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Sustainable Communities

Mid Suffolk District Council  
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Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## APPROVAL OF RESERVED MATTERS

TOWN AND COUNTRY PLANNING ACT 1990  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)  
ORDER 2015

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### Correspondence Address:

Bloor Homes & Sir George Agnew  
Bloor Homes Eastern  
Marauder House  
Skyliner Way  
Bury St Edmunds  
IP32 7YA

### Applicant:

Bloor Homes & Sir George Agnew  
Bloor Homes Eastern  
Marauder House  
Skyliner Way  
Bury St Edmunds  
IP32 7YA

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**Date Application Received:** 23-Dec-20

**Application Reference:** DC/20/05894

**Date Registered:** 24-Dec-20

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### Proposal & Location of Development:

Submission of Details (Reserved Matters) for Outline Planning Permission DC/19/03486. Layout, Scale, Appearance and Landscaping to be considered for the construction of 210no dwellings, public open space, play area, sustainable drainage features and associated infrastructure including foul sewerage pumping station.

Land South West Of, Beyton Road, Thurston, Suffolk

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### Section A – Plans & Documents:

This decision refers to drawing no./entitled EA128-Site Location Plan-Main-201026\_19\_2012\_SLP\_01 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Please refer to attached All Documents and Drawings Schedule (21/6/23)

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### Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **RESERVED MATTERS HAVE BEEN APPROVED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. THE OUTLINE PLANNING PERMISSION - compliance

The amended Reserved Matters are hereby approved pursuant to condition 3 as attached to the outline planning permission reference DC/19/03486, dated 23 December 2020 for up to 210 dwellings. Such other conditions as were applied to that outline permission remain valid and such detail/s as is required by such conditions must be further formally submitted to the local planning authority.

Reason: In order to ensure that the Reserved Matters approval is clearly related to the relevant outline planning permission in the interest of clarity and to allow for the proper monitoring of the planning history and progress and implementation of the proposal.

2. THE RESERVED MATTERS -

The amended Reserved Matters details hereby approved under condition 3 of the outline planning permission reference DC/19/03486 dated 23 December 2020 relate to Appearance, Layout, Scale and Landscape only and no other matters controlled by, or subject to other conditions attached to the outline planning permission.

Reason: For the avoidance of doubt as to the scope of this approval. It is noted that access is not a Reserved Matter, points of access having been agreed under the outline planning permission.

3. APPROVED PLANS & DOCUMENTS - restriction/compliance

The development hereby permitted as a result of this Reserved Matters approval shall be carried out in accordance with the drawings/documents listed under Section A above except where further details are required by conditions below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with Phasing Plan reference EA128-SL-205, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason: To ensure that the development as built achieves the high-quality design shown in the approved drawings and the quality of place that has been negotiated to accord with the approved Design Statement for this site. This quality is expressed in a multitude of ways that comply with the National Design Guide and the Building for a Healthy Life guidance. The Council does not wish to see any dilution of this quality and is mindful of paragraph 135 of the NPPF and the need to resist attempts to materially diminish quality between permission and completion. For the avoidance of doubt the approved drawings and documents schedule dated 23 May 2023 is appended to this decision notice

4. PUMPING STATION DETAILS - pre-slab

The proposed pumping station shall not be constructed until such time as further full details in respect of its design, appearance (including materials), layout, location and type of equipment and means of enclosure have been submitted to the local planning authority in writing for its consideration and a decision approving such detail (if appropriate) is

issued. Such detail as shall have been approved shall be implemented as approved and thereafter retained and maintained in good physical condition.

Reason: The proposed pumping station occupies a prominent publicly visible position in the west-south-west corner of the site within what will be new public open space in the form of a 'village green'. Consequently, the Council wishes to ensure that the pumping station building, equipment and site [i] has an appearance that is visually sympathetic to the character that has evolved through negotiation for this part of the wider site and [ii] does not give rise to nuisance or an adverse impact on residential amenity as a result of its operation.

5. PARISH COUNCIL LIAISON SCHEME - Prior to commencement requirement for additional information

Prior to commencement or site preparation whichever is the sooner:

A written Liaison Scheme shall be submitted to the local planning authority for its formal consideration and approval.

The Liaison Scheme shall include the following:

- o A written commitment from the developer to hold regular meetings [virtual or face to face] with Thurston Parish Council [or its representatives] during the entire build programme.

