

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)



---

## OUTLINE PLANNING PERMISSION

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

---

**Correspondence Address:**

Mr Sam Hollingworth  
Coval Hall  
Rainsford Road  
Chelmsford  
CM1 2QF

**Applicant:**

Bloor Homes and Sir George A. Agnew  
C/o Agent

---

**Date Application Received:** 22-Jul-19

**Application Reference:** DC/19/03486

**Date Registered:** 23-Jul-19

---

**Proposal & Location of Development:**

Outline Planning Application (some matters reserved - access to be considered ) - Erection of up to 210 dwellings, means of access, open space and associated infrastructure, including junction improvements (with all proposed development located within Mid Suffolk District, with the exception of proposed improvements to Fishwick Corner being within West Suffolk).

Land South West Of, Beyton Road, Thurston, Suffolk

---

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **OUTLINE PLANNING PERMISSION HAS BEEN GRANTED** subject to the following conditions:

### SCHEDULE OF PLANNING CONDITIONS

**Mid Suffolk District Council: DC/19/03486**

Proposal: Outline Planning Application (some matters reserved - access to be considered) - Erection of up to 210 dwellings, means of access, open space and associated infrastructure, including junction improvements (with all proposed development located within Mid Suffolk District, with the exception of proposed improvements to Fishwick Corner being within West Suffolk).

Location: Land South West Of Beyton Road Thurston Suffolk

**West Suffolk Council: DC/19/1519/OUT**

Proposal: Outline Planning Application (means of access to be considered) - (i) proposed improvement to Fishwick Corner in West Suffolk Council and (ii) 210no. dwellings means of access, open space and associated infrastructure, including junction improvements with all proposed development located within Mid Suffolk District Council

Location: Land Adjacent To Fishwick Corner Thurston Road Rougham Suffolk

---

**Conditions to be discharged by Mid Suffolk District Council:** 5, 6, 8, 11, 12, 13, 16, 18, 19, 20, 21, 22, 23, 24, 27 and 31

**Conditions to be discharged by West Suffolk Council:** 9, 25

**Conditions to be discharged by both Mid Suffolk District Council and West Suffolk Council:** 3, 10, 14, 15, 26 and 28

**TIME LIMIT FOR IMPLEMENTATION**

- 1 Application for approval of reserved matters must be made not later than the expiration of 12 months beginning with the date of this permission, and the development must be begun not later than the expiration of 18 months from the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matter to be approved.

*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 and to help to ensure that the proposals for housing are implemented in a timely manner in accordance with Paragraph 76 of the National Planning Policy Framework (hereinafter NPPF, 2019).*

**LIST OF APPROVED DRAWINGS**

2. Save for variance necessitated by compliance with conditions imposed upon this planning permission, the development shall be carried out in accordance with the following approved plans/drawings:

Location Plan	19-2010-O-01D
Land Use Parameter Plan	19-2012-O-03F
Existing Vegetation Parameter Plan	19-2012-O-04F
Building Densities Parameter Plan	19-2012-O-07D
Northern Site Access	X601_PL_200
Southern Site Access	X601_PL_200B
Site Access Strategy and Local Junction	X601_PL_211_P05

Improvements	
Fishwick Corner Option 1- Staggered Junction- Visibility	X601_PL_201B
Fishwick Corner Option 1- Staggered Junction- Visibility	X601_PL_201C
Barton Road Mini Roundabout and Realignment under Bridge	X601_PL_214 P01
Fishwick Corner Landscaping	EAXXX-LS-001a
Arboricultural Implications Assessment Report	Rev A dated October 2019
Flood Risk Assessment and Drainage Strategy	1707-202 Rev A dated June 2019
Farmland Bird Mitigation Strategy	November 2019

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

### **RESERVED MATTERS**

3. Before any development is commenced, approval of the details of the appearance, scale and layout of the development, and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. These details shall include cross-sections of the proposed development demonstrating existing and proposed ground levels with finished floor levels of all new buildings and ridge heights as measured from an off-site fixed datum point.

*Reason - To enable the Local Planning Authority to secure an orderly and well-designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.*

4. The reserved matters shall substantially accord with the details on/in the Illustrative Masterplan 19-2012-SL101J, Design and Access Statement (Boyer, dated June 2019) and Design Statement (Boyer, dated November 2019).

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

5. No built form shall encroach into or upon the open space land shown on Illustrative Masterplan 19-2012-SL101J unless otherwise in the case of minor variations agreed in writing by the Local Planning Authority.

