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Planning Permission

Town and Country Planning Act 1990

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

Our reference	DC/24/0333/VOC
Date valid	30 January 2024
Site	Land East Of, Abbey Road, Leiston
Parish	Leiston Cum Sizewell
Proposal	Variation of Conditions 1, 16, 18, 20, 32, 33, 37, 38, 39, 41, 42 and 44 of DC/20/5181/OUT - Condition 1 (Requirement for submission of reserved matters) Condition 16 (Highways and Drainage) Condition 18 (Highways) Condition 20 (Refuse and Recycling) Condition 32 (Trees) Condition 33 (Construction Method Statement) Condition 37 (Ecology - Lighting Strategy) Condition 38 (Ecology - Reptile Mitigation) Condition 39 (Construction Environmental Management Plan) Condition 41 (Landscape Environmental Management Plan) Condition 42 (Ecological Enhancement Strategy) Condition 44 (Timing of Residential Occupation) Conditions(s) Removal: Please see accompanying Planning Statement

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

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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:

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

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

SCLP4.2 - New Employment Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

PL1 - Leiston Town Physical Limits Boundary (Leiston Neighbourhood Plan - 'Made' March 2017)

SA4 - Land at Abbey Road (Leiston Neighbourhood Plan - 'Made' March 2017)

National Planning Policy Framework 2023

Conditions:

1. This permission is an Outline Planning Permission issued in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015 and before work on the development is begun on any phase, approval of the following details [herein called the "reserved matters"], shall be obtained from the local planning authority:-
[i] appearance;
[ii] landscaping;
[iii] layout; and
[iv] scale.

Reason: As provided for in The Town and Country Planning (Development Management Procedure) (England) Order 2015 no such details having been given in the application.

2. Application for approval of reserved matters shall be made not later than the expiration of three years from 13th February 2023 (the date of DC/20/5181/OUT).

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990.

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3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: This condition is imposed in accordance with Section 92 of the Town and Country Planning Act 1990 (as amended).

4. 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:
 - 1) A desk study and site reconnaissance, including:
 - o a detailed appraisal of the history of the site;
 - o an inspection and assessment of current site conditions;
 - o an assessment of the potential types, quantities and locations of hazardous materials and contaminants considered to potentially exist on site;
 - o a conceptual site model indicating sources, pathways and receptors; and
 - o 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).
 - 2) Where deemed necessary following the desk study and site reconnaissance an intrusive investigation(s), including:
 - o the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
 - o explanation and justification for the analytical strategy;
 - o a revised conceptual site model; and
 - o 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 to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and Land Contamination Risk Management.

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.

5. 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:
 - o details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - o an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - o proposed remediation objectives and remediation criteria; and

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o 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 BS8485:2015+A1:2019 and Land Contamination Risk Management.

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.

6. Prior to any occupation or use of the approved development the RMS approved under condition 5 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.

7. 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:

o results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;

o evidence that the RMS approved under condition 5 has been carried out competently, effectively and in its entirety; and

o 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.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

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.

8. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan, a final report demonstrating that all long-term

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remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of the water environment (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 170 and 178), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2018). National Planning Policy Framework (NPPF) paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 178).

9. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Infiltration through contaminated land has the potential to impact on groundwater quality.

10. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

11. 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.

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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 BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) 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.

12. No development shall take place within the site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
- a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording
 - d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e. Provision to be made for archive deposition of the analysis and records of the site investigation
 - f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: This site lies immediately to the west of significant cropmarks which are associated with multi-period findspots and a Bronze Age funerary site. There is high potential for surviving archaeological remains on the eastern side of the site in particular. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist. Archaeological investigatory and assessment work is required in order to record and advance understanding of the

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significance of any heritage asset before it is damaged or destroyed and is in accordance with the National Planning Policy Framework (Paragraph 141).

13. No dwelling shall be occupied until the archaeological site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 12 and the provision made for analysis, publication and dissemination of results and archive deposition (unless otherwise agreed in writing by the local planning authority) .

Reason: This site lies immediately to the west of significant cropmarks which are associated with multi-period findspots and a Bronze Age funerary site. There is high potential for surviving archaeological remains on the eastern side of the site in particular. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist. Archaeological investigatory and assessment work is required in order to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed and is in accordance with the National Planning Policy Framework (Paragraph 141).

14. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 64045-TA-003 Rev E and made available for use prior to occupation. Thereafter the access shall be retained in the specified 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.

15. No part of the development shall be commenced until details of the proposed footway improvements and pedestrian crossing scheme (indicatively shown on Drawing No. 64045-TA-003 Rev E plus footway widening on the western side of Abbey Road in a southerly direction to the existing level crossing where feasible) have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

16. Before the development in each phase is commenced, details of the all roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

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17. 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 satisfactory access is provided for the safety of residents and the public.

18. Before the development in each phase is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage and 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 and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with Suffolk Guidance for Parking (2019) where on-street parking and manoeuvring would be detrimental to highway safety.

