

# Land off Woodlands Chelmondiston Suffolk IP9 1DW

Submission of Reserve Matters, (appearance, scale, and layout of buildings and landscaping proposals for the site reserved under condition 2), discharge of Condition nos. 5, 7, 10, 12, 13, 14, 15, 16, 18, 19, 20, 23 and 25 of Outline Planning Permission DC/18/00236/OUT

**Planning Statement**

**Prepared for Birch Homes Ltd.**

April 2019

Artisan Ref: A4065(a)

Artisan Planning & Property Services Ltd  
Director: Leslie Short BA MRTPI MRICS

Berwick House  
Homechurch  
Baylham  
Suffolk  
IP6 8RF

01473 832995  
[admin@artisan-pps.co.uk](mailto:admin@artisan-pps.co.uk)  
[www.artisan-pps.co.uk](http://www.artisan-pps.co.uk)

Registered in England & Wales No. 077999008

## Contents

1. Introduction & Planning Submission Checklist .....	2
2. Background to the Proposed Development.....	4
3. Planning Obligations and Community Infrastructure Levy .....	6
4. Summary & Conclusions .....	7
Appendices .....	8

### Appendices

Appendix 1      Outline Planning Permission DC/18/00236

## 1. Introduction & Planning Submission Checklist

### Introduction

1.1. This application comprises the first submission of Reserve Matters, (appearance, scale, and layout of buildings and landscaping proposals) for the site reserved under condition 2 of Outline Planning Permission 18/00236 as well as the discharge of a number of conditions precedent and other conditions (nos. 5 (Lighting Design Scheme for Biodiversity); 7 (Construction Management Plan), 10 (Details of Estate Roads and Footpaths), 12, 19 and 20 (Details of Surface Water Drainage Strategy), 13 (Details of Bin Storage Areas, 14 Deliveries Management Plan), 15 (Loading, Unloading, Manoeuvring and Parking and secure Cycle Storage, 16 (Archaeology) 18 (Sustainability Statement), 23 (Site Landscaping Plan), 25 (Landscape Management Plan).

1.2. Listed below is a comprehensive check list of all reports and drawings as submitted:

#### By Patrick Allen Architects Ltd.

3716-05L – Site Layout

3716-21 – Plot 1 Floor Plans and Elevations

3716-21 – Plot 2 Floor Plans and Elevations

3716-21 – Plot 3 Floor Plans and Elevations

3716-21 – Plot 4 Floor Plans and Elevations

3716-21 – Plot 5 Floor Plans and Elevations

3716-21 – Plot 6 Floor Plans and Elevations

3716-21 – Plot 7 Floor Plans and Elevations

3716-21 – Plot 8 Floor Plans and Elevations

3716-21 – Plot 9 Floor Plans and Elevations

3716-21 – Plot 10 Floor Plans and Elevations

3716-21 – Plot 11 Floor Plans and Elevations

3716-21 – Plot 12 Floor Plans and Elevations

3716-21 – Plot 13 Floor Plans and Elevations

3716-21 – Plot 14 Floor Plans and Elevations

3716-21 – Plot 15,16 Floor Plans and Elevations

3716-21 – Plot 17,18 Floor Plans and Elevations

3716-21 – Plot 19,20 Floor Plans and Elevations

3716-21 – Plot 21, 22 Floor Plans and Elevations

3716-21 – Plot 23, 24 Floor Plans and Elevations

3716 Construction & Delivery Management Strategy

3716 Sustainability Statement

3716 Proposed Materials Schedule

3716 Lighting Design Scheme for Biodiversity and Guidance Note 8

JMS Drawings

EX1819610\_002 Engineering Layout Sheet 1 of 2

EX1819610\_003 Engineering Layout Sheet 2 of 2

Land and Sculpture Design Partnership

1012-01Rev A updated Arboricultural Assessment

1012-03 Landscaping Proposal

Landscape Management plan

Other Technical Reports

Planning Statement by Artisan

General

Application form

Application fee of £11,088

CIL Form and Floorspace schedule

- 1.3 The Reserve Matters details required by condition 2 (appearance, scale, layout and landscaping) are shown in 3716-05L – Site Layout Drawing as proposed and the attendant individual house and dwelling designs in the following drawings list.

