

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
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APPROVAL OF RESERVED MATTERS

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

Correspondence Address:

Nick Barber
Nick Barber Architects Ltd
42 Kirby Rise
Barham
IPSWICH
IP6 0AX

Applicant:

New Homes (Suffolk) Ltd
Conrad House
The Green
Ashboking
IPSWICH
IP6 9JX

Date Application Received: 19-May-20

Application Reference: DC/20/01943

Date Registered: 20-May-20

Proposal & Location of Development:

Application for approval of reserved matters following grant of outline DC/18/00/00192 dated 10/12/2018 - Appearance, Layout and Landscaping for Use of land for the erection of up to 8 dwellings. Provision of open space. Formation of vehicular access to Little London Hill. Provision of pedestrian link to Derry Brook Lane. Discharge of Conditions 5, 6, 9, 11, 12, 14, 15, 16, 19, 20, 21, 22, 24, 25, 26, 27, 28 and 29.

Land Between The Butts And, Little London Hill, Debenham, Suffolk

Section A – Plans & Documents:

This decision refers to drawing no./entitled received 18/05/2020 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:

Engineering Layout 1905-356-008B B - Received 30/07/2020
1905-356-009 A A - Received 30/07/2020
LS1449-01 REV E E - Received 30/07/2020
Defined Red Line Plan - Received 18/05/2020
Site Plan 1637 05 - Received 18/05/2020
Floor Plan - Proposed 1637 10 D Plots 1 _ 2 - Received 18/05/2020
Elevations - Proposed 1637 11 B Plots 1 _ 2 - Received 18/05/2020
Floor Plan - Proposed 1637 12 B PLots 3_4 - Received 18/05/2020

Elevations - Proposed 1637 13 B Plots 3_4 - Received 18/05/2020
Floor Plan - Proposed 1637 14 C PLOT 5 - Received 18/05/2020
Elevations - Proposed 1637 15 B PLOT 5 - Received 18/05/2020
Floor Plan - Proposed 1637 16 C PLOT 6 - Received 18/05/2020
Elevations - Proposed 1637 17 B PLOT 6 - Received 18/05/2020
Floor Plan - Proposed 1637 18 A PLOT 7 - Received 18/05/2020
Elevations - Proposed 1637 19 B PLOT 7 - Received 18/05/2020
Floor Plan - Proposed 1637 20 C PLOT 8 - Received 18/05/2020
Elevations - Proposed 1637 21 B PLOT 8 - Received 18/05/2020
Proposed Plans and Elevations 1637 22 Plot 5,6,7,8 Garages - Received 18/05/2020
Proposed Plans and Elevations 1637 23 PLOTS 3_4 Garages - Received 18/05/2020
Site Plan 1637 301 C Proposed - Received 18/05/2020
On site road pavement details 1905-356-005 Pavement Detail - Received 18/05/2020
Road setting out 1905-356-006 Road Layout - Received 18/05/2020
Road long section 1905-356-007 Road Section - Received 18/05/2020
Section 278 construction detail 1905-356-027A Section Works Plan - Received 18/05/2020
A bridge office footbridge spec 2810/101 A Footbridge - Received 18/05/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **RESERVED MATTERS HAVE BEEN APPROVED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. FOR CLARITY ON THE NATURE OF THE APPLICATION

The reserved matters planning permission hereby granted is given in accordance with the terms of the outline planning permission reference DC/18/00192 relating to this site and the conditions attached thereto remain in force.

Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by section 51 of the Planning and Compulsory Purchase Act 2004.

2. IN ACCORDANCE WITH APPROVED PLANS

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. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

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

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
CL08 - Protecting wildlife habitats

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.
3. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991

Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017

Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution

Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991

Any works to a main river may require an environmental permit

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/20/01943

Signed: Philip Isbell

Dated: 21st August 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.