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

6. Prior to or concurrent with the first application for the approval of reserved matters, details of the mix of type and size of the market dwellings to be provided shall be submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

7. The development hereby permitted shall not exceed 210 dwellings.

*Reason - For the avoidance of doubt and in the interests of proper planning of the development.*

## **PRE - COMMENCEMENT CONDITIONS**

### **Surface Water Drainage**

8. Prior to commencement a surface water drainage scheme as set out in the approved Flood Risk and Drainage Strategy (Ingent, Revision A dated June 2019) and supported by the approved Shallow Infiltration Testing (RSK, dated 3 October 2019) and Geoenvironmental and Geotechnical Site Investigation (RSK, dated June 2019) shall be submitted to, and approved in writing by, the local planning authority. The scheme shall be in accordance with the approved FRA and include:

- a) Dimensioned plans and drawings of the surface water drainage scheme;
- b) Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c) If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d) Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e) Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f) Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g) Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and

thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- i. Method statements, scaled and dimensioned plans and drawings detailing surface water
  1. Temporary drainage systems
  2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  3. Measures for managing any on or offsite flood risk associated with construction
- h) Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

*Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan>*

9. Prior to commencement of the development detailed on Drawing No. X601\_PL\_201C details of the implementation, maintenance and management of the strategy for the disposal of surface water shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

*Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of water drainage, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. The condition is pre-commencement as it may require the installation of below ground infrastructure and details should be secured prior to any ground disturbance taking place.*

## **Highways**

10. Prior to the commencement of any works (save for site clearance and technical investigations) details of the highway improvements and mitigation (including layout, levels, gradients, surfacing and means of surface water drainage) as detailed on the approved drawings Northern Site Access X601\_PL\_200, Southern Site Access X601\_PL\_200B, Site Access Strategy and Local Junction Improvements X601\_PL\_211\_P05, Fishwick Corner Option 1- Staggered Junction- Visibility X601\_PL\_201B and Fishwick Corner Option 1- Staggered Junction- Visibility X601\_PL\_201C and Barton Road Mini Roundabout and Realignment under Bridge X601\_PL\_214 P01, shall be submitted to and approved in writing to the Local Planning Authority in consultation with Local Highway Authority. The details

shall include the arrangements for the section of existing carriageway to be stopped up including the future use of this area by pedestrians and cyclists as shown on approved drawing Fishwick Corner Option 1- Staggered Junction- Visibility X601\_PL\_201C. The details as agreed shall be delivered in accordance with a timetable for improvement which shall have been submitted to and agreed in writing by the LPA concurrent with the said details.

*Reason: To ensure that design highway improvements/footways are constructed to an acceptable standard.*

11. Prior to commencement of any works, (save for site clearance and technical investigations) details of the estate roads and footpaths of the development, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure that roads/footways are constructed to an acceptable standard.*

12. Before the development is commenced details of the areas to be provided for the loading/unloading, manoeuvring and parking of vehicles and secure cycle storage (with such details being in accordance with the Suffolk Guidance for Parking 2019) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

*Reason: To enable sufficient parking in accordance with adopted parking standards.*

13. Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

*Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.*

### **Construction Management**

14. 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:
  - a) haul routes for construction traffic on the highway network and monitoring and review mechanisms.
  - b) provision of boundary hoarding and lighting
  - c) details of proposed means of dust suppression

- d) details of measures to prevent mud from vehicles leaving the site during construction including wheel washing facilities and their management
- e) details of deliveries times to the site during construction phase
- f) details of provision to ensure pedestrian and cycle safety
- g) programme of works (including measures for traffic management and operating hours)
- h) parking and turning for vehicles of site personnel, operatives and visitors
- i) loading and unloading of plant and materials
- j) storage of plant and materials
- k) maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

*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.*

### **Tree Protection Measures**

15. Prior to the commencement of development (including any demolition, groundworks and site clearance) an Arboricultural Method Statement, as detailed in the Arboricultural Impact Assessment Report (Sharon Hosegood Associates, Revision A October 2019) shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of the following:

- a) Measures for the protection of those trees and hedges on the application site that are to be retained,
- b) Details of all construction measures within the 'Root Protection Area' (defined by a radius of  $dbh \times 12$  where  $dbh$  is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
- c) A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

*Reason - In order to safeguard the continued presence of established trees and hedges beyond the construction phase such that they can continue to provide visual amenity and wildlife value.*

## Ecology/Biodiversity

16. A Farmland Bird Mitigation Strategy, as based on approved document Farmland Bird Mitigation Strategy (SES, November 2019), shall be submitted to and approved by the local planning authority to compensate the loss of Grey Partridge Habitat.

The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed Buffer Strip;
- b) detailed methodology following Agri-Environment Scheme option: 'SW1: 4m to 6m buffer strip on cultivated land';
- c) locations of the compensation by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

*Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species)*

## PRIOR TO OCCUPATION/SLAB OR OTHER STAGE CONDITIONS

### Highways

17. Before the access into the site is first used, visibility splays shall be provided as drawing Nos X601\_PL\_200 and 200B 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 over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

*Reason: To ensure that design highway improvements/footways are constructed to an acceptable standard*

18. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority in consultation with Local Highway Authority.

*Reason - To ensure that satisfactory access is provided for the safety of residents and the public.*

19. Prior to the occupation of any dwelling details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan in accordance with the mitigation measures identified in the submitted Transport Assessment shall be submitted for the



approval in writing by the local planning authority in consultation with the highway authority. No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan.

*Reason: In the interest of sustainable development as set out in the NPPF, policies CS7 and CS8 of the St Edmundsbury Core Strategy and Strategic Objectives SO3 and SO6 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).*

20. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised Travel Planning and a multi-modal travel voucher.

