

The Owner covenants to inform the District Council by way of written notice within five (5) Working Days following:

- 20.1 Commencement of Development;
- 20.2 Occupation of the first (1st) Dwelling;
- 20.3 Occupation of 25% of the Dwellings
- 20.4 Occupation of 40% of the Dwellings
- 20.5 and Completion of the Development.

21. **JURISDICTION**

This Deed is governed by and interpreted in accordance with the law of England

22. **DELIVERY**

The provisions of this Deed (other than this clause which shall be of immediate effect) shall be of no effect until this Deed has been dated

**IN WITNESS WHEREOF THE PARTIES HERETO HAVE EXECUTED THIS DEED ON THE DAY AND YEAR FIRST BEFORE WRITTEN**

**THE COMMON SEAL OF  
MID SUFFOLK DISTRICT COUNCIL**  
was affixed in the presence of:

)  
)  
)



**THE COMMON SEAL OF  
SUFFOLK COUNTY COUNCIL**  
was affixed in the presence of:

)  
)  
)

Authorised Officer



## **FIRST SCHEDULE**

### **Part 1**

#### **Freehold Interests**

The Owner is the freehold owner of the Site the title to which is registered at the Land Registry with Title Absolute under Title Number SK321880

### **Part 2**

#### **Description of the Site**

Freehold land at Bacton Middle School, Wyverstone Road, Bacton IP14 which is registered at the Land Registry with title number SK321880 shown edged red for identification only on the Plan.

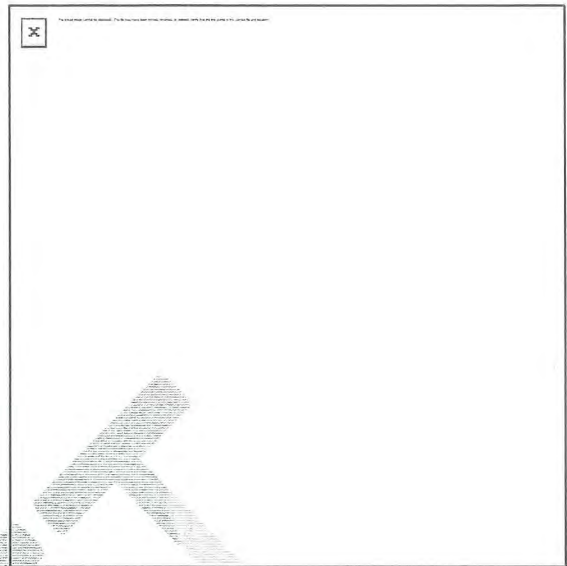
**SECOND SCHEDULE  
DRAFT PLANNING PERMISSION**

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

**Mid Suffolk District Council**

Endeavour House, 8 Russell Road, Ipswich IP21 2BX

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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**OUTLINE PLANNING PERMISSION**

TOWN AND COUNTRY PLANNING ACT 1990

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

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**Correspondence Address:**

Cornerstone Property Assets Limited  
5th Floor  
33 Queen Street  
London  
EC4R 1BR

**Applicant:**

Suffolk County Council (Project Lead - School  
Organisatio...  
West Suffolk House  
Western Way  
Bury St. Edmunds  
IP33 3YU

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**Date Application Received:** 24-Jul-17

**Application Reference:** DC/17/03799

**Date Registered:** 02-Aug-17

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**Proposal & Location of Development:**

Application for Outline Planning Permission (Access to be considered) Erection of up to 50 dwellings, construction of estate roads and car parking, provision of open space, including the provision of grass and 3G football pitches, landscaping, and construction of access to Wyverstone Road (following demolition of existing buildings).

Former Bacton Community Middle School (In The Parish Of Wyverstone), Wyverstone Road, Bacton , Stowmarket IP14 4LH

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 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:

Highway Access Plan 171075-SK-100 REV P3 - Received 09/03/2018

General Details HBS-DR-E-(63)-100 P1 - Received 12/12/2017

Site Plan HBS-DR-A-005 - Received 24/07/2017

Proposed Site Plan HBS-DR-A001 P9 - Received 01/06/2018

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### **Section B:**

Mid Suffolk 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, or part/phase thereof, 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. **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.

