

Forest Heath District Council

Application No: DC/13/0660/FUL

AGENT

Wai Man Cheung
51 Yarmouth Road
Norwich
Norfolk
NR7 0ET

APPLICANT

Bennett Plc
Low Green Barn
Nowton
Bury St Edmunds
Suffolk
IP29 5ND

Date Registered: 14 November 2013

Date of Decision: 24 October 2018

Town And Country Planning Act 1990 (as Amended)

Town & Country Planning (Development Management Procedure) (England) Order 2015

Proposal: Erection of 67 dwellings (including 20 affordable dwellings) together with public open space, as amended (Major Development and Departure from the Development Plan)

Location: Land Off, Briscoe Way, Lakenheath, Suffolk,

Permission is hereby **GRANTED** by the Council as Local Planning Authority for the purpose of the above Act and Orders for development in complete accordance with the approved plans, specifications and information contained in the application, and subject to compliance with the following condition(s):

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans:
 - 4342_051 Revision A - "Site Location Plan" (received 14 November 2013)
 - 4342_052 Revision U - "Proposed Site Plan" (received 31 July 2018)
 - 4342_053 Revision K - "Proposed Roof Plan" (received 12 January 2018)

- 4342_060 Revision B - "Haughley & Ixworth Proposed Plans and Elevations" (received 7 July 2016)
- 4342_61 Revision E - "Finchley & Henley Proposed Plans and Elevations" (received 1 February 2017)
- 4342_62 Revision D - "Walsingham & Oulton Proposed Plans and Elevations" (received 7 July 2016)
- 4342_063 Revision C - "Harpley & Glemsford Proposed Plans and Elevations" (received 7 July 2016)
- 4342_064 Revision B - "Boston & Lincoln Proposed Plans and Elevations" (received 7 July 2016)
- 4342_65 Revision D - "Sandringham & Ellingham Proposed Plans and Elevations" (received 7 July 2016)
- 4342_066 Revision A - "Garages & Conservatories Proposed Plans and Elevations" (received 18 November 2013)
- 4342_067 Revision B - "Affordable Housing Floor Plans" (received 24th April 2014)
- 4342_068 Revision B - "Affordable Housing Elevations" (received 24th April 2014)

Reason: To define the scope and extent of this permission.

- 3 The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plans and drawings.

Reason: To ensure that the external appearance of the development is satisfactory and for the avoidance of doubt as to what has been considered and approved.

- 4 Before the development is first occupied details of the areas to be provided for storage of Refuse/Recycling bins together with a timetable for the provision of the areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the bin storage/collection areas and secure cycle storage areas shall be provided fully in accordance with the approved details and timetable.

Reason: To ensure the incorporation of appropriate waste storage and recycling arrangements for the dwellings and flats in the interests of visual and residential amenity, in accordance with the NPPF and policies DM2 and DM22 of the Joint Development Management Policies Document.

- 5 No works to construct access roads to development shall commence until details of the locations and proposed arrangements for future management and maintenance of the public open spaces and other 'public realm' spaces (excluding any land to be adopted by the Highway Authority as highway land and any land forming the curtilage of a dwelling or flat) within the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the public open spaces and other public realm

spaces shall be maintained in accordance with the approved plan and the approved management and maintenance details.

Reason: To ensure satisfactory development of the site and to ensure all public spaces are managed and maintained thereafter to a suitable and standard.

- 6 No works of construction above slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: hard surfacing materials; means of enclosure; proposed finished levels or contours; minor artefacts and structures (e.g. street furniture, signs, lighting, childrens play equipment etc.). Soft landscaping shall include: planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of planting, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

Reason: To enhance the appearance of the development in accordance with the NPPF, policy CS5 of the Core Strategy and policies DM2, DM13 and DM22 of the Joint Development Management Policies document.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved details and thereafter retained. The works shall be carried out within the first planting season November/March following the commencement of work on site. If within a period of FIVE YEARS from the date of planting, any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the local planning authority, seriously damaged or defective] another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enhance the appearance of the development in accordance with the NPPF, policy CS5 of the Core Strategy and policies DM2 and DM22 of the Joint Development Management Policies document.

- 8 Prior to commencement of development an arboricultural statement that shall include a scheme for the protection during construction of the trees/hedgerow on or immediately adjacent to the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees/hedgerows, including the type/s and positions of these. The protective measures contained with the scheme shall be implemented prior to the commencement

of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area and minimise potential harm to protected species, in accordance with the policies of the National Framework, policies DM2, DM11, DM12, DM13 and DM22 of the West Suffolk Joint Development Management Policies Document 2015, and policies CS2 and CS5 of the Core Strategy (2010). This information is required in advance of the commencement of development to ensure the development is carried out in accordance with the recommendations of the report from the outset of development, including construction.

