

Philip Isbell – Chief Planning Officer
Sustainable Communities

Babergh District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.babergh.gov.uk



HYBRID PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

Persimmon Homes Ltd
Persimmon House
Orion Court
Great Blakenham
Ipswich
Suffolk
IP6 0LW

Applicant:

Persimmon Homes Ltd
C/o Agent

Date Application Received: 19-Nov-19

Application Reference: DC/19/05419

Date Registered: 22-Nov-19

Proposal & Location of Development:

Revised Hybrid Application. Phase 2 of Hadleigh East urban extension area (part of Core Strategy Policy CS6: Hadleigh). On 19.6Ha of land to the South of Tower Mill Lane/East of Frog Hall Lane, Hadleigh comprising the following elements:

Full Planning Application. (11.98Ha) Proposed residential development of 273 dwellings, associated infrastructure, including main access and estate roads, drainage attenuation ponds, utilities/services equipment, provision of Public Open Space and structural landscaping, secondary access (loop) road to serve the employment land. (including secondary link to Phase 1).

Outline Planning Application (7.64Ha). (Access to be considered) to include 5.5Ha of land for B1, B2 and B8 employment uses, a 928sqm pre-school site (Use Class D1), associated infrastructure and landscaping. All matters reserved apart from the primary means of access (from the main access road) and secondary access (loop) road, including a secondary link to Phase 1.

Land South of Tower Mill Lane/East of Frog Hall Lane, Hadleigh, Suffolk, IP7 6LA

Section A – Plans & Documents:

This decision refers to drawing no./entitled 941-P-099 received 08/12/2020 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:

Site Location Plan 941-P-099 - Received 08/12/2020
Planning Layout 941-P-100 CC G - Received 26/11/2021
Coloured Layout Overview 941-P-101 Coloured H - Received 26/11/2021
Affordable Housing 941-P-160 D - Received 26/11/2021
Affordable Housing 941-P-161 D - Received 26/11/2021
Refuse Strategy Sheet 1 of 2 941-P-192 D - Received 26/11/2021
Refuse Strategy Sheet 2 of 2 941-P-193 D - Received 26/11/2021
Storey Heights Sheet 1 of 2 941-P-194 D - Received 26/11/2021
Storey Heights Sheet 2 of 2 941-P-195 E - Received 26/11/2021
Housing Size Sheet 1 of 2 941-P-196 C - Received 26/11/2021
Housing Size Sheet 2 of 2 941-P-197 D - Received 26/11/2021
Character Area Sheet 1 of 2 941-P-198 D - Received 26/11/2021
Character Area Sheet 2 of 2 941-P-199 D - Received 26/11/2021
Parking Layout Parking Allocation Plan 941-P-240 E - Received 26/11/2021
Parking Allocation Plan 941-P-241 E - Received 26/11/2021
Materials Schedule 941-P-243.2 PH G - Received 26/11/2021
Materials Schedule 941-P-243.1 CC H - Received 26/11/2021
Boundary Sheet Plan Sheet 1 of 2 941-P-260 B - Received 26/11/2021
Boundary Treatment Plan Sheet 2 of 2 941-P-261 A - Received 26/11/2021
Fence Specification and Standard Details 941-P-262 - Received 26/11/2021
Street Scene 941-P-250 D - Received 26/11/2021
Cycle Storage Layout Sheet 1 of 2 941-P-270 - Received 26/11/2021
Cycle Storage Layout Sheet 2 of 2 941-P-271 - Received 26/11/2021
Green Energy Provision 941-P-500 B - Received 26/11/2021
Piccadilly CA5 941-P-10 B - Received 26/11/2021
Piccadilly CA6 941-P-11 B - Received 26/11/2021
Piccadilly CA7 941-P-12 B - Received 26/11/2021
Whitehall CA5 941-P-13 C - Received 26/11/2021
Whitehall CA6 941-P-14 B - Received 26/11/2021
Knightsbridge CA5 941-P-15 B - Received 26/11/2021
Knightsbridge CA6 941-P-16 B - Received 26/11/2021
Knightsbridge CA6 941-P-17 B - Received 26/11/2021
Knightsbridge CA7 941-P-18 B - Received 26/11/2021
Chester CA5 941-P-19 B - Received 26/11/2021
Chester CA6 941-P-20 B - Received 26/11/2021
Strand CA6 941-P-21 B - Received 26/11/2021
Strand CA6 Render 941-P-22 B - Received 26/11/2021
Mayfair CA6 941-P-24 B - Received 26/11/2021
Mayfair CA6 941-P-25 B - Received 26/11/2021
Mayfair CA7 941-P-26 B - Received 26/11/2021
Fenchurch CA6 941-P-30 B - Received 26/11/2021
Marlborough CA5 941-P-27 B - Received 26/11/2021
Marlborough CA6 941-P-28 B - Received 26/11/2021
Marlborough CA7 941-P-29 B - Received 26/11/2021
Fenchurch CA7 941-P-31 B - Received 26/11/2021
Marylebone CA5 941-P-35 B - Received 26/11/2021
Marylebone CA6 941-P-36 B - Received 26/11/2021
Piel CA5 941-P-38 B - Received 26/11/2021

