

Philip Isbell – Chief Planning Officer
Sustainable Communities

Babergh District Council
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HYBRID PLANNING PERMISSION

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

Correspondence Address:

Persimmon Homes Anglia
Persimmon House
Bankside 100
Peachman Way
Broadland Business Park
Norwich
NR7 0WF

Applicant:

Persimmon Homes Anglia
Persimmon House
Bankside 100
Peachman Way
Broadland Business Park
Norwich
NR7 0WF

Date Application Received: 27-Jul-17
Date Registered: 23-Jan-19

Application Reference: DC/17/03902

Proposal & Location of Development:

Hybrid Planning Application comprising of the following elements - 1. Full Planning Application - Proposed residential development comprising of 170 dwellings, associated infrastructure, the provision of Public Open Space and Structural Landscaping. 2. Outline Planning Application - Outline: 0.65 hectares (10,000 sq ft.) of Class A1, A3 and B1 employment uses and associated infrastructure and landscaping.

Land South Of, Ipswich Road, Hadleigh, IP7 6BE

Section A – Plans & Documents:

This decision refers to drawing no./entitled 939-P-099Rev A received 26/07/2019 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:

Defined Red Line Plan 939-P-099 Rev A - Received 26/07/2019
APPROVED DRAWING SCHEDULE 939 1a, 2a & 3a - Received 26/07/2019

Section B:

Babergh District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

**CONDITIONS for FULL PLANNING PERMISSION: Residential component
[area shaded pink on the attached plan reference BDC1]**

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than 18 months from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. COMPLIANCE: DRAWING SCHEDULE

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.

3. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason - To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

4. SPECIFIC RESTRICTION ON DEVELOPMENT

All window frames in masonry facades shall be set back within a 45mm [min] reveal. All glazing bars on double glazed window units identified on the drawings hereby approved, shall be agreed with the Local Planning Authority prior to installation and shall be applied to the exterior of the outer pane of glass. No glazing bars shall be inserted between the internal and external panes of glass. Pitched porch roofs shall be tiled using clay plain tiles only. GRP roofs are not permitted with the exception of flat roof porches. Where shown on approved drawings all architectural detailing including chimney and elevated flank ends to buildings shall be provided prior to occupation of that unit/s.

Reason - In order to ensure that the required high quality of appearance is achieved in line with the intentions of the applicant as agreed during negotiations.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

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

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

6. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: DETAILS OF SURFACE MATERIALS FOR ROADS AND ACCESSES

Prior to the commencement of estate roads and footpaths, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

7. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: CONSTRUCTION OF ROADS AND ACCESSES

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

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

8. ON GOING REQUIREMENT FOR DEVELOPMENT: CYCLE PARKING AREAS

Details of cycle parking shall be submitted and agreed in writing by the Local Planning Authority prior to any works above ground level and shall be provided in their entirety before the dwelling to which the cycle provision relates is brought into use and shall be retained thereafter for no other purpose.

Reason - To ensure that the provision for cycle parking is provided in line with sustainable transport policies.

9. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT STATEMENT / PLAN

Before the development hereby permitted is commenced a Construction Management Statement [with appropriate plans where necessary] shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved Statement and any associated plans. The Construction Management Statement and any associated plans shall include the following matters:

- o details of haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- o details of compound locations with full details [position, size and appearance] in relations to site office/s, welfare units, building material storage areas, skip/s, concrete silo/s, on-site parking areas for construction workers, site access arrangements,
- o details of overburden/topsoil storage areas, fuel storage, hazardous materials storage
- o provision of boundary hoarding with publicly visible contact details [phone and email] for site manager and lighting
- o details of proposed means of dust suppression
- o details of proposed means of noise suppression
- o full piling details
- o details of measures to prevent mud from vehicles leaving the site during construction
- o details of deliveries times to the site during construction phase
- o details of provision to ensure pedestrian and cycle safety
- o programme of works (including measures for traffic management and operating hours)
- o parking and turning for vehicles of site personnel, operatives and visitors
- o loading and unloading of plant and materials
- o storage of plant and materials
- o 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.
- o the construction programme
- o details as to how local people will be kept reasonably informed of the build programme

Reason - In the interest of highway safety, residential amenity and good neighbourliness

10. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT: NOISE ASSESSMENT

Prior to the commencement of development of the residential dwellings a detailed acoustic assessment and Acoustic Design Statement (ADS that includes evaluation and selection of mitigation methods as described by ProPG: Planning and noise -Professional Practice guidance on Planning and Noise for new residential developments produced by a competent person. The assessment shall provide details of the noise exposure at the facade of residential dwellings, internal noise levels in habitable rooms and noise levels in all associated amenity spaces and identify whether any mitigation is required. The acoustic assessment and design statement shall be submitted in writing to the Local Planning Authority for approval.