3716-21 – Plot 1 Floor Plans and Elevations

3716-21 – Plot 2 Floor Plans and Elevations

3716-21 – Plot 3 Floor Plans and Elevations

3716-21 – Plot 4 Floor Plans and Elevations

3716-21 – Plot 5 Floor Plans and Elevations

3716-21 – Plot 6 Floor Plans and Elevations

3716-21 – Plot 7 Floor Plans and Elevations

3716-21 – Plot 8 Floor Plans and Elevations

3716-21 – Plot 9 Floor Plans and Elevations

3716-21 – Plot 10 Floor Plans and Elevations

3716-21 – Plot 11 Floor Plans and Elevations

3716-21 – Plot 12 Floor Plans and Elevations

3716-21 – Plot 13 Floor Plans and Elevations

3716-21 – Plot 14 Floor Plans and Elevations

3716-21 – Plot 15,16 Floor Plans and Elevations

3716-21 – Plot 17,18 Floor Plans and Elevations

3716-21 – Plot 19,20 Floor Plans and Elevations

3716-21 – Plot 21, 22 Floor Plans and Elevations

3716-21 – Plot 23, 24 Floor Plans and Elevations

and the landscaping proposals for the site in 1012-03 Landscaping Proposal, together with an updated arboricultural assessment, 1012-01 Rev A Chelmondiston Arb.

- 1.4 The detail required by condition 5 Lighting Scheme for biodiversity are shown in the Report 3716 Lighting Design Scheme for Biodiversity and Guidance Note 8.

1.5 A Construction Management and Deliveries Plan is submitted in discharge of Conditions 7 and 14.

1.6 This submission comprises drawings in discharge of Condition no. 10 (Estate Roads and Footpaths) and includes: -

EX1819610\_002 Engineering Layout Sheet 1 of 2

EX1819610\_003 Engineering Layout Sheet 2 of 2

The access road is to be designed and built to an adoptable standard but not adopted and without street lighting because of the sensitivity of the location.

1.7 The detail required by condition 12 (surface water drainage prevention on to highway), 19 (surface water drainage scheme) and 20 (implementation of, maintenance and management), is shown on the submitted JMS drawings,

EX1819610\_002 Engineering Layout Sheet 1 of 2

EX1819610\_003 Engineering Layout Sheet 2 of 2

1.8 The detail required by condition 13 (bin storage areas) and 15 ((Loading, Unloading, Manoeuvring and Parking and secure Cycle Storage) is shown on the Patrick Allen drawing 3716-05L.

1.9 Condition 16 Archaeology, relates to the investigation of buildings on site of which there are none present. Consequently, nothing is required for discharge of this condition and nothing is submitted but the condition needs to be formally discharged.

1.10 The detail required by condition 18 (sustainability measures) is shown in the Patrick Allen Sustainability Report.

1.11 The detail required by conditions 19, 20, 21, surface water drainage details, is shown in the following drawings

EX1819610\_002 Engineering Layout Sheet 1 of 2

EX1819610\_003 Engineering Layout Sheet 2 of 2

1.12 The Site Landscape Plan and Site Landscape Management Plan as required by conditions 23 and 25 are submitted and supported by an updated arboricultural assessment.

1.13 Birch Homes Ltd is the applicant, being the construction and joint venture partner of the landowners for this development for this reserve matters and conditions discharge submission.

## **2. Background to the Proposed Development**

### **Pre-Application Consultation**

- 2.1. Planning permission (in outline) was granted on 2 July 2018. Further pre-app consultation has taken place with Chelmondiston PC, Babergh DC Planning and Housing and Suffolk County Council Highways and Flood Management Team.

**Changes to Planning Policy**

- 2.2. The National Planning Policy Framework 2019 was published in February and most recently the Planning Practice Guidance 2014 was updated and it is concluded that this reserve matters submission and conditions discharge application complies with the provisions of both updates.