Higham CA6 941-P-39 C - Received 26/11/2021
Dallington CA5 941-P-40 - Received 26/11/2021
Wareham CA5 941-P-41 - Received 26/11/2021
Wareham CA6 941-P-42 - Received 26/11/2021
Hadleigh CA2 941-P-129 C - Received 26/11/2021
Hadleigh CA2 Render 941-P-176 B - Received 26/11/2021
Ripley CA1 941-P-181 C - Received 26/11/2021
Ripley CA2 941-P-182 C - Received 26/11/2021
S103H CA1 Cladding 941-P-183 C - Received 26/11/2021
S103H CA1 941-P-111 E - Received 26/11/2021
Taunton CA 2 941-P-184 B - Received 26/11/2021
Taunton CA3 941-P-185 A - Received 26/11/2021
Substation 941-P-200 - Received 26/11/2021
Hadleigh CA4 941-P-202 D - Received 26/11/2021
Single Garages 941-P-203 - Received 26/11/2021
Double Garages 941-P-204 A - Received 26/11/2021
Wareham CA1 941-P-207 - Received 26/11/2021
Dallington CA1 941-P-208 - Received 26/11/2021
Alnmouth CA1 941-P-209 - Received 26/11/2021
Alnmouth CA2 Block of 4 Render 941-P-210 - Received 26/11/2021
Alnmouth CA2 Block of 4 941-P-211 - Received 26/11/2021
Alnmouth CA2 Top Half Render 941-P-212 - Received 26/11/2021
Arden CA3 941-P-216 - Received 26/11/2021
Alnmouth CA3 Top Half Render 941-P-213 - Received 26/11/2021
Alnmouth CA3 941-P-214 - Received 26/11/2021
Arden CA1 941-P-215 - Received 26/11/2021
Brauton CA2 941-P-217 - Received 26/11/2021
Brauton CA3 941-P-218 - Received 26/11/2021
Burnham CA2 941-P-219 - Received 26/11/2021
Burnham CA3 941-P-220 - Received 26/11/2021
Charnwood Corner CA4 Cladding 41-P-223 - Received 26/11/2021
Charnwood Corner CA4 Render 941-P-224 - Received 26/11/2021
Charnwood Corner CA4 941-P-225 - Received 26/11/2021
Dalby CA1 941-P-226 - Received 26/11/2021
Dalby CA2 Render 941-P-227 - Received 26/11/2021
Dalby CA2 941-P-228 - Received 26/11/2021
Greenwood CA2 941-P-232 - Received 26/11/2021
Dalby CA4 941-P-229 - Received 26/11/2021
Danbury CA3 941-P-230 - Received 26/11/2021
Danbury-Charnwood Corner CA4 941-P-231 - Received 26/11/2021
Kielder CA3 941-P-233 - Received 26/11/2021
Kielder CA4 941-P-234 - Received 26/11/2021
Saunton CA2 941-P-235 - Received 26/11/2021
Saunton CA3 941-P-236 - Received 26/11/2021
Sherwood CA1 941-P-237 - Received 26/11/2021
Sherwood CA2 Render 941-P-238 - Received 26/11/2021
Sherwood CA2 941-P-239 - Received 26/11/2021
Sherwood CA3 941-P-251 - Received 26/11/2021
Sherwood CA4 Render 941-P-252 - Received 26/11/2021
Sherwood CA4 941-P-253 - Received 26/11/2021
Whiteleaf V3 CA4 941-P-254 - Received 26/11/2021
Whiteleaf V3 CA3 941-P-256 - Received 26/11/2021
Whiteleaf V3 CA4 Hipped 941-P-257 - Received 26/11/2021