Reason - To protect future occupiers of noise sensitive dwellings from adverse effects of road traffic noise.

11. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: OPERATION FOR CONSTRUCTION WORKS

Noise intrusive construction/ground works to the site shall be limited to the following hours: Monday to Friday between 07:30 hrs and 18:00 hrs Saturday between 09:00 hrs and 13:00 hrs. No noise intrusive work to be undertaken on a Sunday, Bank, or Public Holiday.

Reason - To minimise detriment to nearby residential amenity.

12. ACTION REQUIRED PRIOR TO OCCUPATION: ELECTRIC CHARGING POINTS

All garages shall be provided with electric vehicle charging points prior to the occupation of the associated dwelling. Plots without garages shall be provided, as far as reasonably practicable with an external electric vehicle charging point convenient to that dwellings off street parking space/s prior to the occupation the associated dwelling. Where communal parking areas are provided electric connections shall be pre-laid to a point within those communal parking areas prior to the occupation of any associated dwelling, such as to facilitate easy future installation of EV charging points.

Reason - In order to facilitate the delivery of EV charging across the estate prior to occupation and in the case of communal parking areas easy retro fitting of such facilities in the interest of encouraging the take up of sustainable car travel and allow future occupiers to make their own provision for EV charging.

13. ACTION REQUIRED PRIOR TO SLAB LEVEL: LANDSCAPING SCHEME & GYM TRAIL

Notwithstanding such detail as may otherwise have been approved no development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a further 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. The hard landscaping details shall also include details of gym trail equipment along with a timescale for its provision to be agreed with the Local Planning Authority.

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

14. ACTION REQUIRED: PRE-COMMENCEMENT: TREE PROTECTION

Before any work on site commences all trees to be retained shall be protected as detailed in the arboricultural report prepared by Oakfield Arboricultural Services dated December 2018. Thereafter such protection shall remain in place and in good order until completion of relevant areas of development. Any trees dead or dying within 5 years of completion of the development shall be replaced in the first available planting season.

Reason - In order to safeguard the continued presence of established flora beyond the construction phase such that it can continue to provide visual amenity and wildlife value

15. ACTION REQUIRED PRE-SLAB LEVEL: BOUNDARY TREATMENTS

Notwithstanding such detail as may otherwise have been approved no development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority further full details of all means of boundary. The development shall thereafter be carried out in accordance with such details as agreed.

Reason - To ensure satisfactory development of the site.

16. ACTION REQUIRED PRE-SLAB LEVEL: SIGNING OF FUTURE PLAY AREAS

Prior to the marketing of any property a notice shall be prominently displayed on all sites due to be used as Public Open Space or play areas advising of the future delivery of open space and play areas within these areas. Such signage shall remain in position and publicly visible until such time as the open space / play area has been provided.

Reason - In order to ensure that prospective purchasers of dwellings are made aware of the future provision of open space and play areas so as to inform their investment decisions and to avoid future objection to the provision of such facilities close to occupied dwellings

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

Prior to the first occupation of, 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.

18. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC EVENT: CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of this condition and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of this condition, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with this condition.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

19. ACTION REQUIRED PRE-SLAB LEVEL: ARCHAEOLOGICAL REPORTING

Before any work proceeds above slab level the applicant shall secure the written confirmation of the SCC Archaeological Service that all the appropriate archaeological reports arising from site investigations have been received and are signed off.

Reason - In order to ensure that there is a proper public record of the findings from archaeological investigations undertaken by the applicant and in order to ensure that SCC Archaeological Service has sufficient information to update the Historic Environments Records [HERS] for future research and education purposes.

20. ACTION REQUIRED ONGOING: ECOLOGICAL MITIGATION

Ecological mitigation measures as described in the submitted Ecological Assessment Report shall be implemented in full in accordance with that report and where timescales are not specific then completed prior to the substantial completion of the development.

Reason - To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

21. ACTION REQUIRED PRIOR TO FIRST OCCUPATION: FARMLAND BIRD MITIGATION

Prior to the occupation of any dwelling the developer shall have agreed in writing a farmland bird mitigation strategy with the local planning authority. Thereafter the developer will implement that strategy prior to the substantial completion of the development hereby approved.

Reason - In order to safeguard protected wildlife species and their habitats and to mitigate for the impact of residents on protected birds and their habitats.