#### 4. ACTION REQUIRED: GREAT CRESTED NEWTS

Concurrent with the first reserved matters application for a part or phase of development a full population assessment survey shall be carried out, followed by an assessment of potential impacts from any development on the site and development of appropriate mitigation.

The survey must follow the methods set out in the Great Crested Newt Mitigation Guidelines (English Nature, 2001), and consist of six visits conducted between mid March and mid June, with at least three visits between mid April and mid May.

The recommended mitigation (to be reviewed following the full survey) includes

1. The pond and immediate surrounding area up to the current fence must be retained
2. The hedge on the southeast boundary of the school grounds, which provides a habitat link between the pond and other ponds in the wider area must also be retained. The area to be retained is shown in Figure 1 of Gt Crested Newt report, (Levan Ecology, 2016).
3. Amphibian exclusion fencing must be installed under licence around the pond area (Figure 2 of Gt Crested Newt report, (Levan Ecology, 2016) before construction.
4. An ecologist present during fencing to ensure that the precise location avoids damage to habitat features that may be used by newts.
5. All construction workers must be briefed on the appearance of great crested newts and instructed that if any are found then all work must cease and an ecologist must be contacted.
6. Work must not then resume until the ecologist has agreed with Natural England any additional mitigation required.

The full assessment survey and subsequent mitigation plan shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented in full in accordance with the agreed timetable.

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

#### 5. ACTION REQUIRED: BAT SURVEYS CONCURRENT WITH RESERVED MATTERS

Concurrent with the submission of the first reserved matters application for a part or phase additional surveys for trees with bat potential, as highlighted within the Preliminary Ecological Appraisal (Hamson Barron Smith, June 2017), shall be submitted to and approved in writing by the Local Planning Authority.

Based on the surveys mitigation details shall also be included in the information to be submitted to and approved in writing by the Local Planning Authority.

Such details and mitigation as may be agreed shall be implemented in full in accordance with the details as have been agreed, including any timetable for implementation.

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

#### 6. CONCURRENT WITH RESERVED MATTERS: FURTHER SURVEYS FOR DEVELOPMENT

Concurrent with reserved matters application(s) for that part or phase of development further supplementary ecological surveys for breeding birds and reptiles for the land affected by that phase or area, to inform the preparation and implementation of corresponding phases of ecological measures required shall be submitted to and approved in writing by the Local Planning Authority .

The supplementary surveys shall be of an appropriate type for the above habitats and/or species and survey methods shall follow national good practice guidelines.

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

7. CONCURRENT WITH RESERVED MATTERS: COMPLIANCE WITH RECOMMENDATIONS OF ALL ECOLOGICAL REPORTS

All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in all the ecological reports (Updated Preliminary Ecological Appraisal (Hamson Barron Smith , June 2017), Gt Crested Newt report, (Levan Ecology, 2016) and Bat Presence/ Likely Absence Survey report (TSA Ecology, August 2017 ) 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 Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

8. CONCURRENT WITH RESERVED MATTERS OF ANY PHASE: SKYLARK MITIGATION STRATEGY

Concurrent with the first reserved matters application(s) for a part or phase of development a skylark mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented in full in accordance with the agreed strategy in order to mitigate the loss of nesting habitat.

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

9. CONCURRENT WITH RESERVED MATTERS OF ANY PHASE: REPTILE MITIGATION STRATEGY

Concurrent with the first reserved matters application for a part or phase of development a reptile mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority and implemented in full in accordance with the timetable agreed in the mitigation strategy in order to mitigate the loss of habitat.

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

10. CONCURRENT WITH RESERVED MATTERS: PROTECTION OF BREEDING BIRDS DURING CONSTRUCTION

No removal of hedgerows, trees or shrubs or dense vegetation that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a



competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to and approved in writing by the Local Planning Authority.

