



Miss Danielle Shaw
GC Planning Partnership Ltd
GC Planning Partnership Ltd
Bedford I-Lab Priory Business Park
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MK44 3RZ

Planning Permission

Town and Country Planning Act 1990

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Our reference	DC/20/5019/FUL
Date valid	8 December 2020
Site	Land Opposite The Village Hall To The West Of The B1116 , Framlingham Road, Dennington
Parish	Dennington
Proposal	Site a 'Mock-barn' Style Building for Use as a Nursery School and Day Care Facility [Use Class E(f)] for Provision of the Relocation of Badingham Playschool

Permission is hereby **granted** by East Suffolk Council as local planning authority for the purposes of the Town and Country Planning Act 1990, for development in complete accordance with the application shown above, the plan(s) and information contained in the application, and subject to compliance with the following conditions as set out below. Your further attention is drawn to any informatives that may have been included.

In determining the application, the council has given due weight to all material planning considerations including policies within the development plan as follows:

National Planning Policy Framework 2019

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.5 - Economic Development in Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.7 - Archaeology (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

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2. The development hereby permitted shall not be carried out other than in complete accordance with Drawing No's BPS/238/A1/05C, BPS/238/A1/04B, BPS/238/A1/01B and the Landscape Plan (August 2020) received 08/12/2020.
Reason: For avoidance of doubt as to what has been considered and approved.
3. No development shall commence until details of the roof, wall materials and finishes to be used have been submitted to and approved by the local planning authority.
Reason: To ensure satisfactory appearance of the development in the interests of visual amenity.
4. Prior to the installation of any fenestration of the hereby approved development, details of materials, finishes, method of opening, glazing and colour of all new or replacement windows, roof lights and doors and their surrounds to be installed shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved.
Reason: To ensure satisfactory appearance of the development in the interests of visual amenity.
5. Within 3 month(s) of commencement of development, precise details of a scheme of hard landscape works (which shall include boundary treatment (proposed fencing), driveway construction, parking areas, patios, hard surfaces etc, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.
Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.
6. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.
Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.
7. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (PEA) (Greenlight Environmental, August 2020) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.
Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.
8. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is

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cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

9. Prior to any above ground works taking place, a "lighting design strategy for biodiversity" for the development 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 biodiversity likely to be impacted by lighting 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 (through the provision of appropriate lighting contour plans and technical specifications) 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 strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

10. No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. Thereafter the access shall be retained in its approved form. Reason: 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.

11. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number BPS/238/A1/05 C Rev. C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

12. The use shall not commence until the area(s) within the site on dwg. no. BPS/238/A1/05 C Rev. C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

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13. Before the access is first used visibility splays shall be provided as shown on Drawing No. BPS/238/A1/05 c Rev. C 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 over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.
14. The working hours in connection with the use/buildings hereby permitted, shall not be other than between 08:00am and 18:00pm Monday to Friday; and no work shall be carried out on Saturdays, Sundays, or Bank Holidays, or outside the specified hours, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of amenity and the protection of the local environment.
15. No more than 50 children shall attend the nursery school/day care facility during any morning or afternoon session unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interests of the protection of the residential amenity of the surrounding area and in the interests of highway safety.
16. The premises herein referred to, shall be used as a nursery school/day care and for no other purpose (including any other purpose in Class E(f) of the Schedule to the Town and Country Planning [Use Classes] Order 2020 or any Order revoking and re-enacting that Order with or without modification).
Reason: In order that the Local Planning Authority may retain control over this development/site in the interests of amenity and the protection of the local environment.
17. Prior to the installation of air source heat pumps, air conditioning, extract ventilation, refrigeration or any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property shall be submitted to the Local Planning Authority and only approved plant shall be installed and retained in the approved from thereafter.
Reason: In the interests of residential amenity and protection of the local environment.
18. No mezzanine, entresol or additional floors shall be inserted within the hereby permitted building, except pursuant to the grant of planning permission on an application made in that regard.
Reason: To prevent intensification of use that may result in detrimental impact on nearby residential amenity and highways safety due to potential increase in traffic.
19. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority: a) A desk study and site

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reconnaissance, including: - a detailed appraisal of the history of the site; - an inspection and assessment of current site conditions; - an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site; - a conceptual site model indicating sources, pathways and receptors; and - a preliminary assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed). b) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including: - the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy; - an explanation and justification for the analytical strategy; - a revised conceptual site model; and - a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed). All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS 10175:2011+A1:2013 and CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to: - details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures; - an explanation, including justification, for the selection of the proposed remediation methodology(ies); - proposed remediation objectives and remediation criteria; and - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring. The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

21. Prior to any occupation or use of the approved development the RMS approved under condition 20 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

22. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to: - results of sampling and monitoring carried out to demonstrate that the site

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remediation criteria have been met; - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

23. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety. An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

24. Prior to the first use, a Noise Management Plan (NMP) shall be submitted to the local planning authority for approval. The NMP shall set out controls to minimise noise from outdoor play, and from vehicles associated with drop-off and pick-up, and include procedures for recording and dealing with any noise complaints that may arise.

Reason: In the interests of residential amenity and protection of the local environment.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning

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Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. The applicant is advised that the proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
3. 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's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: 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.

4. The construction of the access appears to affect a drainage ditch along the boundary of the site which may require Land Drainage Consent from Suffolk County Council. The applicant is advised to contact Suffolk County Council's Flood and Water Management Team prior to commencing works for the access.

Yours sincerely,



Philip Ridley BSc (Hons) MRTPI | Head of Planning & Coastal Management
East Suffolk Council

Date: 5 May 2021

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Please read notes below

Note

Most work, including change of use, has to comply with Building Regulations. Have you made an application or given notice before work is commenced?

Town and Country Planning Act 1990

Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Planning applications: Sections 78 Town & 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 & 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 an enforcement notice has been/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 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

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- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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