22. ACTION REQUIRED PRIOR TO SLAB LEVEL: SUSTAINABLE CONSTRUCTION STRATEGY

No development shall proceed above slab level until such time as the developer has submitted to and had approved by the local planning authority a sustainable construction strategy [energy and water conservation, reusable energy, insulation]. Such strategy as shall have been agreed shall thereafter be implemented prior to the occupation of any relevant dwelling.

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.

23. ACTION REQUIRED ONGOING: DISPOSAL OF SURFACE WATER

The strategy for the disposal of surface water (dated July 2019, ref: 002/2019/FRADS Rev P4) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason - To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

24. ACTION REQUIRED: SUSTAINABLE DRAINAGE FLOOD RISK ASSETS REGISTER

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

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

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

25. ACTION REQUIRED PRIOR TO COMMENCEMENT: CONSTRUCTION SURFACE WATER MANAGEMENT PLAN

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 and 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 or groundwater

**CONDITIONS in RESPECT of OUTLINE PLANNING PERMISSION:
Non-residential component [area shaded yellow on the attached plan reference
BDC1]**

26. 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 five 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

27. 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), the means of access thereto 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.

28. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: 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. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- i. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 1. Temporary drainage systems
 2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 3. Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

Reasons - To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

29. ACTION REQUIRED UPON COMPLETION: SUSTAINABLE URBAN DRAINAGE

Within 28 days of completion of the last building, 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 that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

30. 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.

31. ON GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON USE TO A1, A3 and B1.

The hereby permitted development/uses shall be restricted to classes, A1, A3 and B1 as defined by the Town & Country Planning [Use Classes] Order 1987, as amended or in any Order amending or revoking that order only and no other use/s shall be permitted on the site without the further formal approval of the local planning authority by way of a planning application/permission.

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

32. SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and/or the provisions of

Article 3, Schedule 2, Part 3 - Changes of Use, Class D and/or Class G and/or Class I [the letter not the numeral] and/or Class M and/or Class O [the letter not the numeral] of Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification)

and/or

Article 3, Schedule 2, Part 4 - Temporary Use of Land and Buildings, Class B and/or Class C and/or Class D of Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification)

and/or

Article 3, Schedule 2, Part 7 - Non-domestic extensions, alterations etc., Class A and/or Class F and/or Class H and/or Class I [the letter not the numeral] of Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification)

No development that might be undertaken as permitted development within the Classes identified above [or in any Order revoking or re-enacting that Order with or without modification] is permitted except pursuant to the grant of planning permission on an application made in that regard to the local planning authority.

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

33. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: AGREEMENT OF MATERIALS

No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

Reason - To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

34. ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: DETAILS OF SURFACE MATERIALS FOR ROADS AND ACCESSES

Prior to the commencement of roads and footpaths, details of the roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

35. ON GOING REQUIREMENT FOR DEVELOPMENT: CYCLE PARKING AREAS

Details of cycle parking shall be submitted and agreed in writing by the Local Planning Authority prior to any works above ground level and shall be provided in their entirety before the dwelling to which the cycle provision relates is brought into use and shall be retained thereafter for no other purpose.

Reason - To ensure that the provision for cycle parking is provided in line with sustainable transport policies.

36. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT:
CONSTRUCTION MANAGEMENT STATEMENT / PLAN

Before the development hereby permitted is commenced a Construction Management Statement [with appropriate plans where necessary] shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved Statement and any associated plans. The Construction Management Statement and any associated plans shall include the following matters:

- o details of haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- o details of compound locations with full details [position, size and appearance] in relations to site office/s, welfare units, building material storage areas, skip/s, concrete silo/s, on-site parking areas for construction workers, site access arrangements,
- o details of overburden/topsoil storage areas, fuel storage, hazardous materials storage
- o provision of boundary hoarding with publicly visible contact details [phone and email] for site manager and lighting
- o details of proposed means of dust suppression
- o details of proposed means of noise suppression
- o full piling details
- o details of measures to prevent mud from vehicles leaving the site during construction
- o details of deliveries times to the site during construction phase
- o details of provision to ensure pedestrian and cycle safety
- o programme of works (including measures for traffic management and operating hours)
- o parking and turning for vehicles of site personnel, operatives and visitors
- o loading and unloading of plant and materials
- o storage of plant and materials
- o 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.
- o the construction programme
- o details as to how local people will be kept reasonably informed of the build programme

Reason - In the interest of highway safety, residential amenity and good neighbourliness

37. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: OPERATION
FOR CONSTRUCTION WORKS

Noise intrusive construction/ground works to the site shall be limited to the following hours: Monday to Friday between 07:30 hrs and 18:00 hrs Saturday between 09:00 hrs and 13:00 hrs. No noise intrusive work to be undertaken on a Sunday, Bank, or Public Holiday.