19. Before the access is first used visibility splays shall be provided as shown on Drawing No. 64045-TA-003 Rev E with an X dimension of 2.4m and a Y dimensions of 90m and 70m 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 access would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

20. Before the development in each phase is commenced details of the areas to be provided for storage of Refuse/Recycling bins 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 for no other purpose.

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

21. Prior to the occupation of any dwelling details of the travel arrangements to and from the site for residents of the dwellings, in the form of a Travel Plan shall be submitted for the approval in writing by the local planning authority in consultation with the highway authority. This Travel Plan should be based on the current national Travel Plan guidance and also contain the following:
- o Baseline travel data based upon the information provided in the submitted Transport Assessment, with suitable measures, objectives and targets to reduce the vehicular trips

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made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.

- o Appointment of a Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.

- o A suitable approach to monitoring the vehicular trips generated by residents in accordance with the Suffolk Travel Plan Guidance.

- o A suitable approach to monitoring the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan, or as agreed with the local planning authority in consultation with the highway authority, to be submitted to and approved in writing by the local planning authority for a minimum of five years after the occupation of the 100th dwelling (or last dwelling if the Reserved matters approves a lesser number) using the same methodology as the baseline monitoring.

- o A suitable marketing strategy to ensure that all residents on the site are engaged in the Travel Plan process.

- o An indicative Travel Plan budget that demonstrates that the Travel Plan will be suitably funded.

- o A copy of a resident's travel pack that includes a multi-modal voucher to incentivise residents to use sustainable travel in the local area.

No dwelling within the site shall be occupied until the Travel Plan has been agreed. The approved Travel Plan measures shall be implemented in accordance with a timetable that shall be included in the Travel Plan and shall thereafter adhered to in accordance with the approved Travel Plan unless otherwise agreed in writing by the local planning authority in consultation with the highway authority.

Reason: In the interest of sustainable development as set out in the NPPF, and policy SCLP7.1.

22. The first 10m of the access and access road shall be laid out and completed to at least base course level and visibility splays shall be provided, in accordance with Drawing No. 64045-TA-003 Rev E before commencement of any other part of the development. It shall be fully completed in accordance with Drawing No. 64045-TA-003 Rev E prior to first occupation or first use of not more than 40 residential units or the restaurant/public house element of the development and thereafter it shall be retained in its approved form.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out at an appropriate time within the construction and occupation phases and to avoid multiple accesses which would be detrimental to highway safety.

23. All extract ventilation to be installed in the restaurant/public house shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details of -
- i) The proposed filtration plant;
 - ii) Its ducted route through the building, and
 - iii) Its final discharge point 1 metre above roof level;

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Shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be retained and maintained in the approved form thereafter.

Reason: In order to avoid adverse impacts to nearby residential receptors.

24. No fixed plant and/or machinery shall come into operation on/within any of the commercial units or the restaurant/public house until details of the fixed plant and machinery serving the relevant part of the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from fixed plant equipment at the site shall not exceed 35dBA at any time at noise sensitive receptors. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises (existing or proposed). The measurements and assessment shall be made according to BS 4142:2014+A1:2019.

Reason: In order to avoid adverse impacts to nearby residential receptors.

25. Deliveries to, and collections from the commercial premises and public house/restaurant when operational shall only take place between the following hours:
Monday to Friday 07:00 until 18:00 hours
Saturday 08:00 until 13:00 hours
Sunday and Bank Holidays none

Reason: In order to avoid adverse impacts to nearby residential receptors.

26. Prior to construction of the residential dwellings, a sound attenuation scheme aimed at protecting the proposed residential properties and associated external amenity areas from road traffic noise shall be submitted to the Local Planning Authority. Only an approved scheme shall be implemented and retained thereafter. The internal and external noise levels must achieve standards as per BS8233:2014 and listed below, the assessment should also be undertaken in accordance with the guidance within the ProPG: Planning & Noise document (May 2017) and therefore demonstrate good acoustic design in both the site layout and noise mitigation required:
- i) Daytime noise levels for indoor living spaces of 35dB LAeq,16hour (between the hours of 07:00 and 23:00)
 - ii) Daytime noise levels for external amenity spaces (gardens) of 50dB LAeq,16hour (between the hours of 07:00 and 23:00)
 - iii) Night-time noise levels for bedrooms of 30dB LAeq,8hour and 45 dB LAfmax (between the hours of 23:00 and 07:00)

Reason: On the interest of residential amenity.

27. Prior to construction of the residential dwellings, a sound attenuation scheme aimed at protecting the proposed residential properties and associated external amenity areas from noise arising from the industrial use to the southern boundary of the development site shall be submitted to the Local Planning Authority. Only an approved noise mitigation scheme

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shall be implemented and retained thereafter. The assessment of noise leading to the specification of the final noise mitigation measures shall be undertaken in accordance with BS 4142:2014+A1:2019.

Reason: In the interests of residential amenity.

28. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:
- a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
 - c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
 - d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
 - e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
 - g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
 - h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority.

