

Philip Isbell – Chief Planning Officer
Planning – Place Directorate

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 Antony Pettifer
Icon Architectural
Hethel Engineering Centre
Chapman Way
Hethel
Norwich
NR14 8FB

Applicant:

WSB Developments Ltd
C/o Agent

Date Application Received: 25-Nov-24

Application Reference: DC/24/05160

Date Registered: 26-Nov-24

Proposal & Location of Development:

Planning Application - Erection of replacement dwelling and 1no additional dwelling

Willow Croft, Long Green, Bedfield, IP13 7JD

Section A – Plans & Documents:

This decision refers to drawing no./entitled 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:

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

1. COMPLIANCE REQUIRED: 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.

4. DISCHARGE REQUIRED: REMEDIAL WORKS AND VERIFICATION REPORTING

No occupation of any part of the property is permitted until such time as:

1.All remediation work is completed in accordance with the approved Remediation Scheme as outlined in part 4 of the condition above.

2.Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

5. COMPLIANCE REQUIRED: PROVISION OF ACCESS

No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with Drawing No/Label. 01/01 block site layout plan/planting/bng enhancements with an entrance width of 4.5 metres for a distance of 5 metres measured from the nearside edge of the metalled carriageway and the existing access has been effectively stopped up. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

6. DISCHARGE REQUIRED: ACCESS SURFACE

Prior to the development hereby permitted being first occupied the new 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.

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: VISIBILITY SPLAYS

Before the access is first used visibility splays shall be provided as shown on Drawing No./Label. 01/01 block site layout plan/planting/bng enhancements with an X dimension of 2.4 metres and a Y dimension of 59 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary

8. COMPLIANCE REQUIRED: VEHICLE PARKING

The use shall not be occupied until the area(s) within the site shown on Drawing No./Label. 01/01 block site layout plan/planting/bng enhancements for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2023) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

9. COMPLIANCE REQUIRED: GARAGING

The garage for each dwelling shall be made available for use prior to the occupation of the dwelling and shall thereafter be retained for these purposes. Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out in such a position as to preclude vehicular access to those car parking spaces.

Reason: To ensure that sufficient areas for vehicles and cycles to be parked are provided in accordance with the adopted parking standards (Suffolk Guidance for Parking (2023)).

10. COMPLIANCE REQUIRED: HIGHWAY SURFACE WATER MANAGEMENT

Before the development is occupied the area(s) within the site shown with the Surface water and foul water drainage strategy document for the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water shall be made operational. The approved scheme shall be carried out in its entirety before the development is first occupied and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

11. COMPLIANCE REQUIRED: REFUSE STORAGE

The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No/Label. 01/01 block site layout plan/planting/bng enhancements 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.

12. COMPLIANCE REQUIRED: CONSTRUCTION HOURS

No noise from construction or demolition works shall be take place outside of the following hours: Monday to Friday: 07:30 to 18:00 Saturday: 08:00 to 13:00 or Public Holidays: None.

Reason - In the interests of protecting residential amenity.

13. COMPLIANCE REQUIRED: BURNING

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

Reason - In the interests of protecting residential amenity.

14. DISCHARGE REQUIRED: INVESTIGATION AND REMEDIATION METHOD STATEMENT

No development shall take place until:

1. A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.

2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.

3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority.

4. Subject to the findings of the risk assessment to in (3), an options appraisal should be produced and a confirmed Remediation Scheme shall be submitted for approval.

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

14. RESTRICTION IMPOSED: 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, 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.

15. DISCHARGE REQUIRED: CONSTRUCTION MANAGEMENT PLAN

Prior to the commencement of development, a Construction Management Plan shall be formally submitted to the Local Planning Authority. The Construction Management Plan shall include the following matters:

- o parking and turning for vehicles of site personnel and visitors.
- o loading and unloading of plant and materials
- o storage of plant and materials o provision and use of wheel washing facilities and carriageway street sweeping.
- o programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works.
- o site working and delivery times
- o provision of boundary hoarding and lighting.
- 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 layout of facilities above to be included on a plan.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

16. COMPLIANCE REQUIRED: TREE PROTECTION MEASURES ONSITE

The tree protection, mitigation, compensation and working methods scheme as shown in the Arboricultural Impact Assessment received 24/11/2024, shall be implemented and hereafter maintained in full as stated unless otherwise approved in writing by the local planning authority.

Reason - To safeguard all retained trees during development works.

17. COMPLIANCE REQUIRED: ECOLOGICAL APPRAISAL

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (James Blake Associates, November 2024) and the Precautionary method statement for the protection of Great Crested Newts

(James Blake Associates, February 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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 (as amended).

18. DISCHARGE REQUIRED: SUBMISSION OF A COPY OF EPS MITIGATION LICENCE OR EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION OR EARNED RECOGNITION CLASS LICENCE FOR BATS

Prior to the commencement of any works which will impact the breeding / resting place of bats, the local planning authority shall be 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 or Earned Recognition 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.