- 9 Prior to commencement of development a written Ecological Protection and Enhancement Strategy shall be submitted to the Local Planning Authority for approval in writing. The written strategy shall demonstrate either i) how all precautionary and enhancement methods for biodiversity at the application site as set out at chapters 5 and 6 of the 'Phase 1 Habitat Survey' (JB Consultancy Services Ltd - March 2013) will be implemented as part of the construction of the scheme or ii) suitable alternative recommendations. Thereafter, the approved strategy shall be fully implemented and/or adhered to in accordance with a timetable and/or trigger points agreed as part of the written strategy.

Reasons: In order to protect and/or enhance biodiversity interests at the site from the potentially adverse impacts of development in accordance with policy CS2 of the Core Strategy (2010) and policies DM2, DM10, DM11 and DM12 of the Joint Development Management Policies Document (2015). This information is required in advance of the commencement of development to ensure the development is carried out in accordance with the recommendations of the report from the outset of development, including construction.

- 10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i). the parking, and manoeuvring of vehicles of site operatives and visitors,

- ii). loading and unloading of plant and materials (including deliveries),
- iii). a deliveries management plan (to include routing of delivery vehicles and measures for resolving complaints),
- iv). storage of plant and materials used in constructing the development (including any site office/s),
- v). wheel washing facilities,
- vi). measures to control the emission of dust and dirt during construction,
- vii). a scheme for recycling/disposing of waste resulting from construction works,
- viii) hours of operation for construction activities, including operation of generators, traffic movements for deliveries and waste disposal,
- ix) lighting scheme, if any, for the construction site and any compounds,
- x) surface water management plan detailing how surface water and storm water will be managed on the site during construction.

Reason: To ensure the satisfactory development of the site, to protect the amenity of occupiers of dwellings adjacent to the site from noise and disturbance and to protect the amenity of users of the Public Right of Way in accordance with the NPPF and policy DM2 of the Joint Development Management Policies Document (2015). These details are required prior to the commencement of development in order to ensure that appropriate measures are in place at the outset of the development.

- 11 No part of the development shall be commenced until details of the proposed vehicular access from Briscoe Way into the development site (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form.

Reason (and reason for the 'pre-commencement' requirement): To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety, in accordance with the NPPF and policy DM2 of the Joint Development Management Policies Document (2015).

- 12 Prior to the Development hereby permitted being first occupied, the vehicular access onto the carriageway shall be properly surfaced with a bound material

for a minimum distance of 15m metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety, in accordance with the NPPF and policy DM2 of the Joint Development Management Policies Document (2015).

- 13 Before the vehicular access is first used details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway in the interests of highway safety, in accordance with the NPPF and policy DM2 of the Joint Development Management Policies Document (2015).

- 14 No development above slab level shall be commenced until, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, street lighting and means of surface water drainage), have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard and that satisfactory access is provided for the safety of residents and the public, in accordance with the NPPF and policy DM2 of the Joint Development Management Policies Document (2015).

- 15 Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised travel planning and a multi-modal travel voucher.

Reason: In the interests of sustainable development as set out in the NPPF, Policy CS12 of the Forest Heath Core Strategy and policies DM2 and DM45 of the Joint Development Management Policies document (2015).

- 16 Before the development is first occupied details of the areas to be provided for secure cycle storage for each dwelling and flat shall be submitted to and

approved in writing by the Local Planning Authority. None of the flats and dwellings shall be occupied until the secure cycle storage for that flat or dwelling has been provided. Thereafter, those areas shall be retained and used for no other purposes.

Reason: To ensure the provision of adequate on-site space for the secure cycle storage in the interests of promoting sustainable travel, in accordance with the NPPF, policy CS12 of the Forest Heath Core Strategy (2010) and policies DM2 and DM45 of the Joint Development Management Policies document (2015).

- 17 No dwellings hereby permitted shall be occupied until the proposed junction improvements, which will include traffic signal control of the junction being introduced, at the B1112 junction with Eriswell Road at Spark's Farm, generally as shown on AECOM drawing reference: 60445024-002-SKE-0001 Rev D have all been completed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of road safety, traffic capacity and accessibility to a key service centre, in accordance with policies DM2 and DM22 of the Joint Development Management Policies Document (2015).

- 18 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), and in accordance with Policy DM14 of the Joint Development Management Policy.