Whiteleaf V4 CA4 Cladding 941-P-258 - Received 26/11/2021
Whiteleaf V4 CA4 Hipped 941-P-259 - Received 26/11/2021
Whiteleaf V3 CA3 Cladding 941-P-255 - Received 26/11/2021
Boundary Treatment Plan Sheet 1 of 2 941-P-260 C - Received 26/11/2021
Open Space Maintenance 941-E -SK-109 - Received 26/11/2021
Glazing Bar Layout Sheet 1 of 2 941-P-244 - Received 16/11/2022
Glazing Bar Layout Sheet 2 of 2 941-P-245 - Received 16/11/2022

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 IN RESPECT OF PLANNING PERMISSION FOR RESIDENTIAL COMPONENT

[shown with horizontal cross-hatched shading on plan ref: BDC 1 attached to this decision notice]

3. 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 approval.

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. CONFIRMATORY: THE EARLY YEARS FACILITY

For the avoidance of doubt the early years site shown on a number of the residential layout drawings [shown with diagonal cross-hatched shading on plan ref: BDC 1 attached to this decision notice] associated with the FULL application component of this HYBRID application is not included within the FULL PLANNING PERMISSION. Whilst its position is indicated in the location shown the details shall form RESERVED MATTERS associated with the OUTLINE application component of this HYBRID PERMISSION.

Reason – For the avoidance of doubt as to the scope of this FULL planning permission and in order to ensure that the full details are provided as part of the RESEVED

MATTERS for the OUTLINE PLANNING PERMISSION. [The Employment Land and the Early Years Land]

4. 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 of the dwelling to which they relate.

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.

5. COMPLIANCE: 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 and ensure the quality achieved matches that of the previous phase of Weavers Meadow [Phase 1b] being constructed by Persimmon Homes.

6. 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):-

- o no enlargement, improvement, insertion of new openings or other alteration of the dwelling house/s shall be carried out,
- o no garage, car port, fence, gate, wall or any other means of enclosure, building or structure shall be erected within the curtilage of the dwellinghouses hereby approved, except pursuant to the grant of planning permission on an application made in that regard.

And permitted developments rights included within the provisions above are hereby removed.

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.

7. SPECIFIC RESTRICTION ON DEVELOPMENT: SHEDS

All plots shall be provided with on-plot secured sheds/cycle stored [including flats] prior to occupation of the unit concerned, in accordance with details that shall previously have been agreed, in writing, with the LPA.

Reason – To ensure that adequate provision is made for the storage of cycles in order to encourage occupiers to use cycles for local trips and in order to provide secure garden storage in the interest of security.

8. EXTERNAL CLOTHES DRYING FOR FLATS

Prior to their occupation all flats shall have access to on-plot secure external equipped drying areas adequate for all residents in the block even if all the individual flats are themselves provided with drying equipment such as tumble dyers, in accordance with details that shall previously have been agreed, in writing, with the LPA..