19. DISCHARGE REQUIRED: BIODIVERSITY ENHANCEMENT STRATEGY

Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (James Blake Associates, November 2024), shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

20. **DISCHARGE REQUIRED: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To 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 (as amended).

COMPLYING WITH YOUR CONDITIONS

The conditions listed above require you to either; submit additional details (Discharge Required), carry out something in accordance with plans/ documents already submitted with your planning application (Compliance Required), or they restrict your development (Restriction Imposed).

For 'Discharge Required' conditions you can submit the required details via our website: [Application for approval of details reserved by condition - Authority - Babergh and Mid Suffolk Self Service \(achieveservice.com\)](https://www.achieveservice.com)

For a phased development some conditions may be submitted in part in relation to a specific phase, but the phase must be specified when applying.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

- SP03 - The sustainable location of new development
- SP09 - Enhancement and Management of the Environment
- SP10 - Climate Change
- LP04 - Replacement Dwellings and Conversions
- LP16 - Biodiversity & Geodiversity
- LP17 - Landscape
- LP23 - Sustainable Construction and Design
- LP24 - Design and Residential Amenity
- LP27 - Flood risk and vulnerability

IMPORTANT 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. 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. **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. **BNG REQUIRED**

Biodiversity Gain Condition required

Based on the information available this permission is one which will require the approval of a biodiversity gain plan before development commences in accordance with paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. This is because none of the statutory exemptions apply.

You must comply with the statutory Biodiversity Gain Condition (see Biodiversity Gain Condition section of this decision notice).

BIODIVERSITY GAIN CONDITION

Please read the Important Notes section above which will confirm whether this development is required to deliver a minimum of 10% biodiversity net gain (BNG). If your development is exempt you do not need to read on, if it is required to deliver BNG please read the following:

In accordance with Schedule 7A (13) of The Town and Country Planning Act 1990 no development shall commence until:

- a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- b) the planning authority has approved the plan.

In order to formally submit the Biodiversity Gain Plan to Babergh District Council/ Mid Suffolk District Council please submit a Discharge of Conditions application.

It is recommended that you complete and submit the template on the following link as part of your Biodiversity Gain Plan: www.gov.uk/government/publications/biodiversity-gain-plan

A Biodiversity Gain Plan submission should include the following (where relevant):

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values
- b) Pre and post development plans drawn to an identified scale and showing the direction of north
- c) Legal agreement
- d) Commitment to deliver and maintain BNG for a minimum of 30 years from the date of completion of the development
- e) Habitat Management and Monitoring Plan (HMMP) in line with the HMMP template or HMMP checklist. The HMMP must be produced in line with any landscape plans and landscape management plans
- f) Compensation plan (if affecting irreplaceable habitats)
- g) BNG register reference numbers (if using off-site units)
- h) Proof of purchase (if buying statutory biodiversity credits)

If you are carrying out a phased development the following applies:

- a) A statement showing how the development will proceed in phases must be submitted alongside an Overall Biodiversity Gain Plan before any development can commence.
- b) No development can then commence within each specified phase until a [Phase Biodiversity Gain Plan](#) for that phase has been submitted and approved.

If you are looking for land to deliver off-site BNG it is recommended you contact the Council's Biodiversity Officer: biodiversity@baberghmidsuffolk.gov.uk

AMENDING YOUR PLANNING PERMISSION

Amendments to the plans or conditions imposed on your planning permission can be made by submitting an application for either a Non-Material Amendment under Section 96A of the Town and Country Planning Act 1990 (as amended), or a Material Amendment under Section 73 of the Town and Country Planning Act 1990 (as amended). The type of application required will be dependent on the level and scope of the amendments proposed.

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.

This relates to document reference: DC/24/05160

Signed: Philip Isbell

Dated: 23rd July 2025

Chief Planning Officer

COMMUNITY INFRASTRUCTURE LEVY

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. You are responsible for submitting the relevant CIL forms to our Infrastructure Team, telling them who will pay CIL and when the development will commence. However, you will receive a Liability Notice including the amount to be paid and what you must do. Please ensure the Infrastructure Team have your correct contact details. If you have any questions, please contact the Infrastructure Team direct on: infrastructure@baberghmidsuffolk.gov.uk or telephone 01449 724563.

Alternatively, you can find more information about CIL on our websites here: [CIL in Babergh](#) and [CIL in Mid Suffolk](#)

BUILDING CONTROL

The project may be subject to the requirements of the Building Regulations 2010. Advice and assistance can be obtained from our Building Control Team by visiting our websites here: [Building control in Babergh](#) and [Building control in Mid Suffolk](#)

Alternatively you can email the Building Control Team: building.control@baberghmidsuffolk.gov.uk or telephone 01449 724510. They will work with you offering competitive fee quotations and pre-application advice upon request.

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

*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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Telephone: (0300) 1234 000

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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.

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