

DRAFT

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



To: KLH Architects Ltd
The Old Steelyard
Poplar Lane
Sproughton
IPSWICH
IP8 3HL

Agent for:
Maybush Developments Ltd

Application Reference: IP/19/00369/FUL

GRANT OF FULL PLANNING PERMISSION

Ipswich Borough Council, as local planning authority, hereby **GRANT** Full Planning Permission for:

Demolition of single-storey extension to former Defiance PH. Re-ordering of premises to provide two flats. Erection of buildings on land behind Defiance PH containing 29 flats.

at: Former Defiance Public House 22 Stoke Street Ipswich Suffolk IP2 8BX

in accordance with your application reference: IP/19/00369/FUL received 12.04.2019.

By virtue of Section 91 of the Town and Country Planning Act, 1990 this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of three years beginning with the date of this notice.

This permission is also subject to the following condition(s):-

1. The hereby-approved development shall be carried out in accordance with the following approved drawings:- Drawing no's 3637 - 0110 Rev P04, - 0111 Rev P04, - 0310 Rev P02, - 0311 Rev P01, - 0320 Rev P02, - 0400 Rev P02, - 0401 Rev P02, - 0402 Rev P03, - 0403 Rev P02, - 0404 Rev P02.
2. Before work on external elevations of the hereby-approved development commence, details of external facing materials 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.
3. Before any foundations associated with the hereby-approved development are constructed details of site levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
4. Before the commencement of groundworks associated with the hereby-approved development the following details shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be provided before first occupation, made available for use in connection with the development and retained thereafter:-

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

12. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
13. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.
14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
15. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
16. The hereby-approved development shall only be carried out in accordance with the submitted Biodiversity Assessment, Energy Statement and Water Statement submitted with the application unless otherwise approved in writing with the Local Planning Authority.
17. Before commencement of internal layout works within Blocks 1 and 2, details of refuge areas and flood resistance and resilience measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
18. The finished floor level on the ground floor within Blocks 1 and 2 hereby-approved shall be no lower than 4.5 metres AOD.
19. No groundworks shall 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

Planning Policy Framework (NPPF) paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 - A6, J1 - J7 and N7.

15. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.
16. In the interests of biodiversity and to ensure a sustainable form of development.
17. and 18. To safeguard against the risk of flooding.
19. and 20. 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.
21. To ensure a high standard of development.

INFORMATIVES

1. 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 at Ipswich Borough Council on email: building.control@ipswich.gov.uk or on telephone number: 01473 432951.
2. Many species of plant and animal in England, and their habitats, are protected by law. You are breaking the law if you capture, kill, disturb or injure a European protected species (on purpose or by not taking enough care); damage or destroy a breeding or resting place (even accidentally); obstruct access to their resting or sheltering places (on purpose or by not taking enough care); possess, sell, control or transport live or dead individuals, or parts of them. For further information and guidance you are advised to speak to Natural England at www.gov.uk or by telephone on 0300 060 6000.
3. There is a planning fee payable for applications in writing to discharge planning permission conditions. Forms for applications to discharge conditions are available from the Council's website.
4. The Council recommends the installation of an appropriate sprinkler system within the development.
5. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
6. In accordance with The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016, Schedule 25, Part 1, these works may require a Flood Risk Activity Permit if the applicant wants to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The River Gipping, is designated a 'main river'.
7. It is an OFFENCE to carry out any 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. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The

earlier.

4. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
5. If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
6. Appeals must be made using a form which you can get from Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs
7. The Secretary of State can allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
8. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
9. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.
10. If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
11. In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park Authority for that Park, or in any other case the District Council (or County Council which is exercising the function of a District Council in relation to an area for which there is no District Council), London Borough Council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part VI of the Town and Country Planning Act 1990.

In making this decision the Council has positively addressed the National Planning Policy Framework 2019.