Reason – To ensure that occupiers have access to secure drying facilities that in good weather [or good drying weather] that do not add to electricity bills and allow the clothes to dry naturally with the fresh clean smell that implies.

9. ACTION REQUIRED PRIOR TO COMMENCEMENT OF ESTATE ROADS: 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. The development shall be carried out in accordance with the approved details.

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

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

No dwelling shall be occupied until the carriageways [including the spine road extension [Ellen Aldous Avenue] 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.

11. 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,
- o 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 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 All on site permanent construction plant, construction vehicles and/or other construction equipment capable of reversing under power shall be installed with white noise reversing alarms only and such alarms where activated shall be used. Visiting vehicles (including delivery vehicles shall have white noise reversing alarms where practically possible),
- 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.

12. 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; and,
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.

13. PRIOR TO OCCUPATION: TOWER MILL LANE IMPROVEMENT

Before any dwelling is first occupied, the developer shall construct the improvements to Tower Mill Lane which the details of which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that suitable footways are provided to access the application site and to connect the site with footway network and bus stops.

14. PRIOR TO OCCUPATION: TRAVEL PLAN

Prior to first occupation of any part of the development a Site Wide Travel Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Suffolk County Council (as Local Highway Authority). The approved Site Wide Travel Plan shall then be implemented in full.

Reason: In the interests of promoting sustainable transport and reducing the number of trips by private car as set out in the NPPF, and policy CS15 of the Babergh Core Strategy (2014).

15. RESTRICTION ON DEVELOPMENT: BINS

The areas to be provided for presentation and storage of Refuse/Recycling bins as shown on Drawing No. 941-P-193A and 941-P-192A shall be provided prior to the occupation of relevant dwellings they serve and shall be retained thereafter for no other purpose.

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

16. ACTION REQUIRED PRIOR TO OCCUPATION: ELECTRIC CHARGING POINTS

All plots with an associated on-plot garage/s, on-plot parking spaces or both shall be provided with on-plot electric vehicle charging points/apparatus prior the occupation of the associated dwelling. Plots with rear parking courts or conveyed lay-by parking shall be provided with a source to an electricity supply and connection to facilitate ev charging such that 100% of dwellings have access to either charging apparatus or an appropriate power supply where apparatus is not required to be fitted. 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.

17. ACTION REQUIRED PRIOR TO SLAB LEVEL: LANDSCAPING

Prior to any development proceeding above slab level and notwithstanding such landscaping detail as may have been submitted previously, further landscaping details shall be submitted to and approved by the Local Planning Authority for the margins and

slopes of the proposed drainage basins. Furthermore prior to any development proceeding above slab level a Detailed 'Landscape Maintenance Plan and Implementation Plan' shall be submitted to and approved in writing by the Local Planning Authority. Such detail as shall subsequently be approved shall be implemented in accordance with those approvals. Landscaping for the areas outside of the drainage basins is approved but must first be subject to the approval of the required Maintenance and Implementation Plan referred to above. Any tree that is dead or dying within the first five years of planting shall be replaced and planted by the developer in the first available planting season.

Reason – In the interests of visual amenity and the character and appearance of the area and ensuring that the newly planted landscape has the best chance of surviving.

18. ACTION REQUIRED: PRE-COMMENCEMENT: TREE PROTECTION

Before any work on site commences, an updated Arboricultural Report shall be submitted to and approved in writing by the Local Planning Authority. All trees to be retained shall be protected as detailed in the submitted arboricultural report or such other measures as may be further formally agreed in writing by the Council. 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 -It is acknowledged that layout changes within the reserved matters submission now require an update to the arboricultural report in respect of those specific areas where change has occurred. 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.

19. SPECIFIC RESTRICTION ON DEVELOPMENT: 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 treatments. The development shall thereafter be carried out in accordance with such details as agreed.

Reason – To ensure satisfactory development of the site.

