

THIRD SCHEDULE

PART 1 BOROUGH COUNCIL COVENANTS

1. APPLICATION OF CONTRIBUTIONS

1.1 LANDSCAPE MAINTENANCE CONTRIBTUION

- 1.1.1 The Borough Council covenants to use the Landscape Maintenance Contribution for maintenance and management of existing landscaping adjacent to the River Gipping in the vicinity of the application site.
- 1.1.2 The Borough Council shall if requested to do so in writing after the expiry of ten (10) years of the date that the Landscape Maintenance Contribution was paid within a further period of one (1) year pay to any person such amount of the Landscape Maintenance Contribution paid by that person in accordance with the provisions of this Deed which has not been committed or expended by the Borough Council in accordance with the provisions of this Deed, less any deduction for the Borough Council's reasonable administrative costs associated with holding administering and refunding any part of the Landscape Maintenance Contribution, such payment to be made within twenty eight (28) Working Days of such request.

1.2 RAMS CONTRIBUTION

- 1.2.1 The Borough Council covenants to use the RAMS Contribution towards the mitigation of the Development on the Stour and Orwell Estuaries Special Protection Area (SPA) and the Stour and Orwell Estuaries Ramsar Site including the use of eight thousand pounds (£8,000) (BCIS Indexed) of the RAMS Contribution towards the 'Gippeswyk Park Suitable Accessible Natural Greenspace Scheme' and may comprise a scheme within Gippeswyk Park with a planned circular walk approximately 2.6KM in length with a variety of natural habitats to allow dogs to run freely, including dog bins and such other suitable measures to reduce the impact of the development upon the SPA and Ramsar Site.
- 1.2.2 Upon receipt of a written request by the Owner, the Borough Council shall provide written confirmation to the Owner as to which obligations under this Deed have been discharged.

1.3 ADDITIONAL CONTRIBUTION

- 1.3.1 The Borough Council covenants to use the Borough Portion of any Additional Contribution for the provision of Affordable Housing in the Borough Council's administrative area.

- 1.3.2 The Borough Council shall if requested to do so in writing after the expiry of ten (10) years of the date that the Borough Portion of any Additional Contribution was paid within a further period of one (1) year pay to any person such amount of the Borough Portion paid by that person in accordance with the provisions of this Deed which has not been committed or expended by the Borough Council in accordance with the provisions of this Deed, less any deduction for the Borough Council's reasonable administrative costs associated with holding administering and refunding any part of the Borough Portion, such payment to be made within twenty eight (28) Working Days of such request.

PART2 COUNTY COUNCIL COVENANTS

The County Council covenants as follows:

1. APPLICATION OF TRO CONTRIBUTION

- 1.1 to use the TRO Contribution towards the making and promotion of a traffic regulation order needed to mitigate the effect of the Development including all legal expenses and officer time and any other associated expenses

2 APPLICATION OF COUNTY COUNCIL CONTRIBUTION

- 2.1.1 The County Council covenants to use the County Council Contribution for the purposes set out in the table at paragraph 4 below (the "County Purposes") PROVIDED THAT the aggregate amount of the County Contribution and any Additional Contribution used for each County Purpose shall not exceed the corresponding sum set out in that table
- 2.1.2 The County Council shall if requested to do so in writing after the expiry of ten (10) years from completion of the Development pay to any person such amount of the County Council Contribution paid by that person in accordance with the provisions of this Deed which has not been committed or expended by the County Council in accordance with the provisions of this Deed together with any interest accrued on the amount to be repaid at the Bank of England Base Rate minus 2 basis points, compounding annually at financial year end. If for any period the Bank of England Base Rate is at or below 0.02% then no interest shall be payable for that period by any party to this agreement. Such payment shall be made within twenty eight (28) days of such request.
- 2.1.3 When the County Council Financial Contribution paid to the County Council pursuant to this Deed has been spent or committed the County Council shall upon written request by the Owners after the expiry of ten (10) years of completion of the Development notify the Owners that such monies have been spent or committed such notice to include full details of what the said monies were spent on or committed to.
- 2.1.4 Upon receipt of a written request by the Owner, the County Council shall provide written confirmation to the Owner as to which obligations under this Deed have been discharged.

