

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990

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

Correspondence Address:

Mr Tim Moll
Tim Moll Architecture
6 The Royal Hospital School
Holbrook
IP9 2RT

Applicant:

Mr Rob Nesling
Abbey Farm Barn
Easton Lane
Hacheston
Suffolk
IP13 0DZ

Date Application Received: 08-Dec-23

Application Reference: DC/23/05702

Date Registered: 13-Dec-23

Proposal & Location of Development:

Planning Application - Change of use and extension of redundant barn into a dwelling

Barn At Glebe Farm, School Road, Monk Soham, IP13 7EN

Section A – Plans & Documents:

This decision refers to drawing no./entitled BW1-01111252 received 08/12/2023 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:

Floor Plan - Proposed 1564-01 - Received 08/12/2023
Roof Plan - Proposed 1564-02 - Received 08/12/2023
Elevations - Proposed 1564-03 - Received 08/12/2023
Elevations - Proposed 1564-04 - Received 08/12/2023
Elevations - Proposed 1564-05 - Received 08/12/2023
Block Plan - Proposed 1564-06 - Received 08/12/2023
Proposed Landscaping Plan 1564 07 - Received 08/12/2023
Existing Plans and Elevations AS1916-02 - Received 08/12/2023
Defined Red Line Plan BW1-01111252 - Received 08/12/2023
Topographic Survey AS1916-01 - Received 08/12/2023
Bat Survey Skilled Ecology Ltd, November 2023 - Received 08/12/2023
Heritage Impact Assessment August 2023 - Received 08/12/2023

Preliminary Ecological Appraisal Skilled Ecology Ltd, March 2023 - Received 08/12/2023
Flood Risk Assessment December 2023 - Received 13/12/2023
Land Contamination Assessment Phase 1, P0349/R01 Issue 1, July 2023 - Received 15/02/2024
Structural Survey PV/BBR/22849-01h - Received 23/02/2024

Section B:

Mid Suffolk 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:

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

The development hereby permitted shall be begun not later than the expiration of three years 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. 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. 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.

3. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: HIGHWAYS -
REFUSE BINS

The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No's. 1564-01 and 1564-06 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason - To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

4. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: HIGHWAYS - CYCLE STORAGE

The use shall not commence until the area(s) within the site shown in Drawing No. 1564-01 for the purposes of secure cycle storage has been provided, and thereafter, the area(s) shall be retained, maintained, and used for no other purposes.

Reason - To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2023) to promote sustainable travel.

5. ACTION REQUIRED PRIOR TO OCCUPATION: HIGHWAYS - EV CHARGING POINT

Before the development is first occupied, details of electric vehicle charging infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason - To ensure the provision of charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2023).

6. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: HIGHWAYS - MANOEUVRING AND PARKING

The use shall not commence until the area(s) within the site shown in Drawing No. 1564-07 for the purposes of manoeuvring and parking of vehicles has been provided, and thereafter, that area(s) shall be retained and used for no other purposes.

Reason - To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

7. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: HIGHWAYS - ACCESS SURFACING

Prior to the development hereby permitted being first occupied, the existing access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

8. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Further Bat Survey Report (Skilled Ecology, November 2023) and

Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology, March 2023), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the non-licensed Great Crested Newt Precautionary Method Statement in Section 5.1.8 of the Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology, March 2023)) which avoids impacts on European Protected Species.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason - To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

9. PRIOR TO COMMENCEMENT OF ANY WORKS WHICH WILL IMPACT THE BREEDING / RESTING PLACE OF BATS

Any works which will impact the breeding / resting place of bats shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason - To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

10. ACTION REQUIRED PRIOR TO OCCUPATION: BIODIVERSITY ENHANCEMENT LAYOUT

Prior to occupation of the hereby approved development, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Further Bat Survey Report (Skilled Ecology, November 2023) and Preliminary Ecological Appraisal Including a Protected Species Assessment (Skilled Ecology, March 2023), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason - To enhance protected and Priority species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

11. SPECIFIC RESTRICTION ON DEVELOPMENT: HOURS OF CONSTRUCTION WORKS AND ANCILLARY OPERATIONS

Operations related to the construction (including site clearance and demolition phases) of the permitted development/use shall only operate between the hours of 08.00 and 18.00hrs Mondays to Fridays and between the hours of 08.00 and 13.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no HGVs arriving at or departing the site outside of these approved hours.