20. 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 areas of the site 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. Experience has shown that where house buyers are purchasing new dwellings within an initial phase of development they may be unaware of a later phase nearby that will deliver open space and/or play areas. The Council wishes to ensure that such purchasers are fully aware of intended recreational facility delivery prior to purchase as the principle of caveat emptor will apply, the delivery and positioning of recreational

facilities having been given careful consideration by the Council at the time of determination of the relevant planning applications and these are not expected not change.

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

Prior to the first occupation of the 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.

22. 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.

23. 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.

24. 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.

25. 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)

26. 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 in writing 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. That Strategy will demonstrate how the developer is to achieve reductions in CO2 emissions of 19% below for the Target Emissions Rate of the 2013 Edition of 2010 Building Regulations (Part L) or any subsequent more recent legislation or council policy which would lead to a greater reduction in CO2 emissions'

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.

27. RESTRICTION ON DEVELOPMENT: DRAINAGE 1

The strategy for the disposal of surface water and the Flood Risk Assessment (FRA) (dated October 2020, ref: 619574-MLM-ZZ-XX-RP-C-0001 Rev 05) shall be implemented and carried out in full. 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

28. TIME RESTRICTED ACTION: DRAINAGE 2

Within 28 days of completion of the last dwelling/building become erected 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-assetregister>

29. PRE-COMMENCEMENT: DRAINAGE 3

No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) by a qualified principal site contractor, 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:

3. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
 3. 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. This condition is a pre commencement planning condition and requires details to be agreed prior to the commencement of development to ensure flooding risk as a result of both construction and use of the site is minimised and does not result in environmental harm or even risk to life

30. PRIOR TO OCCUPATION: TWO 'TIGER' CONTROLLED CROSSINGS

Prior to occupation of any dwelling the developer shall have agreed in writing with Suffolk County Council as local highway authority a strategy for delivering two crossing points on the extended spine road included in the application. These crossings shall be at the point which Tower Mill Lane and associated footpath bridleway crosses what will be an extended Ellen Aldous Avenue and adjacent to the new 'village green' feature [west side] and the connectivity corridor east side of the extended spine road. Such crossing detail and requirements as shall be agreed by Suffolk County Council as local highway authority shall be provided in accordance with such timescale as shall have been previously agreed in writing.

Reason In the interest of highway safety and to enhance connectivity and encourage walking cycling and horse riding as leisure pursuits an alternative modes of travel

31. BUNGALOWS: RESTRICTIVE

The units on plots 177, 178, 179, 216, 217, 199, 200, 201, 202 and 271, 272, and 273 shall be bungalows only with no habitable floorspace within the attic/roof. These units shall be constructed to comply with Part M4 [2] of the Building Regulations.

Reason: In order that the development shall include at least 12 bungalows as offered by the applicant and in order to ensure that the proposal complies with the Council's emerging policy LP06. These units shall be constructed to comply with Part M4 [2] of the Building Regulations.

CONDITIONS in RESPECT of OUTLINE PLANNING PERMISSION:

Employment component [shown with horizontal cross-hatched shading on plan ref: BDC 1 attached to this decision notice]

Early Years Site and Facility [shown with diagonal cross-hatched shading on plan ref: BDC 1 attached to this decision notice]

32. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: THE RESERVED MATTERS APPLICATION

No development shall take place within a Development Area until details of the access, appearance, landscaping, layout, and scale of the development (hereinafter called "the reserved matters") have been submitted to, and approved in writing by, the Local Planning Authority.

Submission of reserved matters shall also include :

[i] details of existing and planned level details along with Finished Floor levels for all buildings relative to adjacent sites. [beyond the current red line]; and,

[ii] the inclusion of shower facilities within every business premise; and

[iii] landscaping details shall include a 20m deep planting belt around the entire perimeter of the site

The development shall be carried out in accordance with the approved details.

Reason: To comply with Article 5 (1) of the Town and Country Planning (Development Management Procedure) Order 2015 and 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.