3 APPLICATION OF ADDITIONAL CONTRIBUTION

- 3.1 The County Council covenants to use the County Portion of any Additional Contribution for the County Purposes PROVIDED THAT the aggregate amount of the

County Contribution and any Additional Contribution used for each County Purpose shall not exceed the corresponding sum set out in the table at paragraph 4 below.

- 3.2 The County Council shall if requested to do so in writing after the expiry of ten (10) years from completion of the Development pay to any person such amount of the County Portion paid by that person in accordance with the provisions of this Deed which has not been committed or expended by the County Council in accordance with the provisions of this deed, less any deduction for the County Council's reasonable administrative costs associated with holding administering and refunding any part of the County Portion, such payment to be made within twenty eight (28) working days of such request.

4 COUNTY PURPOSES

The County Purposes and the aggregate amounts of the County Council Contribution and any County Portion of the Additional Contribution that may be applied to each of those County Purposes are as follows:

Purpose	Amount
provision of education at the catchment primary school or through capacity at adjacent catchments;	£881,844
provision of education at the catchment secondary within or serving Ipswich;	£737,025
provision of education at the catchment Sixth Form within or serving Ipswich;	£142,650
provision of early years education within or serving Ipswich;	£259,020
provision of library facilities within the vicinity of the proposed Development;	£2,768
improvement of the Portman Road household waste recycling facility including its relocation;	£19,030
provision of improvements to public transport services within the Town Centre	£60,000
upgrade Footpath 61 to a Bridleway	£4,000
Travel Plan monitoring	£1,000
SUB-TOTAL	£2,107,337

Annex

Draft planning permission

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



To: Galliard Homes Limited
Sterling House
Langston Road
Loughton
Essex
IG10 3TS

Agent for:
Plutus Estates (Ipswich) Ltd

Application Reference: IP/19/00148/OUT

GRANT OUTLINE PLANNING PERMISSION

Ipswich Borough Council, as local planning authority, hereby **GRANT** Outline Planning Permission for:

Outline application (with appearance and landscaping as reserved matters) for a residential led mixed - use development for up to 173 houses, up to 335 square metres (GIA) shops, financial/professional, restaurants/cafe, drinking establishment floor space, new pedestrian walkway and cycleway, public open space, landscaping, car parking, internal roads, and associated infrastructure.

at: Redevelopment Site Grafton Way Ipswich Suffolk

in accordance with your application reference: IP/19/00148/OUT received 13.02.2019.

By virtue of Section 92 sub-section (2) of the Town and Country Planning Act 1990 as amended this permission is granted subject to the following conditions:-

(a) That in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of this permission
AND

(b) That the development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last of such matters to be approved.

This permission is also subject to the following condition(s): -

1. Approval of the details of appearance and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced. Plans and particulars of the reserved matters shall be submitted in writing to the Local Planning Authority and the development shall be carried out as approved.

