMITTED DEVELOPMENT RIGHTS

Notwithstanding the provisions of Classes A, B, C, D and E of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or the equivalent provisions of any order revoking and re-enacting that Order), no extensions, ancillary buildings or structures shall be erected unless otherwise subsequently approved, in writing, by the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the development avoids an overdeveloped or cluttered appearance.

**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  
FC02 - Provision And Distribution Of Housing  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
GP01 - Design and layout of development  
H09 - Conversion of rural buildings to dwellings  
HB01 - Protection of historic buildings  
HB03 - Conversions and alterations to historic buildings  
HB05 - Preserving historic buildings through alternative uses  
HB14 - Ensuring archaeological remains are not destroyed  
H13 - Design and layout of housing development  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics

H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
CL02 - Development within special landscape areas  
CL08 - Protecting wildlife habitats  
T09 - Parking Standards  
T10 - Highway Considerations in Development

**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.

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/18/03787

**Signed: Philip Isbell**

**Dated: 30th March 2021**

**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/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

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.