The frequency, attendance, scope, method of recording outcomes of such meetings to be agreed - but in any event no less frequently than once a month - after discussion between the developer, the Council as local planning authority and Thurston Parish Council.

- o The purpose of such meetings is not only to provide a formal arena for the developer to keep the Parish Council informed as to progress with the build but to afford the Parish Council an opportunity to report complaints and/or complements from the Community about activity on site that may have caused issues, for the developer to then look into these matters, take such action as appropriate to resolve those issues and then report back to the Parish Council.

- o The Liaison Meetings shall be operated such as to afford the Parish Council an opportunity to provide input and feedback into such matters as playground design and open space management. and,

The District Council, as local planning authority shall be required to approve the Parish Council Liaison Statement in writing via an appropriate submission of detail application by the developer, where the content is considered satisfactory. Where such a Scheme has been approved in writing by the local planning authority the restriction on commencement and this condition is then lifted.

The developer shall implement the Parish Council Liaison Scheme as agreed

Reason: The District Council's Development Control Committee welcomed the extensive degree to which the applicant had involved the local community in consultation and wishes this continue during the lifetime of the build.

It is also conscious in some cases major development activity elsewhere in the District, including Thurston itself, has on occasion generated complaints of undue disturbance, congestion, mud on the road and more from local residents. Such complaints have at times also generated enforcement investigations which have exposed potential breaches of condition. Experience within the District has shown that sites being operated by developers that engage in regular dialogue during 'the build' with the relevant Parish Council/s tend to generate fewer serious complaints from residents as the liaison builds a better working relationship between those undertaking approved development and established communities around a site and assists in identifying possible conflict points earlier than otherwise might occur. This often affords the opportunity to identify and deliver solutions that avoid serious and avoidable tension within the community.

6. AIR SOURCE HEAT PUMPS - compliance

Prior to the occupation of each relevant dwelling the subject of this Reserved Matters approval that dwelling shall first be constructed to include the provision of an operational air source heat pump as the primary heating source as described in the submitted Plan reference 19\_2012\_SP\_18G and Energy Strategy Statement V4 as amended May 2023 and as received by this Local Planning Authority on 23 May 2023 at 13.33hrs.

Reason: At the Development Control meeting of 15 March 2023 the developer gave the Committee a verbal commitment to provide air source heat pumps to all dwellings and not to employ the use of any gas boilers. This commitment was well received as an important step forward in helping to tackle the climate emergency and as such the Council wishes to ensure that the commitment given is delivered. This condition does not remove the need to satisfy other conditions attached to the outline planning permission that may require further details in respect of sustainability. Such further submissions will however need to reflect the use of 100 percent air source heat pumps for the purpose described above.

7. AIR SOURCE HEATING PUMP NOISE ATTENUATION -further details pre-installation

Prior to the installation of any heat pump equipment full details as to the plot-by-plot positioning of such equipment and associated noise mitigation to be employed shall be submitted in writing to the local planning authority for its consideration. In the event that such details are approved in writing by the local planning authority, then the full installation of all the approved detail/s shall occur and be operational prior to occupation of the relevant unit. Thereafter such equipment and associated apparatus shall be kept in good working order in perpetuity or for as long as the air source heat pump is operationally functional or required.

Reason: Whilst the Council welcomes the provision of 100% air source heat pumps as a way of helping to tackle the current climate emergency it wishes to be confident that the positioning and operation of such plant causes as little disturbance to residential amenity as possible in terms of noise and vibration.

8. SOLAR PANELS OPTION: ACTION REQUIRED. PRIOR TO SLAB

Prior to any development above slab level the applicant/developer shall submit to the Council as local planning authority written details as to the working of the Optional Extra Solar Panel Package to be offered to purchasers on all open market dwellings. Such detail as shall have been agreed in writing by the Council as local planning authority shall then

be available to the first purchasers if the installation can be delivered during the build of that unit.

Reason - The applicant has committed to offer prospective purchasers of dwelling/s a chance to pay for solar panels to be installed on the roof at the time of the build of that unit. That offer is named for the purpose of this condition the 'Optional Extra Solar Panel Package' The Council welcomes such an initiative as it supports attempts to tackle the climate emergency and expands the opportunities for purchasers to secure alternative energy from new rather than having to retro fit such infrastructure. Retro fitting is likely to ultimately be more expensive and inconvenient and so an inclusion within the 'build' option is welcomed.