Reason - To minimise detriment to nearby residential and general amenity by controlling the construction processes related to the approved development.

12. SPECIFIC RESTRICTION ON DEVELOPMENT: NO BURNING OF CONSTRUCTION WASTE ONSITE

No burning shall take place on site at any stage during site clearance, demolition, or construction phases of the project.

Reason - To minimise detriment to nearby residential amenity.

13. 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.

14. PRIOR TO COMMENCEMENT OF CONVERSION WORKS: AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

No development shall commence pursuant to the conversion of the building unless and until a scheme for the provision and implementation of water, energy and resource efficiency measures, during the operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

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 and to secure compliance with Policy LP23 of the JLP.

15. SPECIFIC RESTRICTION ON DEVELOPMENT: WATER EFFICIENCY

The dwellings hereby permitted shall meet the higher water efficiency standard of 110 litres per person per day, as set out in the requirements of paragraph (2)(b) of Regulation 36 of the Building Regulations (as amended) 2010.

Reason - In order to comply with the requirements of adopted policy LP23 and to ensure that water resources are used efficiently.

16. SPECIFIC RESTRICTION ON DEVELOPMENT: COMPLIANCE WITH FLOOD RISK ASSESSMENT MEASURES

The measures as proposed by the Flood Risk Assessment (Tim Moll, December 2023) received on the 13th December 2023 shall be implemented prior to first occupation of the hereby approved development. The measures shall thereafter be maintained in perpetuity.

Reason - In the interests of residential safety as the application site is affected partially by areas at risk of surface water flooding.

17. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: LANDSCAPING SCHEME

Notwithstanding the submitted landscaping plan, no development pursuant to the conversion of the building shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a 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.

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

18. ON GOING REQUIREMENT OF DEVELOPMENT: TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use or first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

19. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: FLOOR BUILDUPS

Following any removal/uplift of existing floor layers, prior to the installation of any new floor buildup, detailed measured section drawings showing proposed buildups, at 1:20 or as appropriate, and manufacturer's literature of proposed materials, shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of the character, integrity and preservation of the building/s.

20. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: SCHEDULE OF WORKS FOR WORKS TO TIMBER FRAME OR PLINTH

Following the removal of the existing wall and roof finishes and backings as required, prior to any works to the underlying timber frame or plinth of any elevation or part thereof, including any additional strengthening/foundation works, a Schedule of Works of repairs/alterations proposed to that frame and fabric shall be submitted to and agreed in writing by the Local Planning Authority.

The Schedule shall include [1] a written statement detailing materials and methods to be used, and [2a] annotated photographs, including whole elevation photographs and closeups of the frame and fabric, or [2b] measured frame survey drawings, as appropriate to the works needed, showing where the work is proposed.

The Schedule shall include a Programme Timetable which includes reasonable opportunity for the Council to inspect the exposed frame and fabric and to finalise whether a measured frame survey [2b] is required to satisfy this condition.

Any works shall thereafter be undertaken in accordance with the agreed Schedule and Programme Timetable. Opportunity for the Local Planning Authority to inspect the underlying fabric on site shall be provided as part of this condition.

Informative: This condition can be agreed in stages as preferred, in order to avoid all the finishes being removed at once. Informative: The Local Planning Authority will aim to respond to a request to discharge this condition in a timely way having regard to the information available. Where on-site inspection is required, arrangements will be made for this be undertaken as soon as reasonably practicable following submission of the Discharge of Condition Application.

Reason - In the interests of the character, integrity and preservation of the building/s.

21. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: SCHEDULE OF PROPOSED INSULATION

Following the removal of the existing wall and roof finishes and backings, prior to the installation of any wall or roof insulation or coverings, a schedule of proposed wall and roof insulation, including product details, with manufacturer's literature as appropriate,

proposed locations and thicknesses, to also include, as appropriate, a) details of any fabric to be removed to install the insulation, b) detailed section drawings at 1:20 or as appropriate showing proposed build-up and any resulting increase in wall thickness and resulting relationship with the plinth, eaves or verge, shall be submitted to and approved by the Local Planning Authority.