**The Proposed Development**

- 2.3. The scale, layout and appearance and final design of the reserve matter submission is the result of extensive pre-application consultation on all detailed and technical aspects and follows exactly the parameters for development established by the conditions of the Outline Planning Permission. What is now submitted follows exactly what was proposed and approved at Outline stage i.e. 24 dwellings comprising 16 market units and 8 affordables in a good cross section of housing types designed to suit both the local market and housing need.
- 2.4. The Affordable Housing types and tenure have been the subject of further discussion and agreement with the Council's Housing Team and changes agreed to dwelling types/tenure to those set out within the s.106 Agreement pursuant to the Outline Permission.
- 2.5. Archaeological conditions which require to be discharged have been submitted under a separate application and are now discharged.
- 2.6. The developer intends to commence construction as soon as all relevant conditions and reserve matters are approved.

### 3. Planning Obligations and Community Infrastructure Levy

- 3.1 The requisite form accompanies this application submission together with a floorspace schedule for clarity.
- 3.2 The affordable housing units are submitted in compliance with the S106 agreement completed on grant of the Outline Planning Permission but with further agreement with the Councils Housing Team. Individual Plot numbers and their tenure is shown on layout drawing 3716-05L.
- 3.3 The schedule of affordable housing proposed together is shown below and are colour coded within the site layout drawing.

	<b>2 Bed House (shared ownership)</b> (78m <sup>2</sup> )	<b>2</b>
	<b>3 Bed House (Affordable rent)</b> (85m <sup>2</sup> )	<b>2</b>
	<b>2 Bed House (Affordable rent)</b> (78m <sup>2</sup> )	<b>2</b>
	<b>1 Bed Flat (Affordable rent)</b> (50m <sup>2</sup> )	<b>2</b>



#### **4. Summary & Conclusions**

- 4.1 This reserve matter submission and conditions discharge application proposes a well-designed high quality residential development in a sustainable location in Chelmondiston in an edge of village position. The proposed scheme is consistent with the drive towards the provision of more housing at both national and local levels and closely follows the parameters and constraints of the site imposed by the Outline Planning Permission.
- 4.2 In practice this means making the most of opportunities as they arise to ensure that not only is new development sustainable, but that where appropriate, it contributes to making existing developments and communities more sustainable by providing, for example, opportunities to live and work within a short distance of all facilities but also in an attractive environment. The scheme proposals set out within this application comprise just such an opportunity although the question of the principle of the development is not at issue in this submission.
- 4.3 Chelmondiston, is a significant size settlement in the Babergh District, is a 'Core village' where new housing development may be most appropriately located. Not only is the application site off Woodlands approved in principle, the scale, character and local distinctiveness of the development as proposed and detailed within this submission will make a significant contribution to a range of identified needs and planning policies.
- 4.4 The proposed development's potential for impact on the built environment, on the ANOB and on the street scape of the immediate locality as well as the ecology/trees on site has been considered and the reasonable conclusion reached is that the site's constraints have been successfully addressed and such harms as there are arising from the development can be successfully mitigated in the submitted scheme and positively enhanced as is demonstrated within the submitted biodiversity management plan and in the landscape management plan both of which will be carried forward in the implementation of the development scheme and beyond by its residents who will be compelled to adopt them through a site Management Company.

## Appendices

Appendix 1      Outline Permission DC/18/00236

# Appendix 1

Outline Permission DC/18/00236

**Philip Isbell - Corporate Manager**  
**Growth & Sustainable Planning**

**Babergh District Council**

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.babergh.gov.uk](http://www.babergh.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 Leslie Short  
Artisan PPS Ltd  
Berwick House  
Baylham  
Ipswich  
IP6 8RF

**Applicant:**

Mrs Spinks  
Malibu  
Collimer Close  
Chelmondiston  
IP9 1HX

---

**Date Application Received:** 16-Jan-18

**Application Reference:** DC/18/00236

**Date Registered:** 17-Jan-18

---

**Proposal & Location of Development:**

Outline Planning Application (means of access to be considered) - Erection of 24 dwellings (including 8 affordable dwellings) including access.