2. In relation to layout and scale, the hereby-approved development shall be in accordance with the following approved drawings unless as otherwise required pursuant to requirements of any succeeding condition:- Drawing no's:- 1566-P101-B, -P102-A, -P103-A, -P105, -P106, -P107, -P108, -P109, -P110.
3. None of the hereby-approved dwellings or commercial units shall be first occupied or brought into use until the following details have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial unit shall be first occupied or brought into use until the works/detail approved in relation to that dwelling/unit have been provided in their entirety and where necessary made available for use. The approved works shall be retained thereafter:-
 - i. secure cycle parking,
 - ii. fire hydrants,
 - iii. refuse/recycle storage and means of collection,
 - iv. blue badge holder parking,
 - v. electric vehicle recharging infrastructure,
 - vi. noise mitigation (for dwellings only),
 - vii. boundary treatments,
 - viii. lighting,
 - ix. flood resistance and resilience measures,
 - x. safe refuge (for dwellings only),
 - xi. 15% of energy requirements within dwellings from decentralised and renewable or low-carbon sources and
 - xii. measures to promote biodiversity.
4. Habitable rooms within the hereby-approved development shall be at least 3.7 metres AOD.
5. None of the hereby-approved dwellings or commercial units shall be first occupied or brought into use until a detailed plan with regard to the management and maintenance of areas open to members of the public, including pathways (cycle and footway), vehicular areas, communal gardens and public realm, has been submitted to and approved in writing by the Local Planning Authority. These areas shall thereafter be managed/maintained in accordance with the approved management and maintenance details.
6. None of the hereby-approved dwellings shall be first occupied until a flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved plan is operational.
7. No development shall be commenced until details of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be in accordance with the approved Flood Risk Assessment and include:
 - a. Dimensioned plans and drawings of the surface water drainage scheme;
 - b. 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;
 - c. 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 climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
 - d. Topographical plans depicting all exceedance flowpaths 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;
 - e. 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:

i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-

1. Temporary drainage systems

2. Measures for managing pollution / water quality and protecting controlled waters and watercourses

3. Measures for managing any on or offsite flood risk associated with construction

f. 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.

The scheme shall be fully implemented as approved.

8. No development shall be commenced until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan which shall include the following matters:

a. parking and turning for vehicles of site personnel, operatives and visitors

b. loading and unloading of plant and materials

c. piling techniques

d. storage of plant and materials

e. programme of works (including measures for traffic management and operating hours)

f. provision of boundary hoarding and lighting

g. protection of important trees, hedgerows and other natural features

h. protection of the aquatic environment in terms of water quantity and quality

i. details of proposed means of dust suppression and noise mitigation

j. details of measures to prevent mud from vehicles leaving the site during construction

k. haul routes for construction traffic on the highway network

l. monitoring and review mechanisms

m. Mobile phone contact number for Site Manager and

n. distribution to local residents and Ward Councillors.

9. Within one month of first occupation, at least one electric car club vehicle shall be based on the site and made available for use by occupants of the development. Prior to occupation of the 50th dwelling, a second car club car shall be based on the site and made available for use by occupants. Thereafter, a minimum of two car club cars, at least 50% of which shall be electric, shall be based on the site and made available for use by occupants for a minimum of five years.

10. 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 in accordance with the mitigation measures identified in the submitted Transport Assessment (dated November 2018) shall be submitted for the approval in writing by the Local Planning Authority. This Travel Plan must contain the following:

i. Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by residents across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met

ii. Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan

iii. A commitment to monitor the vehicular trips generated by the residents and submit a revised (or Full) Travel Plan on occupation of the 100th dwelling

iv. A further commitment to monitor the Travel Plan annually on each anniversary of the

approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority until five years has passed after occupation of the final dwelling, or one year after occupation of the final dwelling (whichever is the longest duration) using the same methodology as the baseline monitoring

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

vi. A Travel Plan budget that covers the full implementation of the Travel Plan

vii. A copy of a residents 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.

11. No development shall be commenced until details of an investigation and risk assessment with regard to the nature and extent of any contamination affecting the site, including a remediation scheme where such a scheme is necessary, has been submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary it must be carried out in accordance with the approved remediation scheme prior to the commencement of development, other than where required to carry out remediation, unless otherwise approved in writing by the Local Planning Authority. Following completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority before any dwelling is first occupied.
12. 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, and where remediation is necessary a remediation scheme must be prepared, 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.
13. The hereby-approved dwellings shall be constructed so that the development meets an energy/CO2 standard of at least 19% improvement in dwelling emission rate over Target Emission Rate (TER), as determined by the 2013 Building Regulation Standards, and a water usage standard of no more than 110 litres per person per day (or in the case that the achievement of these standards are demonstrated not to be feasible or viable a lesser standard level as may be agreed in writing with the Local Planning Authority). Prior to first occupation of the hereby-approved dwellings, certification of compliance with these standards shall be submitted to and approved by the Local Planning Authority.
14. No development shall commence 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.

g. 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.