Reason - To minimise detriment to nearby residential amenity.

38. ACTION REQUIRED PRIOR TO OCCUPATION: ELECTRIC CHARGING POINTS

All employee parking spaces associated with the employment uses shall be provided with electric vehicle charging points prior to the occupation of the associated unit(s). Where communal/visitor parking areas are provided electric connections shall be pre-laid to a point within those communal/visitor parking areas prior to the occupation of any associated unit, such as to facilitate easy future installation of EV charging points.

Reason - In order to facilitate the delivery of EV charging across the employment site prior to occupation and in the case of communal parking areas easy retro fitting of such facilities in the interest of encouraging the take up of sustainable car travel.

39. ACTION REQUIRED PRIOR TO SLAB LEVEL: LANDSCAPING SCHEME

Notwithstanding such detail as may otherwise have been approved no development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a further 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. The hard landscaping details shall also include details of gym trail equipment along with a timescale for its provision to be agreed with the Local Planning Authority.

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

40. ACTION REQUIRED - PRE-COMMENCEMENT: TREE PROTECTION

Before any work on site commences all trees to be retained shall be protected as detailed in the arboricultural report prepared by Oakfield Arboricultural Services dated December 2018. Thereafter such protection shall remain in place and in good order until completion of relevant areas of development. Any trees dead or dying within 5 years of completion of the development shall be replaced in the first available planting season.

Reason - In order to safeguard the continued presence of established flora beyond the construction phase such that it can continue to provide visual amenity and wildlife value

41. ACTION REQUIRED PRE-SLAB: MEANS OF BOUNDARY ENCLOSURE

Notwithstanding such detail as may otherwise have been approved no development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority further full details of all means of boundary. The development shall thereafter be carried out in accordance with such details as agreed.

Reason - To ensure satisfactory development of the site.

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

Prior to the first occupation of, 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.

43. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC EVENT: LAND CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of this condition and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of this condition, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with this condition.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

44. ACTION REQUIRED PRE-SLAB: ARCHAEOLOGICAL RECORDING

Before any work proceeds above slab level the applicant shall secure the written confirmation of the SCC Archaeological Service that all the appropriate archaeological reports arising from site investigations have been received and are signed off.

Reason - In order to ensure that there is a proper public record of the findings from archaeological investigations undertaken by the applicant and in order to ensure that SCC Archaeological Service has sufficient information to update the Historic Environments Records [HERS] for future research and education purposes.

45. ACTION REQUIRED PRIOR TO THE OCCUPATION OF DEVELOPMENT: FARMLAND BIRD MITIGATION

Prior to the occupation of any unit the developer shall have agreed in writing a farmland bird mitigation strategy with the local planning authority. Thereafter the developer will implement that strategy prior to the substantial completion of the development hereby approved.

Reason - In order to safeguard protected wildlife species and their habitats and to mitigate for the impact of residents on protected birds and their habitats.

46. ABOVE SLAB SUSTAINABLE CONSTRUCTION STATEMENT

No development shall proceed above slab level until such time as the developer has submitted to and had approved by the local planning authority a sustainable construction strategy [energy and water conservation, reusable energy, insulation]. Such strategy as shall have been agreed shall thereafter be implemented prior to the occupation of any relevant dwelling.

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.

47. ON GOING REQUIREMENT FOR DEVELOPMENT: USE OF LAND

No temporary use of the land unrelated to the implementation of an extant planning permission shall be permitted.

Reason - In order to safeguard residential amenity

48. ON GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON OPERATION TIMES

The hereby permitted development/use shall only operate between the hours 06.00hrs and Midnight on any day/s. There shall be no deliveries to the development/use arranged for outside of the hours of 07.30 and 21.00hrs on any day/s.

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

49. ON GOING REQUIREMENT FOR DEVELOPMENT: NOISE

No music [whether live or recorded] shall be played on any part/s of the site outside of building and where music is being played within a building it shall not be played so as to be audible from any adjacent site/s. [with or without any door/s and/or window/s open within that building].

Reason - In order to safeguard residential amenity.

50. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF ILLUMINATION

No means of external lighting shall be installed in relation to the commercial units except in accordance with details of an illumination scheme (to include luminaire types, position, height, aiming points, lighting levels and a polar illuminance diagram, based on the vertical plane to reflect impact and an assessment of glare on surrounding residents) which shall have been submitted to and approved in writing by the Local Planning Authority and shall be implemented and retained as approved.