Showers are seen as an essential facility to encourage the take-up of cycling to and from work as an alternative to car borne modes of transport.

It is noted that the illustrative layout masterplan for the employment area does not provide sufficient detail as to access to identify the intended access point/s to the employment area save for an emergency vehicle access.

33. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: TIME LIMIT FOR RESERVED MATTERS APPLICATION

Application for approval of the final reserved matters for any approved Development Area of the development shall be made to the Local Planning Authority not later than 10 years from the date of this permission and the development must be begun not later than the expiration of 2 years from the final approval of reserved matters, or in the case of approval of reserved matters on different dates, the final approval of the last such matter to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

34. PRE-COMMENCEMENT ACTION REQUIRED: DEVELOPMENT AREAS

No development shall be commenced until a Development Areas Plan has been submitted to and approved in writing by the Local Planning Authority. The Development Areas Plan shall define each Development Area of the site within which details pursuant to the conditions of this permission can be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing a coherent and delivery-led approach to development.

35. BUILDING HEIGHTS: INFORMING RESERVED MATTERS

In submitting Reserved Matters an applicant shall have regard to ensuring that any development adjacent to Ellen Aldous Avenue or existing residential properties elsewhere is of a scale and mass that is sympathetic with the scale and mass of residential development approved on the west side of Ellen Aldous Avenue and/or that of existing adjoining dwellings.

Reason: In order that the scale of commercial development where this is juxtaposed to residential development [existing or permitted] harmonises with adjacent residential development in order to safeguard amenity [visual and residential] and outlook from those residential properties and does not result in high warehouses on these parts of the site. Beyond this buffer, proposed buildings with heights over this threshold will be judged on their merits.

36. RESTRICTION IN DEVELOPMENT: VEHICULAR ACCESS POINT/S

At no point [including submission of reserved matters] shall any vehicular access be shown or formed or otherwise created within the area shown with cross-hatched square shading on plan ref BDC 1 attached to this decision notice.

Reason – This area is specifically shown as open space on the applicants submitted illustrative masterplan drawing reference [INSERT] and the Council wishes to ensure that this intended pedestrian /cycle/. Green corridor is provided where shown and to the minimum dimensions indicated because it is intended to form the hub of a planned pedestrian cycle corridors throughout the strategic land use allocation of which the application site forms Phase 2. The corridor is not intended to provide a route for a business park spine road and access

37. RESTRICTED VEHICULAR CONNECTIVITY BETWEEN THE EMPLOYMENT AREA AND EXISTING RESIDENTIAL DEVELOPMENT TO THE NORTH [Weavers Meadow Phase 1b]

There shall be no general vehicular connection between the employment land/uses hereby permitted and the residential site to the north at any time save for a bollarded single emergency access or a controlled bus gate.

Reason: The Council wishes to ensure that the employment land/uses do not result in related traffic using the residential estate roads to the north. The Council wishes to ensure that any rat-run for general traffic is avoided in the interest of maintaining residential amenity and safeguarding highway safety.

38. ON-GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON USE

The hereby permitted development/uses shall be restricted to classes, E[g], [formerly B1], B2 and B8 as defined by the Town & Country Planning [Use Classes] Order 1987, as amended or in any Order or Regulation 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. For the avoidance of doubt uses within Class E[a] and/or E[b] and/or E[c] and/or E[d] and/or E[e] and/or E[f] are not permitted.

Reason – To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity, in order to protect the viability and vitality of Hadleigh Town Centre and in order to ensure that the site is used for its allocated purpose in the Adopted development Plan – policy CS6.

39. 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 O [the letter and not the numeral] of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification) a change of use to residential is not permitted.

