

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:

Whymark & Moulton Ltd
14 Cornard Road
Sudbury
Suffolk
CO10 2XA

Applicant:

Josephine Fox
Progress Farm
Base Green Road
Wetherden
Stowmarket
Suffolk
IP14 3LR

Date Application Received: 15-Jun-23
Date Registered: 21-Jun-23

Application Reference: DC/23/02838

Proposal & Location of Development:

Full Planning Application - Conversion of 2 No. agricultural buildings and the retention of works to form 3 No. dwellings

Progress Farm, Base Green Road, Wetherden, Stowmarket Suffolk IP14 3LR

Section A – Plans & Documents:

This decision refers to drawing no./entitled Site Location Plan received 22/08/2023 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:

Elevations - Proposed - Barn 2 & 3 - 209-SK-203-a - Received 15/06/2023
Structural Survey - Received 15/02/2024
Land Contamination Assessment - Received 15/06/2023
Planning Statement - Received 15/06/2023
Site Plan 23/085-01 - Received 08/09/2023
Elevations - Proposed 209-SK-201-E - Received 15/06/2023
Defined Red Line Plan Site Location Plan - Received 22/08/2023
Floor Plan - Proposed 209-SK-200-D - Received 15/06/2023
Floor Plan - Proposed - + Front Elevation - Barn 2 & 3 - 209-SK-202-a - Received 15/06/2023

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. 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.

2. COMPLIANCE REQUIRED: PROVISION OF VISIBILITY SPLAYS

Prior to any further development on site, visibility splays shall be provided as shown on Drawing No. 23/085-01 with an X dimension of 2.4 metres and a Y dimension of 40 metres south bound and 56 metres north bound 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.

3. DISCHARGE REQUIRED: ACCESS AND DRIVEWAY DETAILS

Prior to any further development on site, details of the proposed access and driveway shall be formally submitted to the Local Planning Authority for its written approval.

The details shall include the position of any gates to be erected, the access designed in accordance with Suffolk County Council's standard access drawing DM01, with a minimum entrance width of 4.5 metres, surfaced with a bound material for the first 5 metres (measured from the nearside edge of the metalled carriageway) and with a gradient of no steeper than 1 in 20 for the first 5 metres (measured from the nearside

edge of the metalled carriageway) of the access. The gradient of the driveway shall be no steeper than 1 in 12 (measured from the nearside edge of the metalled carriageway).

The approved access shall then be laid out and constructed in its entirety prior to first occupation. The access shall be retained thereafter in its approved form.

Reason: To ensure the access is constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety. This condition is required to be agreed at this stage to ensure highway safety is secured early for both development and its construction.

Note: Drawing DM01 can be found on the following link:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings>

4. COMPLIANCE REQUIRED: PARKING PROVISION

Prior to first occupation, the parking and manoeuvring areas as shown on drawing 23/085-01 shall be provided in full and shall then be retained for parking and manoeuvring and used for no other purpose.

Reason - To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order 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.

5. COMPLIANCE REQUIRED: CONSTRUCTION HOURS

All construction works (including site clearance and demolition phases) of the development shall only be carried out between the hours of 07:30 and 18.00hrs Monday to Friday and between the hours of 08.00 and 13.00hrs on Saturday. There shall be no working on Sundays and Bank Holidays. There shall be no deliveries to the development arranged outside of these approved hours.

Reason: To minimise detriment to nearby residential amenity.

6. CONSTRUCTION MANAGEMENT PLAN

No further development shall commence until a Construction Management Plan shall be formally submitted to the Local Planning Authority for its written approval. The Construction Management Plan shall include details of:

Operating hours (to include hours for delivery)

Details of the scheduled timing/phasing of the development for the overall construction period

Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors) protection measures for footpaths surrounding the site

Loading and unloading of plant and materials

Wheel washing facilities

Lighting

Location and nature of compounds, portaloo's and storage areas (including maximum storage heights) and factors to prevent wind-whipping of loose materials

Waste storage and removal

Temporary buildings and boundary treatments

Dust management measures

Method of any demolition to take place, including the recycling and disposal of materials arising from demolition.

Noise and vibration management (to include arrangements for monitoring, and specific method statements for piling) and;

Litter and waste management during the construction phases of the development.

Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Note: the Construction Management Plan shall cover both demotion and construction phases of the above development. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

Reason: to minimise detriment to nearby residential amenity

7. COMPLIANCE REQUIRED: NO BURNING

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

Reason: to minimise detriment to nearby residential amenity

8. DISCHARGE REQUIRED: LANDSCAPING SCHEME

No further development shall take place until a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained has been formally submitted to the Local Planning Authority for its written approval.

All approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the approval of this condition.

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 - In the interests of visual amenity and the character and appearance of the area.

9. DISCHARGE REQUIRED: SURFACE WATER

No further development shall be carried out until details showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water have been formally submitted to the Local Planning Authority for its written approval. The approved scheme shall be carried out in its entirety prior to first occupation and shall then be retained in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

10. DISCHARGE REQUIRED: CYCLE STORAGE AND EV CHARGING POINT

Prior to first occupation, details of secure, lit and covered cycle storage and electric vehicle charging infrastructure to serve each dwelling shall be formally submitted to the Local Planning Authority for its written approval. The approved storage and charging infrastructure shall then be implemented in full prior to first occupation of the dwelling it serves and shall then be retained.

Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2023).

11. DISCHARGE REQUIRED: REFUSE/RECYCLING BINS STORAGE

Prior to first occupation, details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins to serve each dwelling shall be formally submitted to the Local Planning Authority for its written approval. The approved storage and presentation points shall then be implemented in full prior to first occupation of the dwelling it serves and shall then be retained.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

12. SPECIFIC RESTRICTION: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A to E and H and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification)- no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, no garage, car port, fence, gate, wall or any other means of enclosure, building or structure shall be erected, except pursuant to the grant of planning permission on an application made in that regard.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

13. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
BIODIVERSITY ENHANCEMENT LAYOUT

Prior to first occupation of any dwelling, a Biodiversity Enhancement Layout, providing details and locations of biodiversity enhancement measures shall be formally submitted to the Local Planning Authority for its written approval.

The approved enhancement measures shall be implemented in full prior to first occupation of each respective dwelling the enhancement measures serve, and all features shall then be retained.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the Natural Environment and Rural Communities Act 2006.

14. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

Prior to any further development on site, a biodiversity wildlife sensitive lighting design scheme shall be formally submitted to the Local Planning Authority for its written approval. 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, clearly demonstrating that areas to be lit will not disturb or prevent bats using their territory. Lighting specifications and locations shall also be set out. All external lighting shall then be installed in accordance approved scheme.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended) and s40 of the Natural Environment and Rural Communities Act 2006.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
SP03 - The sustainable location of new development
SP09 - Enhancement and Management of the Environment
SP10 - Climate Change
LP04 - Replacement Dwellings and Conversions
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP17 - Landscape
LP21 - Agricultural Land to Residential Garden Land
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport
LP32 - Developer Contributions and Planning Obligations

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. Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.
3. Should any protected species, or evidence of protected species be found prior to or during the development, all works must stop immediately, and a suitably qualified ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant. Ensure excavations are securely covered during the night to avoid animals from accidentally entering or installing an escape ramp as a precaution. Security lighting should be set on short timers to minimise disruption to species and the surrounding habitat.
3. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>

or:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

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/23/02838

Signed: Philip Isbell

Dated: 6th March 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-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.