- 19 No works of construction above slab level shall take place until a plan indicating the positions, design, materials and type of boundary treatment/screening to be erected at the site has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment/screening shall be completed prior to the first occupation of the dwelling to which it relates or otherwise in accordance with a timetable that has previously been agreed in writing with the Local Planning Authority. Development shall be carried out in its entirety in accordance with

the approved details.

Reason: To ensure the satisfactory development of the site in a manner that is compatible with the locality in accordance with the NPPF, policy CS5 of the Core Strategy and policies DM2 and DM22 of the Joint Development Management Policies document.

- 20 A. No construction for any dwelling shall commence until details in respect of each of the following has been submitted to and approved in writing by the Local Planning Authority:

i) Details of the development that demonstrate that for each unoccupied dwelling and its associated sound insulation that noise levels with windows closed shall not exceed a daytime level of 35 Db (16hrs) within living rooms between 07.00 and 23.00 hours, and a night-time level of 30 Db laEQ (8hrs) within bedrooms between 23.00 and 07.00 hours, using the methodology advocated within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' (2014). The development shall adopt the proposed sound insulation measures as stated, and;

ii) Details of a measurement and assessment methodology for demonstrating compliance with the limits set in condition 1) i), including the identification of specific properties where monitoring shall take place. This methodology shall include measurements within more than one dwelling.

B. Prior to first occupation, a suitable qualified noise specialist shall demonstrate compliance with the noise criteria detailed in condition A) i) (above) using the measurement and assessment methodology as advocated in condition A) ii) (above) and during periods of normal flying operations at RAF Lakenheath and RAF Mildenhall. The findings of the compliance assessment shall be submitted to and approved in writing by the Local Planning Authority to occupation of the dwellings.

Reason: To protect the amenities of the internal spaces of the approved dwellings and flats from the potentially adverse effects of noise from passing military aircraft, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, and the National Planning Policy Framework.

- 21 Each dwelling or flat proposed with dedicated off street parking shall be provided with an opportunity to connect to an electric vehicle charge point prior to its first occupation. Details of the electric vehicle charge equipment other related infrastructure to be installed at the site shall have first been agreed in writing with the Local Planning Authority. All charge points or other charging infrastructure shall be provided within at least 2.0 metres of the associated designated parking space and shall be installed prior to the occupation of the dwelling or flat to which it relates.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the National Planning Policy Framework (NPPF) and Policy DM2 (k) of the Joint Development Management Policies Document.

- 22 No individual dwelling hereby approved shall be occupied until the optional requirement for wholesome water consumption (110 litres use per person per day) in Part G2 Regulation 36 of the Building Regulations 2016 has been complied with for that dwelling.

Reason: To ensure that reasonable provision is made by the installation of fittings and fixed appliances that use water efficiently for the prevention of undue consumption of water in accordance with the Building Regulations (2016) and in accordance with Policy DM7 of the Joint Development Management Policies Document (2015).

- 23 No dwelling shall be occupied until a scheme for the provision of fire hydrants within the application site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for fire fighting/community safety, in accordance with policies DM2 and DM22 of the Joint Development Management Policies Document (2015).

- 24 No development shall be commenced until a timetable for the full implementation of the hereby approved strategy for the disposal of surface water (dated 1-2-17, ref: 1195/DRA/10 Rev B) and the Flood Risk Assessment (FRA) (dated 22-09-16, ref: 1195/NMT/FRA Addendum/09-16) has been submitted to and agreed in writing by the local planning authority. The drainage strategy shall thereafter be provided in accordance with the approved timetable and thereafter managed and maintained in accordance with the approved strategy.

Reason (and reason for the 'pre-commencement' requirement': To ensure that the principles of sustainable drainage are incorporated into this proposal at the appropriate time and that the proposed development can be adequately drained.

- 25 The dwellings and flats hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register

The Following policies are considered relevant to the current decision:

Core Strategy Policy CS1 - Spatial Strategy
Core Strategy Policy CS2 - Natural Environment
Core Strategy Policy CS3 - Landscape character and the historic environment
Core Strategy Policy CS4 - Reduce emissions, mitigate and adapt to future climate change
Core Strategy Policy CS5 - Design quality and local distinctiveness
Core Strategy Policy CS6 - Sustainable economic and tourism development
Core Strategy Policy CS7 - Overall housing provision
Core Strategy Policy CS9 - Affordable Housing Provision
Core Strategy Policy CS10 - Sustainable rural communities
Core Strategy Policy CS13 - Infrastructure and developer contributions