And/or

Article 3, Schedule 2, Part 4 – Temporary Use of Land and Buildings, Class B and/or Class C of The Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification) a temporary use/s is/are not permitted

and/or

Article 3, Schedule 2, Part 7 – Non-domestic extensions, alterations etc., Class F and/or Class G and/or Class H and/or Class I [the letter not the numeral] and/or Class J 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 and to support the plan-led process where this permission is issued pursuant to the requirements of a site allocation policy.

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

Notwithstanding such details as were submitted on drawings reference 941-P-190 Rev E and 941-P-191 Rev E, which are not approved, further precise details of the manufacturer, types, material of composition and colours of the external facing and roofing materials to be used in construction shall be submitted in writing to and approved, in writing, by the Local Planning Authority prior to any work above slab level proceeding. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation of the building(s) to which they relate.

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. The Council wishes to ensure that materials from the traditional Suffolk vernacular palette are used in key locations and at key focal points within this development in order to reinforce local distinctiveness and reinforce the design quality achieved within other elements of the approved details.

41. DRAINAGE ON 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. Such detail as shall have been agreed shall be implemented prior to the occupation of relevant units.

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

42. 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.

43. 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,
- o 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,
- . 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 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 All construction plant, construction vehicles and/or other construction equipment capable of reversing under power shall be installed with white noise reversing alarms only and such alarms where activated shall be used ('beeping' style reversing alarms are not permitted),
- 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

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

Construction work/s, groundwork/s or other work/s associated with the implementation of the permission hereby granted shall occur between the following hours only:

Monday to Friday between 07:30 hrs and 18:00 hrs; and,

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.

45. ACTION REQUIRED PRIOR TO OCCUPATION: ELECTRIC CHARGING- POINTS

Employee parking spaces associated with the employment uses shall be provided with electric vehicle charging points in accordance with Suffolk County Council's 'Guidance for Parking' Third Edition, May 2019 (or such other Guidance applicable at the time of submission of the reserved matters for the employment land) 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.

46. 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, along with a Landscape, Open Space and associated Management Plan and Implementation Plan 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. This scheme of landscaping shall make provision for the creation of a 20m wide [minimum] landscape buffer around the edge of the entire site within the red line area except where it is necessary to accommodate access. Therefore, Reserved Matters details should also include this landscape buffer and thereby any buildings, parking and/or hard landscaping are excluded in this buffer.

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

47. ACTION REQUIRED – PRE-COMMENCEMENT: TREE PROTECTION

Prior to commencement of development a Tree Protection Statement shall be submitted to and approved in writing by the Local Planning Authority showing how trees to be retained shall be protected from damage during the construction process. Such detail as shall have

been agreed shall be installed prior to commencement and thereafter retained in the form agreed during the entire construction period.

Reason – In ensure that those trees to be retained are protected from damage during the construction process such they will continue to make an important contribution to the character of the development and to provide mature landscaping, screening and habitat within this new commercial estate.

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

Prior to the first occupation of any building, details of the provision of fire hydrants for the site 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.

49. 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

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

Prior to any construction activity proceeding above slab level on a plot, full details of the means of boundary enclosure shall, where such details have not been previously approved as part of Reserved Matters, shall be submitted to and approved in writing by the local planning authority. Such detail/s as shall have been so agreed shall be provided prior to the first occupation of the building(s) to which they relate and thereafter retained.

Reason – To ensure that that detail contributes positively to the streetscene in terms of visual quality

51. ACTION REQUIRED PRIOR TO THE COMMENCEMENT OF DEVELOPMENT – ARCHAEOLOGICAL WORKS

No development shall take place on site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning

Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. Timetable for the site investigation to be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

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

52. 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.

53. 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.

54. ABOVE SLAB SUSTAINABLE CONSTRUCTION STATEMENT

No development shall proceed above slab level until such time as the developer has submitted to and had approved in writing 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 building.

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.

55. 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 including any temporary use falling within Class B 'temporary use of land' of Part 4 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015 Act, as amended or in any Order or Regulation amending, replacing or revoking that Order.