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does

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not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

29. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-riskasset-register/>

30. The approved scheme of landscaping in respect of each phase of the development shall be implemented not later than the first planting season following implementation of the phase to which it relates (or within a specific time scale agreed in writing with the local planning authority). Any plant material covered by the approved scheme shall be retained and maintained and any removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season.

Reason: To ensure implementation of the landscaping scheme at an appropriate time in the interest of visual amenity.

31. None of the trees or hedges on the site shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow; and to maintain their ecological and amenity value.

32. In each phase, no development shall commence or any materials, plant or machinery be brought on to the site until fencing to protect all trees and hedgerow(s), which shall be retained on plan agreed at RM stage, have been fully installed. The protective fencing shall

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comply with BS.5837, and shown to be erected 1 metre beyond the canopy spread of the trees and hedgerow(s) unless otherwise agreed in writing by the local planning authority. At no time during the development shall there be any materials, plant or equipment stored, or building or excavation works of any kind undertaken, beneath the canopies of the trees and hedges. All fencing shall be retained and maintained on each phase until the development is complete.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

33. No development shall commence on each phase, 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:
- a. The proposed route for access to the site by plant, operatives and delivery vehicles;
 - b. Loading and unloading of plant and materials;
 - c. Storage of plant and materials used in the construction of the development;
 - d. Materials/plant delivery times;
 - e. Construction times;
 - f. Parking for construction workers and visitors;
 - g. Wheel washing facilities; measures to control the emission of dust and dirt during construction;
 - h. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of amenity, highway safety and the protection of the local environment.

34. Prior to the construction of the residential dwellings details of fire hydrant provision shall have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full before the development is first occupied.

Reason: In the interest of public safety.

35. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecological Appraisal (Mill House Ecology, September 2015) and the Ecology Addendum (MHE Consulting, December 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.

36. 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 cleared and provided

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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.

37. Commensurate with the first Reserved Matters application for each phase, a "lighting design strategy for biodiversity" for the site 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.

38. No development shall take place (including any demolition, ground works, site clearance (including vegetation)) on any phase until a method statement for reptile mitigation has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:
- a) purpose and objectives for the proposed works;
 - b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
 - c) extent and location of proposed works shown on appropriate scale maps and plans;
 - d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
 - e) persons responsible for implementing the works;
 - f) initial aftercare and long-term maintenance (where relevant);
 - g) disposal of any wastes arising from works.
- The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure that ecological receptors are adequately protected as part of the development.

39. No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP:

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Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure that ecological receptors are adequately protected as part of the development.

40. Any works (including site clearance) which will impact on a bat roost 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 The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

41. Commensurate with the first Reserved Matters application in each phase, a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the

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development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

42. Commensurate with the first Reserved Matters application in each phase, an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

43. Reserved Matters applications should be accompanied by up to date ecological survey and assessment information including a review of the approved ecological measures secured through Condition 37. Where necessary, amended and updated mitigation measures should be identified. The updated ecological surveys should i) establish if there have been any changes in the presence and/or abundance of protected or UK Priority habitats or species on the site and ii) identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

44. Before occupation of no more than 50% of the dwellings consented at RM stage, all roads, site levelling, access points off the road and services necessary to serve the commercial land (as shown on plan LV174-PHA-001) shall be delivered and made available.

Reason: To benefit the provision of the commercial floorspace, as required within policy SA4 of the Leiston Neighbourhood Plan 2017.

45. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development Order) 2015 (as amended) and the provisions of the Town and Country Planning [Use Classes] Order 1987 (as amended) (or any Order revoking or re enacting the said Order), the employment floorspace referred to, shall be used for Light Industrial processes; Research and Development of products and processes; or Offices, as defined by (Class E.g - i, ii and iii) and for no other purpose.

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Reason: In order that the local planning authority may retain control over this development to meet the requirements of the Neighbourhood Plan and to preserve local amenity.

46. Development shall take place broadly in accordance with Phasing Plan (drawing LV174-PHA 001), or such other versions as may be approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt over what has been considered and approved.

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 Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. The S106 Agreement signed under DC/20/5181/OUT must be fully complied with as part of the implementation of this s73 application.

Yours sincerely,

AMcMillan BWoolnough

Andrea McMillan MRTPI and Ben Woolnough MRTPI | Interim Joint Heads of Planning
East Suffolk Council

Date: 30 April 2024

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Please note the content of the following pages in respect of the community infrastructure levy which may affect your development, Building Regulations and appeals against decisions.

Community Infrastructure Levy

East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended). For more information and CIL forms please see:

[About the Community Infrastructure Levy | Community Infrastructure Levy | Planning Portal](#)

[Community Infrastructure Levy \(CIL\) » East Suffolk Council](#)

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, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsoffolk.gov.uk

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

Building Regulations

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

Appeals to the Secretary of State

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

- 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;
Planning applications: Section 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.

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- 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/appeal-planning-decision> (Full planning application)
<https://www.gov.uk/appeal-householder-planning-decision> (Householder)
<https://www.gov.uk/planning-inspectorate> (All other)
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.
- 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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