THE COMMON SEAL OF IPSWICH)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:)

[Redacted]

Authorised Signatory
(M. J. Ford)

[Redacted]

Authorised Signatory
CLARE DAWSON-DUNN



[Handwritten scribble]

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

[Redacted]

Authorised Signatory



EXECUTED AS A DEED BY)
MAYBUSH DEVELOPMENTS LTD)

acting by a Director [MICHAEL SHARE])

in the presence of:)

[Redacted]

Witness signature

Witness name

Witness address

[Redacted]

Annex C
DRAFT SECOND PLANNING PERMISSION

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



To: Mr Thomas DiDuca
KLH Architects Ltd
The Old Steelyard
Poplar Lane
Sproughton
IPSWICH
IP8 3HL

Agent for: Rental Properties

Application Reference: IP/22/00324/FUL

GRANT OF FULL PLANNING PERMISSION

Ipswich Borough Council, as local planning authority, hereby **GRANT** Full Planning Permission for:

Conversion of former public house (Sui Generis) into a 4-bedroom HMO (Class C4), a single two-bedroom flat and a single one-bedroom flat (Class C3).

at: Former Defiance Public House 22 Stoke Street Ipswich Suffolk IP2 8BX

in accordance with your application reference: IP/22/00324/FUL received 13.04.2022.

By virtue of Section 91 of the Town and Country Planning Act, 1990 this permission is granted subject to the condition that the development to which it relates must be begun not later than the expiration of three years beginning with the date of this notice.

This permission is also subject to the following condition(s):-

1. The hereby-approved development shall be carried out in accordance with the following approved drawings and the requirements of any succeeding conditions:- Drawing no's 0303 Rev P12, 0304 Rev P09.
2. Before the hereby-approved dwellings or House in Multiple Occupation (HMO) are first occupied the following details shall be submitted to and approved in writing by the Local Planning Authority. No dwelling nor the HMO shall be first occupied until the approved works have been provided and made available for use in connection with the development where necessary:-
 - i. noise mitigation,
 - ii. biodiversity enhancements,
 - iii. electric vehicle charging,
 - iv. cycle parking,
 - v. external lighting, and
 - vi. bin storage.

3. None of the hereby-approved dwellings or the HMO shall be first occupied until the new access has been laid out and completed in all respects in accordance with drawing no. 0303 P10 with an entrance width of 5 metres. Thereafter it shall be retained in its approved form.
4. None of the hereby-approved dwellings or the HMO shall be first occupied until the new access has been laid out and completed in all respects in accordance with drawing no. 5468-0303 P10 with an entrance width of 5 metres. Thereafter it shall be retained in its approved form.
5. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first 5 metres measured from the nearside edge of the adjacent metalled carriageway. Thereafter, the access driveway shall be constructed at a gradient not steeper than 1 in 8.
6. Before the access is first used visibility splays shall be provided as shown on Drawing No. 619723-MLM-ZZ-XX-DR-TP-0004 Rev P01 with an X dimension of 2.4 metres and a Y dimension of 28 and 43 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.
7. No dwelling or the HMO shall be first occupied until the area(s) within the site shown on Drawing no. 0303 Rev P12 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
9. No dwelling or the HMO shall be first occupied until details of hard and soft landscaping, The approved hard landscaping shall be provided before first occupation and soft landscaping shall be carried out in accordance with the implementation and monitoring programme agreed with the Local Planning Authority and in accordance with the relevant recommendations of the appropriate British Standards. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the substantial completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
10. No dwelling or the HMO shall be first occupied until details of the long-term management of communal areas and refuse/recycling facilities have been submitted to and approved in writing by the Local Planning Authority. The approved management scheme shall be put in place before first occupation and maintained thereafter in relation to the development.

The reasons for the above condition(s) are as follows: -

1. To identify the approved drawing for the avoidance of doubt.
2. To ensure a high standard of amenity, promote biodiversity and sustainable modes of travel.

3. To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.
4. To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.
5. To ensure that vehicles can enter and leave the public highway in a safe manner.
6. To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.
7. To ensure that sufficient space for the on-site parking of vehicles is provided and maintained 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.
8. To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework.
9. To ensure a high standard of development.
10. To ensure a high standard of amenity.

INFORMATIVES

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. 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 at Ipswich Borough Council on email: building.control@ipswich.gov.uk or on telephone number: 01473 432951.
3. There is now a planning fee payable for applications in writing to discharge planning permission conditions. Forms for applications to discharge conditions are available from the Council's website.
4. Many species of plant and animal in England, and their habitats, are protected by law. You are breaking the law if you capture, kill, disturb or injure a European protected species (on purpose or by not taking enough care); damage or destroy a breeding or resting place (even accidentally); obstruct access to their resting or sheltering places (on purpose or by not taking enough care); possess, sell, control or transport live or dead individuals, or parts of them. For further information and guidance you are advised to speak to Natural England at www.gov.uk or by telephone on 0300 060 6000.
5. This permission is subject to a related agreement under Section 106 of the Town and Country Planning Act 1990.