Land Adjacent To Woodlands , Main Road, Chelmondiston, IP9 1DW

---

**Section A – Plans & Documents:**

This decision refers to drawing no./entitled Site Location Plan 3716-06 1 - Received 16/01/2018 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:

Flood Risk Assessment AND DRAINAGE STRATEGY - Received 17/01/2018

Land Contamination Assessment 1 - Received 17/01/2018

Landscape and Visual Impact Assessment 1 - Received 17/01/2018

Application Form 1 - Received 16/01/2018

Topographic Survey 3716-05F 1 - Received 16/01/2018

Site Location Plan 3716-06 1 - Received 16/01/2018

Street Scene - Existing 3716-10 1 - Received 16/01/2018

Arboricultural Assessment LS1012-01 1 - Received 16/01/2018

General Details HIGHWAY STATEMENT 1 - Received 16/01/2018

General Details AGRI LAND AND CLASSIFICATION REP 1 - Received 16/01/2018

Ecological Survey/Report FINAL 1 - Received 16/01/2018

**Section B:**

Babergh District Council as Local Planning Authority, hereby give notice that **OUTLINE 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: TIME LIMIT FOR RESERVED MATTERS APPLICATION

Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years 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 - Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS: PRE-COMMENCEMENT CONDITION: APPROVAL OF RESERVED MATTERS

Before any development is commenced, approval of the details of the appearance, scale and layout of the building(s) and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained in writing from the Local Planning Authority.

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.

3. ACTION REQUIRED IN ACCORDANCE PRIOR TO OCCUPATION: FIRE HYDRANTS

Prior to the first occupation of the site, details of the provision of fire hydrants shall be submitted to and approved, in writing, by the Local Planning Authority. The fire hydrants shall be carried out in accordance with these 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.

4. CONCURRENT TO RESERVED MATTERS: COMPLIANCE WITH RECOMMENDATIONS OF THE ECOLOGICAL REPORT

All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey Report (MHE Consulting Ltd, January 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination".

Reason: To allow the LPA to discharge its duties under the Habitat Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

5. ACTION REQUIRED PRIOR TO OCCUPATION: LIGHTING DESIGN SCHEME

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 lighting contour plans and 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)

6. Hours of work

All works and ancillary operations, which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of 8am and 6pm on Mondays to Fridays and between the hours of 9am and 1pm on Saturdays and at no time on Sundays and Bank Holidays. Deliveries/collections shall only be made during these hours.

Reason - To minimise detriment to nearby residential amenity.

7. Construction Management Plan.

No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:

- o Operating hours (to be as above).
- o Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors).
- o Loading and unloading of plant and materials.
- o Wheel washing facilities.
- o Lighting.
- o Location and nature of compounds and storage areas (including maximum storage heights) and factors to prevent wind-whipping.
- o Waste storage and removal including asbestos..
- o Temporary buildings and boundary treatments.
- o Dust management measures.
- o Noise and vibration management (to include arrangements for monitoring, and specifically for concrete breaking and any piling and;

- o Litter management during the construction phases of the development.

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

Note. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites.

Reason - To minimise detriment to nearby residential amenity.

8. Smoke.

During any ground works/demolition/construction no burning of materials on the site shall take place.

Reason - To minimise detriment to nearby residential amenity.

9. ACTION REQUIRED PRIOR TO FIRST USE OF ACCESS: HIGHWAYS - PROVISION OF VISIBILITY SPLAYS

Before the access is first used visibility splays shall be provided with an X dimension of 2.4m and a Y dimension of 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (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 vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

10. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - PRE COMMENCEMENT CONDITION: PROVISION OF ROADS AND FOOTPATHS.

Before the development is commenced, details of the estate roads and footpaths, including layout, levels, gradients, surfacing and means of surface water drainage and a timetable for said works, shall be submitted to and approved in writing by the Local Planning Authority. The details agreed to satisfy this condition shall be implemented and completed in their entirety in accordance with the timetable agreed.

Reason: To ensure that roads/footways are constructed to an acceptable standard. This condition is required to be agreed prior to the commencement of any development to ensure highway safety is secured early for both development, its construction and addresses areas of work before any other parts of the development can take place. If agreement was sought at any later stage there is an unacceptable risk to highway and public safety and risk of cost to the developer if the details are not found acceptable.

11. SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF ROADS AND FOOTPATHS.

No dwelling shall be first occupied until the carriageways and footways serving that dwelling have been constructed to at least basecourse level or better in accordance with the approved details.

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

12. ACTION REQUIRED PRIOR TO COMMENCEMENT OF WORKS TO ACCESS:  
HIGHWAYS - SURFACE WATER DISCHARGE PREVENTION DETAILS REQUIRED.

Prior to the commencement of any works to the access, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained and maintained thereafter in its approved form.

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

13. Before the development is commenced details of the areas to be provided for storage 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.

14. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall 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: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas

15. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT - HIGHWAYS:  
PROVISION OF PARKING AND TURNING.

Prior to the commencement of development details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage 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 first use/occupied and shall be retained thereafter and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles 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. This condition is required to be implemented prior to the commencement of any other part of the approved development to ensure highway safety is secured early for the development. If agreement was sought at any



later stage there is an unacceptable risk to highway and public safety should proper layout not be achieved.

16. ACTION REQUIRED PRIOR TO WORKS TO BUILDING/S: ARCHAEOLOGICAL RECORDING

No development to the building/s shall take place until the applicant or developer has secured the implementation of a programme of historic building/s and associated analysis work in accordance with a written scheme of investigation which have been first submitted to and approved, in writing, by the Local Planning Authority.

Reason - To allow proper investigation and recording of the building/s of potential archaeological and historic significance. This condition is required to be agreed prior to the commencement of works to the building/s to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of loss or damage to archaeological and historic assets.

17. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT - ARCHAEOLOGICAL WORKS

No development shall take place on site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and: a. The programme and methodology of site investigation and recording. b. The programme for post investigation assessment. c. Provision to be made for analysis of the site investigation and recording. d. Provision to be made for publication and dissemination of the analysis and records of the site investigation. e. Provision to be made for archive deposition of the analysis and records of the site investigation. f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. g. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason - To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

18. ACTION REQUIRED: AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures, during the operational phases of the development shall be 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 enhance the sustainability of the development through better use of water, energy and resources reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

19. Concurrent with the first reserved matters application(s) a surface water drainage scheme 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:
- Dimensioned plans and drawings of the surface water drainage scheme;
  - 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;
  - If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to  $Q_{bar}$  for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
  - 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;
  - 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;
  - Topographical plans depicting all exceedance flowpaths 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;
2. The scheme shall be fully implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development.

20. Concurrent with the first reserved matters application(s) details of the implementation, maintenance and management of the surface water drainage scheme 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 surface water drainage.

21. The development hereby permitted shall not be occupied until details of all Sustainable Urban 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 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.

22. No development shall commence until 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 shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan

23. ACTION REQUIRED PRIOR TO SLAB LEVEL: LANDSCAPING SCHEME

No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority 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.

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

24. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development. 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 - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

25. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: LANDSCAPE MANAGEMENT PLAN

A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved, in writing, by the Local Planning Authority prior to the first occupation of the development. The landscape management plan shall be carried out entirely as approved in accordance with the details and timescales in the plan and thereafter retained.

Reason - To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

26. 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.

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

27. SPECIFIC RESTRICTION ON DEVELOPMENT: TREE PROTECTION

For 10 years following from the commencement of development, none of the existing trees on the site shall be lopped, topped, felled, have their roots severed or be uprooted without the prior written approval of the Local Planning Authority. Any trees felled, uprooted, dying or being seriously damaged as a result of actions taken without such prior written approval shall be replaced in the next planting season (October - March inclusive) in the same siting with others of similar size and species.

Reason - To enable existing landscaping to be protected and retained in the interests of visual amenity.

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

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS11 - Core and Hinterland Villages  
CS15 - Implementing Sustainable Development  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
CS21 - Infrastructure Provision  
HS32 - Public Open Space (New dwellings and Amended HS16 Sites up to 1.5ha)  
CN01 - Design Standards  
CR02 - AONB Landscape  
TP15 - Parking Standards - New Development  
NPPF - National Planning Policy Framework

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/18/00236

**Signed: Philip Isbell**

**Dated: 2nd July 2018**

**Corporate Manager  
Growth & Sustainable Planning**

## **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.