Development Management Policy DM1 Presumption in Favour of Sustainable Development
Development Management Policy DM2 Creating Places Development Principles and Local Distinctiveness
Development Management Policy DM5 Development in the Countryside
Development Management Policy DM6 Flooding and Sustainable Drainage
Development Management Policy DM7 Sustainable Design and Construction
Development Management Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
Development Management Policy DM11 Protected Species
Development Management Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
Development Management Policy DM13 Landscape Features
Development Management Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
Development Management Policy DM17 Conservation Areas
Development Management Policy DM20 Archaeology
Development Management Policy DM22 Residential Design
Development Management Policy DM27 Housing in the Countryside
Development Management Policy DM42 Open Space, Sport and Recreation Facilities
Development Management Policy DM44 Rights of Way
Development Management Policy DM45 Transport Assessments and Travel Plans
Development Management Policy DM46 Parking Standards

Forest Heath Local Plan 1995 - IPRL 14.1 Implementation

Informatives:

- 1 Any failure to adhere to approved plans or to comply with any conditions or limitation attached to this permission/consent may lead to enforcement action being taken. This permission may be invalidated if conditions requiring compliance before commencement are not complied with.
- 2 The project may be subject to the requirements of the Building regulations 2010. Advice and assistance can be obtained from our Building Control Team on 01284 757387 or building.control@westsuffolk.gov.uk. They will work with you offering competitive fee quotations and pre-application advice upon request.
- 3 This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or registration other than the Town and Country Planning Act 1990 or under any covenant.
- 4 The development hereby approved should be built in accordance with the approved plans as a further planning permission will be required where material alterations or revisions are proposed to an approved scheme. An application for non-material changes to the planning permission can be submitted in writing to the Local Planning Authority under Section 96A(4) of the Town and Country Planning Act 1990. A specific form will be required for that purpose and these are available via the Planning Portal or they can be downloaded from the council's website at www.westsuffolk.gov.uk. A fee of £34 for a householder application or £234 for all other applications will be required in order to register the application.
- 5 The applicant, developer and future occupiers of the dwellings approved by this planning permission are informed that they will from time to time see and hear military aircraft operating from RAF Lakenheath and RAF Mildenhall when constructing and occupying their properties.
- 6 Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- 7 The responsibility for the safe development and secure occupancy of the site rests with the developer. If contamination is found on the site that was not previously identified, the Council's Environmental Health Department should be contacted as a matter of urgency to discuss the situation.
- 8 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case amendments were secured to the material accompanying the planning application and further information was received with regard to the potential impacts of and to the development. Furthermore an agreement under S106

of the 1990 Planning Act has been completed which secures a package of mitigation measures such that the Local Planning Authority was able to grant planning permission.

- 9 This permission is the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991.
- 10 In accordance with the Regulation 11D of the Town and Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2008, a fee will be charged for each request for the discharge of a condition(s) attached to this planning permission. The fee will need to be submitted with each request.
- 11 Access to buildings for fire appliances and firefighters must meet with the requirements specified in the Building Regulations Approved Document B (Fire Safety), 2006 Edition incorporating 2010 and 2013 amendments. Volume 1 Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Section 16 and 17, in the case of buildings other than dwellinghouses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.
- 12 Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.
- 13 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's West Area Manager must be contacted on Tel: 0345 606 6171. For further information go to: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/ 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.
- 14 The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and

subsequent adoption of Estate Roads. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. 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.

- 15 The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant/developer will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.
- 16 To reduce fire hazards, as identified in the Housing Act 2004, Housing Health And Safety Rating System there should be adequate, appropriate and safe means of escape in case of fire from all parts of the dwelling. With 65% of all domestic fires occurring in the kitchen this room should not form part of the means of escape.
- 17 Suffolk County Council recommends that all development is equipped with high speed broadband (fibre optic). This facilitates home working which has associated benefits for the transport network and also contributes to social inclusion. Direct access from a new development to the nearest British Telecommunications exchange is likely to be required (not just tacking new provision on the end of the nearest line). This will bring the fibre optic closer to the home which will enable faster broadband speed.
- 18 Discussions should be held with the local highway authority at Suffolk County Council regarding adoption of soakaway crates underneath internal estate roads - if the estate roads are to be offered for adoption under s.38 application.
- 19 Anglian Water Services (AWS) has advised it has assets close to or crossing this site or there are assets subject to an adoption agreement. AWS advises the site layout should take this into account and accommodate those assets

within either prospectively adoptable highways or public open space. AWS go on to advise that if this is not practicable and under s185 of the Water Industry Act 1991, the sewers will need to be diverted at the developers cost or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence."

- 20 Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

David Collinson

David Collinson
Assistant Director - Planning & Regulatory Services

Date: 24 October 2018

Forest Heath District Council

NOTES

- 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/model-notification-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 practise 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.