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

11. CONCURRENT WITH RESERVED MATTERS: SUBMISSION OF A COPY OF THE EUROPEAN PROTECTED SPECIES LICENCE

Any works near the pond as identified in Figure 1 Gt Crested Newt report, (Levan Ecology, 2016) shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To allow the LPA to discharge its duties under the UK Conservation of Habitats and Species Regulations 2010, as amended, Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority Habitats and Species).

12. ACTION REQUIRED PRIOR TO FIRST USE OF PITCH

Prior to the first use of the pitch hereby permitted details of the hours of pitch lighting, including details for their operation and automatic shut-off shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall thereafter only operate in accordance with the approved details pursuant to this condition.

Reason: To control the impact of lighting on the night-time character of the locality, amenity and wildlife.

13. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT ABOVE SLAB LEVEL: PITCH SURFACING

Prior to the commencement of development above slab level details of the pitch surfacing shall be submitted to and approved in writing by the Local Planning Authority.

The surfacing shall thereafter be implemented in accordance with the approved details and retained as such thereafter.

Reason: To ensure that appropriate replacement pitch provision is provided.

14. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT ABOVE SLAB LEVEL: PITCH LIGHTING DETAILS

Prior to the commencement of development above slab level details of the lighting design scheme to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved in writing by the Local Planning Authority.

Such lighting scheme as may be approved shall be implemented in full prior to the first use of the pitch and thereafter retained in the approved form. No other lighting shall thereafter be implemented except pursuant to a planning application in that regard.

Reason: To control the impact of lighting on the night-time character of the locality, amenity and wildlife.

15. RESTRICTION ON HOURS OF OPERATION OF SPORTS PITCH

The hereby permitted pitch shall only be used between the hours of 0900-2200 Mondays to Fridays and 0900 - 2000 Saturday, Sundays and Bank Holidays

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

16. ACTION REQUIRED BEFORE FIRST USE OF PITCH

Before the 3G pitch is brought into first use, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The scheme shall include measures to ensure the surface is replaced at the appropriate time (usually 10-12 years). The measures set out in the approved scheme shall be complied with in full, with effect from commencement of use of the artificial pitch.

Reason: To ensure that a new facility is capable of being managed and maintained to deliver a facility which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport.

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 loss due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of loss and damage to archaeological and historic assets.

18. ACTION REQUIRED PRIOR TO THE FIRST OCCUPATION OF DEVELOPMENT -  
ARCHAEOLOGICAL WORKS

No building 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 programme set out in the Written Scheme of Investigation as may be agreed by the Local Planning Authority. Provision shall be made for analysis, publication and dissemination of results and archive deposition.

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.

19. ACTION REQUIRED CONCURRENT WITH FIRST RESERVED MATTERS; SURFACE  
WATER DRAINAGE

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:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. 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;
- c. 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;
- d. 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;
- e. 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;

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. ACTION REQUIRED CONCURRENT WITH RESERVED MATTERS: SURFACE WATER DRAINAGE

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. ACTION REQUIRED: SUSTAINABLE URBAN DRAINAGE

The development hereby permitted shall not be first 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. ACTION REQUIRED PRIOR TO COMMENCEMENT: CONSTRUCTION SURFACE WATER MANAGEMENT

No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and approved in writing by the Local Planning Authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: To ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

23. PRIOR TO OCCUPATION: LIGHTING DESIGN SCHEME

Prior to occupation a lighting design scheme 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.

The scheme shall provide that each pole/wall mounted light must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical. All pole/wall mounted lighting shall be designed and operated to have full horizontal cut-off

such that the Upward Waste Light Ratio does not exceed 2.5%. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent sensitive properties (including those within the scheme where appropriate).

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 Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and with regards to the setting of the development and residential amenity.

NOTE: The applicants attention is drawn to the lighting scheme should comply with the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2011 (or later versions). It should be designed so that it is the minimum needed for security and operational processes and be installed to minimise potential pollution caused by glare and spillage.