*Reason: In the interest of sustainable development as set out in the NPPF, and Strategic Objectives SO3 and SO6 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).*

## **Materials**

21. No development shall commence above slab level until details of all external facing materials to be used in the construction of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The materials shall include, but not be limited to, the use of clay roof tiles and clay stock bricks, externally applied glazing bars and 75mm window reveals to masonry.

*Reason – In the interests of residential amenity and the character and appearance of the area.*

## **Water and Energy Efficiency Measures**

22. No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the development has been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

*Reason- To ensure that the development makes an appropriate contribution to the objectives of environmental sustainability, in accordance with the development plan and NPPF.*

## Electric Car Charging

23. No development shall commence above slab level until a scheme for the provision and implementation electric car charging points for the development has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The scheme shall be implemented, and the measures provided and made available for use, in accordance with such timetable as may be agreed.

*Reason - To ensure that the development is securing appropriate net gains for the environmental objective of sustainability, in accordance with the Council's adopted parking/highway standards (Suffolk Guidance for Parking, 2019) and Paragraph 110 of the NPPF.*

## Ecology/Biodiversity

24. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details."

*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)*

## Landscaping

25. No development above ground level as detailed on Drawing No. X601\_PL\_201C shall take place until a scheme of soft landscaping drawn to a scale of not less than 1:200, based on Drawing No. EAXXX-LS-001a, has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

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

## Lighting

26. No external lighting shall be installed until a detailed lighting scheme for any areas to be lit shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show how and where external lighting will be installed (through technical specifications and the provision of appropriate lighting contour plans which shall include lux levels of the lighting to be provided), and 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, so that it can be:

Clearly demonstrated that areas to be lit have reasonably minimised light pollution, through the use of minimum levels of lighting and features such as full cut off cowls or LED. Clearly demonstrated that the boundary vegetation to be retained, as well as that to be planted, will not be lit in such a way as to disturb or prevent bats using their territory or having access to their breeding sites and resting places or foraging areas, through the use of minimum levels of lighting and features such as full cut off cowls or LED.

All external lighting shall be installed in accordance with the specifications and locations as set out in the approved scheme and shall be maintained thereafter in accordance with that scheme.

*Reason - In the interests of safeguarding ecology, biodiversity and amenity.*

## **Site Infrastructure/Other**

27. No development shall proceed above slab level until details of the provision of fire hydrants for the development, including timetable for installation, have been submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall be installed in accordance with the approved details in their entirety and in accordance with the timetable as may be agreed.

*Reason - To ensure the site is suitably served by fire hydrants in the interests of public safety and fire prevention.*

## **Archaeology: Post Investigation**

28. No dwelling shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved in writing by the Local Planning Authority, in accordance with the Written Scheme of Investigation (RPS, dated October 2019) and approved by email dated 22 October 2019 and the provision made for analysis, publication and dissemination of results and archive deposition.

*Reason - to ensure the appropriate recording and analysis of archaeological assets.*

## **POST OCCUPANCY MONITORING/MANAGEMENT**

### **Permitted Development**

29. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no development shall be carried out in such a position as to preclude vehicular access to those vehicular parking spaces provided in accordance with the approved plans and no alterations shall be carried out to any approved garage units that would preclude the parking of vehicles without an application for planning permission made in that regard.

*Reason - To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would otherwise be detrimental to highway safety.*

30. 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 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 or other alteration of the dwelling house(s) shall be carried out, 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*

## **Drainage**

31. Within 28 days of the completion of the final dwelling, details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

*Reason - To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.*

## **Ecology/ Biodiversity**

32. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Phase 2 Ecology Survey (Southern Ecological Solutions, Revision C dated June 2019) and the Ecological Site Walkover and Ground Level Tree Assessment (dated 1 November 2019 prepared by SES) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may 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 and enhance 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).*

## **INFORMATIVES:**

1. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case additional information in respect of drainage, landscaping and archaeology was submitted.
2. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works,

safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

3. As the proposal requires work affecting an ordinary watercourse, including a ditch, whether temporary or permanent, then further information may be required by Suffolk County Council's Flood and Water Management team.
4. Any failure to adhere to approved plans or to comply with any conditions or limitation attached to this permission/consent may lead to enforcement action being taken. This permission may be invalidated if conditions requiring compliance before commencement are not complied with.
5. This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or registration other than the Town and Country Planning Act 1990 or under any covenant.
6. The development hereby approved should be built in accordance with the approved plans as a further planning permission will be required where material alterations or revisions are proposed to an approved scheme. An application for non-material changes to the planning permission can be submitted in writing to the Local Planning Authority under Section 96A(4) of the Town and Country Planning Act 1990. A specific form will be required for that purpose and these are available via the Planning Portal or they can be downloaded from the council's website at [www.westsuffolk.gov.uk](http://www.westsuffolk.gov.uk). A fee of £34 for a householder application or £234 for all other applications will be required in order to register the application.

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/19/03486

**Signed: Philip Isbell**

**Dated: 23rd December 2020**

**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.