#### 9. EV CHARGING

The prior to the occupation of any relevant dwelling the approved ev infrastructure specified and shown on drawing reference AP-17 Rev R shall have been provided and functioning.

Reason: In order that occupiers have access to appropriate domestic ev charging facilities as the use of fossil fuels is phased out in a bid to tackle the climate emergency.

#### 10. PLAY AREA and GYM TRAIL - pre-occupation requirement for further details

Prior to the occupation of any dwelling/s and notwithstanding such detail as may be shown on any of the otherwise approved drawings further details of the play area and perimeter gym trail shall be submitted in writing to the local planning authority for its consideration. Such detail shall include the following:

- o Exact location within the layout
- o Location of all pieces of equipment
- o The manufacturer, equipment name, specification, dimension, safety surfacing and full specification for any means of enclosure
- o Implementation plan
- o Maintenance Plan

Such detail if considered satisfactory by the Local planning authority shall be approved in writing, after which the restriction on occupation under this condition is lifted. Where such details are not approved as satisfactory by the local planning authority, amended details shall be submitted by the developer for consideration by the local planning authority.

All such detail as approved shall be provided as agreed in accordance with the approved specific details and Implementation Plan. Such facilities shall thereafter be permanently available for use by the general public.

Reason: In order that the local planning authority is able to properly assess the operational implications and play fitness benefits of such equipment in discussion with the Council's Public Realm Team and in the interest of safeguarding user safety and residential amenity.

11. PLAY AREA ADVANCED INFORMATION - compliance further details time limited

Within three months of the date of this Reserved Matters approval details of signage giving advanced notice of the creation of a play area on the west-side of the site (opposite plots 109-117 (inclusive and consecutive) shall be submitted in writing to the local planning authority for its formal consideration. The details shall include the number, location and appearance of the signs and the wording to be shown thereon. The wording shall explain where and when the approved play area will be provided. Such detail as shall have been agreed in writing by the local planning authority shall be displayed by the developer prior to the marketing of any dwelling on plot/s

Reason: In order that any prospective purchasers of property opposite the approved play area are aware of its pending provision in the interest of transparency and in order to raise awareness of the delivery of this local recreation infrastructure.

12. PROPOSED KNEE RAIL DETAIL TO THE DRAINAGE BASIN - restrictive compliance

Notwithstanding such detail as may be shown on the otherwise approved drawings, the drainage attenuation basin shown on the western edge of the site on the site layout and associated landscape plans shall not be enclosed by the shown knee rail fence. Where detail/s subsequently submitted under other conditions reflect those provided to support the current Reserved Matters submission the subject of this approval then they shall show the drainage basin as being unenclosed.

Reason: In considering the merits of the landscaping detail the Committee noted that the profile of the basin as shown on drawings supporting the layout and landscape components of this Reserved Matters submission had been supported by the LLFA. The requirements of the LLFA in terms of appropriate bank slopes and level terraces are more onerous than those recommended by ROSPA (Royal Society for the Prevention of Accidents) and as a result the Committee considered that fencing around the drainage basin would be unnecessarily visually intrusive without providing a genuine barrier to prevent access and therefore not enhancing safety as it could easily be stepped over or crawled under. The requirements of the LLFA in terms of basin profile are such that the Committee was satisfied with safety without the need for a knee rail fence enclosure.

13. PERIMETER 3m WIDE FOOTPATH/CYCLEWAY DETAILS AND DELIVERY TIMETABLE STATEMENT - further information and subsequent triggered compliance

Prior to any work on site proceeding above slab level a full specification for the approved 3m wide perimeter footpath/cycleway (shown on drawing reference Sp-17 Rev R) and a Delivery Timetable Statement shall be submitted in writing to the local planning authority for its consideration. The Delivery Timetable Statement shall describe the construction programme to completion [such that it is available for use for the intended purpose] for the said 3m. wide footpath/cycleway in relation to the occupation of relevant dwellings hereby permitted or two years from commencement whichever is the earlier.

The 3m wide perimeter footpath/cycleway shall thereafter be provided and available for use in accordance with the agreed Delivery Timetable Statement and thereafter retained and maintained in good condition in perpetuity.