#### 24. ACTION REQUIRED: LANDSCAPE AND PLANTING STRATEGY

No development shall take place on any part or phase of development until there has been submitted to and approved, in writing, by the Local Planning Authority, a detailed landscape masterplan including:

- o Existing and proposed planting - spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication ""BS 5837:2012 Trees in relation to design, demolition and construction.
- o Landscape Management and Maintenance plan for a minimum of 3 years to support plant establishment. SuDS features such as the proposed attenuation lagoon and others with landscape should also be included.
- o Proposed changes in ground levels
- o Timetable and phasing for the implementation of landscaping features
- o How the proposals will safeguard the rural aspect of the development as indicated in the submitted LVIA.

The details as approved shall be implemented in full in accordance with the agreed timetable and phasing information.

Reason - In the interests of visual amenity and the character and appearance of the area. This condition is required to be agreed prior to the commencement of any development to ensure matters of tree and hedgerow protection are 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 important trees and hedgerow that would result in harm to amenity.

#### 25. ACTION REQUIRED: FIRE HYDRANTS

Prior to the commencement of development, 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.

26. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:  
CONSTRUCTION MANAGEMENT TO BE AGREED

Prior to the commencement of development details of the construction methodology shall be submitted to and approved in writing by the Local Planning Authority and shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed.
- d) Details of any protection measures for footpaths surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portals.
- i) Details of the method of any demolition to take place, including a scheme for the recycling and disposal of said materials resulting from demolition.

The construction shall at all times be undertaken in accordance with the agreed methodology approved in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

27. ACTION REQUIREMENT CONCURRENT WITH RESERVED MATTERS:  
SUSTAINABILITY AND ENERGY STATEMENT

Concurrent with the first reserved matters application a Sustainability & Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall detail how the development will minimise the environmental impact during construction and occupation including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water ( suggested maximum of 105ltr per person per day).

The details as set out in the approved strategy shall be implemented in full in accordance with the timetable set out in the strategy.

Reason: To ensure that the site delivers sustainability measures in accordance with CS3 and SO8.

28. SPECIFIC RESTRICTION ON DEVELOPMENT: TREE PROTECTION

The trees on site shall be protected in accordance with the tree protection measures outlined in the accompanying arboricultural report (Arboricultural Impact Assessment, dated 18 July 2017, prepared by agb Environmental) prior to the commencement of development, and thereafter retained in accordance with the protection measures until construction works have been completed.

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

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

Before the access is first used visibility splays shall be provided as shown on Drawing No. 171 075/SK1 00/P3 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.

30. 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.

31. 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.

32. 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.

33. ACTION REQUIRED: HIGHWAY WORKS

The development shall not be first occupied before the highway works for footway widening and improvement works shown on drawing reference SK100 P3 have been completed to the satisfaction of the County Council.

Reason: To ensure that highway works are delivered in accordance with SCC requirements.

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

NPPF - National Planning Policy Framework

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS04 - Adapting to Climate Change

CS05 - Mid Suffolk's Environment

CS06 - Services and Infrastructure

CS07 - Brown Field Target

CS09 - Density and Mix

FC01 - Presumption In Favour Of Sustainable Development

FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development

FC02 - Provision And Distribution Of Housing

GP01 - Design and layout of development

H03 - Housing development in villages

H04- Proportion of Affordable Housing

H13 - Design and layout of housing development

H14 - A range of house types to meet different accommodation needs

H15 - Development to reflect local characteristics

H16 - Protecting existing residential amenity

H17 - Keeping residential development away from pollution

CL08 - Protecting wildlife habitats

T09 - Parking Standards

T10 - Highway Considerations in Development

T11 - Facilities for pedestrians and cyclists

**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. In this case the applicant took advantage of the Council's pre-application service prior to making the 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. . Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991  
. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003  
. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be subject to payment of a surface water developer contribution

3. **Highways Note**

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's West Area Manager should be contacted at West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU. Telephone 01284 758868.

4. **Highways Note**

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate roads.

5. The District Council wish to highlight, for any future reserved matters application, the need for a high-quality design and layout to protect and respect historic interests as identified by consultees during the consideration of this 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/17/03799

**Signed:** Philip Isbell

**Dated:**

**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.