The Schedule shall also include a Programme Timetable which includes reasonable opportunity for the Council to inspect the exposed frame and fabric. Any works shall thereafter be undertaken in accordance with the agreed Schedule and Programme Timetable. Opportunity for the Local Planning Authority to inspect the underlying fabric on site shall be provided as part of this condition.

Informative: This condition can be agreed in stages as preferred, in order to avoid all the finishes being removed at once. Informative: The Local Planning Authority will aim to respond to a request to discharge this condition in a timely way having regard to the information available. Where on-site inspection is required, arrangements will be made for this be undertaken as soon as reasonably practicable following submission of the Discharge of Condition Application.

Reason - In the interests of the character, integrity and preservation of the building/s.

22. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: LIME RENDER DETAILS

Prior to the application of the new lime render, details of the proposed lime render, to include manufacturer's literature and/or details of constituent parts and ratios, and details of render finish type and colour, shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of the character, integrity and preservation of the building/s.

23. ACTION REQUIRED IN ACCORDANCE WITH SPECIFIC TIMETABLE: VENTS, FLUES AND OTHER PIPEWORK DETAILS

Prior to the installation of any external vents, flues and other pipework on the C17 barn, details, to include annotated photographs of proposed locations and manufacturer's literature of proposed products as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of the character, integrity and preservation of the building/s.

24. ACTION IN ACCORDANCE WITH SPECIFIC TIMETABLE: MATERIALS - NEW PANTILES

Prior to the installation of new pantiles on the C17 barn, details, to include manufacturer's literature or as otherwise appropriate, of the new pantiles, shall be submitted to and approved in writing by the Local Planning Authority.

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.

25. ACTION IN ACCORDANCE WITH SPECIFIC TIMETABLE: MATERIALS - BRICK PLINTH

Prior to the commencement of works to the extensions above slab level, details of the proposed bricks to be used in the plinths, to include manufacturer's literature or as otherwise appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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.

26. ACTION IN ACCORDANCE WITH SPECIFIC TIMETABLE: MATERIALS - ZINC ROOFING

Prior to the application of any finish to the zinc roofing, details of the proposed finish to the zinc roofing shall be submitted to and approved in writing by the Local Planning Authority.

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.

27. ACTION IN ACCORDANCE WITH SPECIFIC TIMETABLE: EAVES AND VERGE DETAILS

Prior to the commencement of works to the extensions above eaves level, detailed section drawings through the eaves and verges of the extensions, at 1:20 or as appropriate, shall be submitted to and approved in writing by the Local Planning Authority.

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.

28. ACTION IN ACCORDANCE WITH SPECIFIC TIMETABLE: WINDOW AND DOOR DETAILS

Prior to the installation of new windows and doors, detailed elevation and section drawings of the new windows and doors, at 1:10 and 1:2 respectively, and/or manufacturer's literature, shall be submitted to and approved in writing by the Local Planning Authority.

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.

29. SPECIFIC RESTRICTION ON DEVELOPMENT: SOUTHWEST GABLE DOORWAY

The new doorway on the southwest gable of the C17 barn, connecting to the new extensions, shall not cut into the midrail on this wall.

Reason - In the interests of the character, integrity and preservation of the building/s.

30. SPECIFIC RESTRICTION ON DEVELOPMENT: TIMBER BARGEBOARDS

All new bargeboards for the proposed development shall be timber, unless otherwise agreed in writing with the Local Planning Authority under this condition.

Reason - In the interests of the character, integrity and preservation of the building/s.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
SP03 - The sustainable location of new development
SP09 - Enhancement and Management of the Environment
SP10 - Climate Change
LP03 - Residential Extensions and Conversions
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP17 - Landscape
LP19 - The Historic Environment
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport

NOTES:

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

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. **LLFA Note**

- o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- o 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
- o Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- o Any works to a main river may require an environmental permit

3. **Highways Note**

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:
<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>
or:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

County Council drawings DM01 - DM14 are available from:
<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

4. **Minimum requirements for dealing with unexpected ground conditions being encountered during construction:**

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geoenvironmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.

4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be:
 - o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or
 - o treatment of material on site to meet compliance targets so it can be re-used; or
 - o removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

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/23/05702

Signed: Philip Isbell

Dated: 18th March 2024

**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/appeal-planning-decision>.

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.

Babergh District Council

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