

COPY

TOWN AND COUNTRY PLANNING ACT 1990

Application No: SE/06/1504

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

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Date of Application: 27 March 2006

Date Registered: 28 March 2006

Date of Decision: 30 April 2010

PROPOSAL **Planning Application - (i) Conversion of former silk mill to form 3 no. residential dwellings; (ii) erection of 31 no. flats and 5 no. houses and (iii) alteration of existing vehicular access as amended by detailed changes received on 31 July 2006**

LOCATION **Atterton & Ellis, The Ironworks Site, Hamlet Road, Haverhill, CB9 8QH**

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

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

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

2. Details of all external facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority before any development commences.

Reason: To ensure that the external appearance of the building(s) is satisfactory in accordance with the provisions of Policy DS3 (Development Design and Impact) of the Replacement Local Plan.



3. The bin and cycle stores shown on Drawing No 05009-05 Rev. D shall be provided and made available prior to the occupation of the dwellings or flats to which they relate and shall thereafter be retained and used for no other purpose.

Reason: To ensure adequate provision for cycle and bin storage in accordance with Policies DS3 and T5 of the Replacement Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the floorspace shown within the curtilage of any dwelling for the purpose of garaging and/or car parking shall be retained solely for the garaging and/or parking of private motor vehicles and for ancillary domestic storage incidental to the enjoyment of the associated dwelling in accordance with the Local Planning Authority's parking standards and shall be used for no other purpose.

Reason: To ensure continued compliance with adopted parking standards in the interests of road safety in accordance with the provisions of Policies DS3 (Development Design and Impact) and T5 (Parking Standards) of the Replacement Local Plan.

5. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place. It shall be retained thereafter 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.

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

Reason: To ensure uninterrupted flow of water and reduce the risk of flooding of the highway.

7. No dwelling or flat shall be first occupied until the area(s) within the site shown on the submitted Drawing No. 05009-05 D for the purposes of manoeuvring and parking of vehicles associated with the occupation of that dwelling or flat have been provided and thereafter that area(s) shall be retained and used for no other purpose.

Reason: In the interests of road safety in accordance with the provisions of Policies DS3 (Development Design and Impact) and T5 (Parking Standards) of the Replacement Local Plan.

8. The existing beech tree protected by Tree Preservation Order 283 shall be retained and protected for the duration of all building and construction works associated with the approved development in accordance with a method statement which shall first have been submitted to and approved in writing by the local Planning Authority.

Reason: To ensure that the most important and vulnerable trees are adequately protected during the period of construction in accordance with the provisions of Policy NE3 (Protection of the Landscape) of the Replacement Local Plan.



9. No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant.

Reason: To enhance the appearance of the development in accordance with the provisions of Policies DS3 (Development Design and Impact) and NE3 (Protection of the Landscape) of the Replacement Local Plan.

10. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any of the residential units or in accordance with a programme approved in writing by the Local Planning Authority.

Reason: To enhance the appearance of the development in accordance with the provisions of Policies DS3 (Development Design and Impact) and NE3 (Protection of the Landscape) of the Replacement Local Plan.

11. All planting shall be maintained for five years after initial planting has been completed by:

(i) keeping the new planting free from competing grass and weeds through the use of an appropriate translocated herbicide;

(ii) replacing any trees and shrubs each year which are substantially damaged, seriously diseased or dead, with plants of similar size and species;

(iii) checking, adjusting and repairing all stakes, ties, shelters or fencing used in the scheme;

Reason: To enhance the appearance of the development in accordance with the provisions of Policies DS3 (Development Design and Impact) and NE3 (Protection of the Landscape) of the Replacement Local Plan.

12. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 4 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.



Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

1. 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 in accordance with the advice in Planning Policy Statement 23 Planning and Pollution Control (PPS23) and Policy NE6 of the Replacement Local Plan.

13. The ground floor level of any buildings involved in the development shall be at least 61.97 metres ODN.

Reason: To provide a reasonable freeboard against flooding having regard to the provisions of Policy NE4 (Natural Resources) of the Replacement Local Plan.

14. Flood resistant techniques and materials shall be incorporated into the design of the development up to a minimum level of 61.97 metres AOD. The flood resistant techniques and materials shall not be altered without the written consent of the Local Planning Authority.

Reason: To reduce the impacts of a flood event.

NOTES:

1. References in this Notice to the Replacement Local Plan are references to the Replacement St Edmundsbury Borough Local Plan 2016.
2. This permission has been granted having regard to Policies HC1, HC2, HC4, NE4, DS3 (Development Design and Impact) and HC6 (New Development in Conservation Areas) of the Replacement Local Plan and to all other material considerations. The carrying out of the development permitted subject to the conditions imposed would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.
3. The development/work hereby permitted may be subject to the requirements of the Building Regulations 2000 and advice may be sought from the Council's Building Control Manager. In the event that the scheme has to be modified to comply with the Building Regulations or other legislation it may be necessary to submit revised plans for consideration as an amendment to this permission/consent or in certain circumstances to submit a revised application. No development/work should be carried out until all necessary permissions/consents have been obtained.
4. Any failure to adhere to approved plans or to comply with any conditions or limitations attached to this permission/ consent may lead to enforcement action being taken. This permission may be invalidated if conditions requiring compliance before commencement are not complied with.
5. Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.



6. The existing street-lighting system may be affected by this proposal. The applicant should approach the Street-Lighting Engineer of Suffolk County Council (telephone Ipswich (01473) 264929) with a view to reaching agreement upon any necessary alterations/additions to be carried out at the expense of the developer.
7. 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 works within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing, all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's West Area Highway Manager should be contacted at The Coach House, Shire Hall, Bury St. Edmunds, IP33 1RX. (Tel: Bury St. Edmunds (01284) 352000).
8. This permission is the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991.
9. This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or regulation other than the Town and Country Planning Act 1990 or under any covenant.
10. The granting of planning permission does not authorise the felling, lopping or topping of the trees within the site which are protected by a Tree Preservation Order.
11. The development hereby approved should be built in accordance with the approved plans as a further planning permission will be required where material alterations or revisions are proposed to an approved scheme. An application for non-material changes to the planning permission can be submitted in writing to the Local Planning Authority under Section 96A(4) of the Town and Country Planning Act 1990. A specific form will be required for that purpose and these are available via the Planning Portal or they can be downloaded from the Borough Council's website (www.stedmundsbury.gov.uk) A fee of £25 for a householder application or £170 for all other applications will be required in order to register the application.
12. The Environment Agency advises that:
 - (i.) All surface water from roofs must be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.
 - (ii.) An acceptable method of foul drainage disposal would be connection to the public foul sewer.
 - (iii.) Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
13. In accordance with the Regulation 11D of the Town and Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2008, a fee of £85 will be charged for each request for the discharge of a condition(s) attached to this planning permission. The fee will need to be submitted with each request. Cheques should be made payable to St Edmundsbury Borough Council.



14. The building to which this application relates has been listed as being of Special Architectural or Historic Interest. Listed Building Consent is required in respect of the development hereby permitted and no development should take place until that consent has been obtained.
(Listed Building Application SE/06/1508 refers).

See separate sheet for
information concerning
rights of appeal



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