Reason – In order to safeguard residential amenity and in the interest of highway safety. Temporary uses of land that may normally be allowed as permitted development can have unintended consequences with unforeseen impacts. This is particularly true here where a large area will be undergoing several years of development with new residential occupier and business operators moving in during that time.

56. 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.

57. 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

58. 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.

59. 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.

60. 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.

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

Prior to First Occupation of each 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

62. ON GOING REQUIREMENT FOR DEVELOPMENT: OPERATION TIMES

The use of any units hereby permitted shall not operate/be open to customers outside of the following times without the specific grant of a further planning permission from the local planning authority:

Weekdays: 07:30 – 20:00

Saturdays: 07:30 – 20:00
Sundays and Public Holidays: None

Reason – To minimise detriment to nearby residential amenity.

63. ON GOING REQUIREMENT FOR DEVELOPMENT: DELIVERY TIMES

No deliveries shall be received at, or despatched from, the permitted 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.

64. ACTION REQUIRED PRIOR TO THE FIRST USE OF DEVELOPMENT: FUMES; NOISE, LIGHTING,

Prior to the first use of any unit hereby permitted, details of any control measures, external plant, sub-station, telecommunication apparatus, or other any other external equipment, lighting, tannoys or other public address or alert system to be installed shall first be the subject of a submission of details to and approval in writing by the Local Planning Authority. Such detail as shall have been approved shall be installed as approved and thereafter maintained in good working order.

Reason – To minimise detriment to nearby residential amenity.

65. 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.

66. CONCURRENT WITH RESERVED MATTERS: DRAINAGE 1

Concurrent with the first reserved matters application(s) a surface water drainage scheme for the site shall be submitted to the Local Planning Authority for approval.

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 Qbar or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the Local Planning Authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
- h. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented as approved. 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

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

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-flood-risk/construction-surface-water-management-plan/>

67. TIME RESTRICTED ACTION

Within 28 days of completion of the last dwelling/building to be erected 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-assetregister/>

68. PRIOR TO OCCUPATION: TWO 'TIGER' CONTROLLED CROSSINGS

Prior to occupation of any unit hereby approved the applicant shall have agreed with the Council as local planning authority who will consult with Suffolk County Council as local highway authority a strategy for delivering two 'tiger' controlled crossing points on the extended spine road included in the application These crossing shall be at the point which Tower Mill Lane and associated footpath bridleway crosses what will be an extended Ellen Aldous Avenue and adjacent to the new 'village green' feature [west side] and the connectivity corridor east side of the extended spine road. Such crossing detail and requirements as shall be agreed by the Council shall be provided in accordance with such timescale as shall have been previously agreed in writing.

Reason In the interest of highway safety and to enhance connectivity and encourage safe walking, cycling and horse riding as leisure pursuits and in the case of the former two, alternative modes of travel to the motor car.

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
Hadleigh Neighbourhood Plan
Suffolk Parking Standards 2015
NPPF – National Planning Policy Framework

NOTES:

3. **Section 106 Agreement Note**

This planning permission has been granted having regard to a related Section 106 planning obligation. Reference should be made to that planning obligation in conjunction with this decision notice.

2. Whilst drawings 941-P-190 Rev E and 941-P-191 Rev E Materials Layout do not form part of the suite of approved drawings the developer shall in submitting further details of external materials under Condition 40 of this Reserved Matters approval shall have regard to the following detail on those drawings:

The number and distribution of the following materials on specific plots

Marley Eternit Rivendale Blue Black dressed edge artificial slates
Marley Acme Clay Mixed Brindle clay plain tiles
Marley Acme Heather Blend clay plain tiles

The use of these materials in these locations is required and should form part of the further detail required under condition 40 above

3. It is noted that whilst drawing reference 941-P-195 Rev E includes a notation for 3-storey built-form within its legend, there are no three storey building/s proposed or approved within that part of the layout shown on this drawing.

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/19/05419

Signed: Philip Isbell

Dated: 16th November 2022

**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.