Reason - To minimise detriment to nearby residential amenity.

51. SPECIFIC RESTRICTION OF DEVELOPMENT: RESTRICTION ON LOCATION OF STORAGE

No goods, products, raw materials, scrap material or other materials of any other sort shall be deposited, stacked or stored in the open air outside the confines of the buildings except on the land indicated for said purpose of the hereby approved plan/s listed under Section A above.

Reason - The external storage of these items would be harmful to the local amenity, character and appearance of the area.

52. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED

Prior to the commencement of development a scheme of appropriate protected species mitigation measures (including precise details of the timing, any translocation measures deemed necessary and method of protection) shall be submitted to and approved, in writing, by the Local Planning Authority. No development shall be undertaken except in accordance with the approved scheme of mitigation and timings as may be agreed in writing.

Reason - In order to safeguard protected wildlife species and their habitats and because this condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to disturb protected species and their habitat.

53. SPECIFIC RESTRICTION ON DEVELOPMENT: ADDITIONAL FLOOR RESTRICTION

No mezzanine, entresol or additional floors shall be inserted into any buildings constructed pursuant to this permission except pursuant to the grant of planning permission on an application made in that regard.

Reason - To prevent intensification of use that would result in detrimental impact on nearby residential amenity by the resulting increase in traffic impact.

54. ACTION REQUIRED PRIOR TO THE OCCUPATION OF DEVELOPMENT: NOISE ASSESSMENT

Prior to First Occupation of each A1, A3 and B1 unit a competent person shall have ensured that the rating level of noise emitted from the site's plant, equipment and machinery (including air conditioning, and extraction units) shall not exceed 0dB(A)* above the background levels determined at 1m from the FACADES of noise-sensitive premises. The assessment shall have been made in accordance with the current version of British Standard 4142 and confirmation of the findings of the assessment shall have been submitted to, and agreed in writing by, the Local Planning Authority and shall be adhered to thereafter.

Reason - To minimise detriment to nearby residential amenity.

55. ON GOING REQUIREMENT FOR DEVELOPMENT: OPERATION TIMES

The use of any A1 and A3 units hereby permitted shall not operate/be open to customers outside of the following times:

Weekdays: 07:30 - 23:00

Saturdays: 07:30 - 23:00

Sundays and Public Holidays: 08:00 to 22:00

Reason - To minimise detriment to nearby residential amenity.

56. ON GOING REQUIREMENT FOR DEVELOPMENT: OPERATION TIMES

The use of any B1 units hereby permitted shall not operate/be open to customers outside of the following times:

Weekdays: 07:30 - 20:00

Saturdays: 07:30 - 20:00

Sundays and Public Holidays: None

Reason - To minimise detriment to nearby residential amenity.

57. ON GOING REQUIREMENT FOR DEVELOPMENT: DELIVERY TIMES

No deliveries shall be received at, or despatched from, the A1, A3 or B1 units outside of the following times:

Weekdays: 07:30 - 20:00

Saturdays: 07:30 - 20:00

Sundays and Public Holidays: None

Reason - To minimise detriment to nearby residential amenity.

58. ACTION REQUIRED PRIOR TO THE FIRST USE OF DEVELOPMENT: FUMES AND ODOURS

Prior to the first use of each A3 unit hereby permitted, control measures shall be installed in accordance with a scheme for the control of fumes, smells and odours that shall have been previously submitted to, and agreed in writing by, the Local Planning Authority. Such control measures as shall have been agreed shall thereafter be retained and maintained to the agreed specification and working order.

Reason - To minimise detriment to nearby residential amenity.

59. ON GOING REQUIREMENT FOR DEVELOPMENT: DEMOLITION

Demolition, construction works and construction related deliveries shall only take place during the following times:

Weekdays: 08:00 to 18:00

Saturdays: 08:00 to 13:00

Sundays and Public Holidays: NONE

Reason - To minimise detriment to nearby residential amenity.

THIS PLANNING PERMISSION IS ACCOMPANIED BY A S106 AGREEMENT

The planning application was the subject of pre-application discussion with the local planning authority as well as constructive negotiations during the processing period

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
CS06 - Hadleigh
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes
CS21 - Infrastructure Provision
CN01 - Design Standards
CR07 - Landscaping Schemes
CR08 - Hedgerows
EM03 - Land to south-east of Lady Lane Hadleigh
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

This relates to document reference: DC/17/03902

Signed: Philip Isbell

Dated: 12th June 2020

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.