Reason: In approving this Reserved Matters submission the Council's Development Control Committee had strong regard to the applicant's offer to extend the initially

proposed 3m footway/cycleway on the west and north side of the development to provide a perimeter route around the entire development. This commitment to accessibility and active travel was welcomed and the Council wishes to ensure that this facility is delivered and delivered in a timely manner in the interest of encouraging sustainable travel.

#### 14. EXTERNAL MATERIALS

The external materials to be used for the construction of dwellings and garages along with their distribution across the site on a plot by plot basis shall not be other than as shown on drawing SP-11 Rev Q and materials palette plan SP-03 Rev P unless otherwise agreed in writing by the local planning authority.

Reason: The approved materials have been the subject of extensive negotiation between the applicant and the Council and are considered to reflect the traditional Suffolk vernacular. In this edge of this village setting within the rural area and adjacent to what is countryside the Council takes the view that quality materials will enhance the overall quality of the development such that it contributes to beauty, supports the delivery of sympathetic character reflective of local distinctiveness. The Council being mindful of paragraph 135 of the NPPF 2021 wishes to establish an appropriate benchmark for quality that will enable the Council to resist future value engineering in the event that attempts are made so to do.

#### 15. HEADWALL DETAIL

Prior to the construction of any headwall/s serving the drainage basin further details as to the appearance, material and method of construction of these features shall be submitted in writing to the lpa for its consideration. Only when written confirmation of the Council's satisfaction with such details has been provided can headwalls be installed/constructed subject to that detail as built conforming to the detail agreed by the lpa under this condition.

Reason: The Council wishes to ensure that headwalls within drainage basins have an appearance that is sympathetic with the design and landscaping of the basins as natural features rather than man-made functional engineering structures. The objective being to provide attractive natural features within the otherwise urban landscape.

#### 16. HARD SURFACING - compliance

The external hardsurfacing materials hereby approved are those shown on drawing reference SP\_15 Rev N. External materials on installation shall not be other than as has been approved unless previously agreed in writing by the lpa.

Reason: The Council's Development Control Committee wishes to ensure that every opportunity is secured to deliver sustainable drainage solutions within new development in response to the climate emergency and to ensure the development achieves the physical character and quality expected.

#### 17. CONSTRUCTION MANAGEMENT STATEMENT

Now that the Reserved Matters detail has been approved, further Construction Management Statement details are required to be submitted in writing to the lpa for its approval prior to any work on site proceeding above foundations, laying of drainage or completion of road sub-base, whichever is the sooner in order to take proper account of

the selected contractors approach to building out the Reserved Matters details. This level detail was not available previously following the grant of outline planning permission. Such Construction Management Statement as shall have been approved shall thereafter be implemented in full as agreed.

Reason: In order that the Council has the opportunity to assess the likely impact of the construction process on residential amenity and road safety within the village and agree where appropriate suitable mitigation measures where these will help limit the inevitably disruptive effects of the approved building works on the lives of the existing community

## **SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:**

Thurston Neighbourhood Plan  
CS05 - Mid Suffolk's Environment  
CS09 - Density and Mix  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
GP01 - Design and layout of development  
H04- Proportion of Affordable Housing  
H03 - Housing development in villages  
H13 - Design and layout of housing development  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T11 - Facilities for pedestrians and cyclists  
CL08 - Protecting wildlife habitats  
NPPF - National Planning Policy Framework  
NDG - National Design Guide  
BFHL - Building for a health life  
SAPS - Suffolk Adopted Parking Standards (2015)

1. Your attention is drawn to the existence of a signed S106 Agreement that is associated with this development.
2. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. In this case the applicant took advantage of the Council's pre-application service prior to making the application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early



stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: [infrastructure@baberghmidsuffolk.gov.uk](mailto:infrastructure@baberghmidsuffolk.gov.uk)

This relates to document reference: DC/20/05894

**Signed: Philip Isbell**

**Dated: 22nd June 2023**

**Chief Planning Officer  
Sustainable Communities**

## **Important Notes to be read in conjunction with your Decision Notice**

### **Please read carefully**

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

**Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development.** Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

### **Discharging your obligations under a condition:**

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

### **Building Control:**

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

## Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990  
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements\*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

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.

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### Babergh District Council

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