15. No dwelling shall be first occupied and no commercial unit shall be brought into use until the 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 14 and the provision made for analysis, publication and dissemination of results and archive deposition.
16. No development shall be commenced until details of the vehicular accesses, including visibility splays and means to prevent discharge of surface water from the development onto the public highway (notwithstanding submitted details), have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial unit shall be first occupied or brought into use until the approved accesses have been carried out in their entirety or in accordance with an agreed phasing plan.
17. No development shall be commenced until details of the vehicular areas, including loading, unloading, manoeuvring and parking space, including provision for cars, power two wheel vehicles, disabled motorists and designated car club spaces, have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial unit shall be first occupied or brought into use until the approved vehicular areas have been provided in relation to that dwelling/unit.
18. No development shall be commenced until details of the Bridge Street to Princes Street footpath/cyclepath link, including surfacing, seating, lighting, handrail, litter bins, gradients, signage, stairs, other public realm works, have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial unit shall be first occupied or brought into use until the approved works have been provided in their entirety and made available for use. The footpath/cyclepath link shall thereafter be made available as a publicly accessible route at all times, other than for reasonable maintenance and/or repair.
19. No development shall be commenced until details of a resurfaced 2 metre wide footpath along Grafton Way/Commercial Road, for the length of the site, have been submitted to and approved in writing by the Local Planning Authority. No dwelling or commercial unit shall be first occupied or brought into use until the approved footpath has been provided in its entirety or in accordance with an agreed phasing plan.
20. The hereby-approved commercial units shall not be amalgamated and subsequently brought into use as a shop use.
21. Notwithstanding the details submitted with the application, none of the hereby-approved commercial floorspace shall be used as hot food takeaway.
22. Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B, D, E, F, G, H and Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) there shall be no enlargement, improvement or other alteration, additions to the roof or erection or construction of a porch, no provision of buildings etc or hard surfaces incidental to the enjoyment of a dwellinghouse, no chimneys, flues or microwave antenna installed, nor the erection, construction, maintenance or alteration of a gate, fence, wall or other means of enclosure with respect of the hereby-approved dwellinghouses.
23. All of the hereby-approved dwellings shall meet the Technical housing standards - nationally described space standard (Department for Communities and Local Government,

March 2015).

24. No development shall be commenced until details of garages have been submitted and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any approved garages shall be retained and allow sufficient space for the parking of a car therein.
25. Before the demountable ramp and stairs are installed details shall be submitted to and approved in writing by the Local Planning Authority as to how the parapet adjacent to Princes Street is temporarily made good in the event of the ramp and stairs being removed. Thereafter the demountable ramp and stairs shall only be removed in accordance with the approved details.
26. On first occupation of the 150th dwelling details of all Sustainable Urban Drainage System components and piped networks shall be submitted to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
27. Prior to the construction above damp proof course, details of on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the foul water drainage works relating to that dwelling have been carried out.
28. No more than 25 of the hereby-approved dwellings shall be commenced until details of the Princes Street connection, forming part of the Bridge Street to Princes Street footpath/cyclepath link, together with any works required within the highway, have been submitted to and approved in writing by the Local Planning Authority. The 75th dwelling hereby approved shall not be first occupied until the connection has been provided in its entirety, in full accordance with any details approved in writing by the Local Planning Authority pursuant to this condition. The connection shall thereafter be made available for use as a publicly accessible route at all times, other than for reasonable maintenance and/or repair.

The reasons for the above condition(s) are as follows:-

1. In the interests of proper planning and to ensure a high standard of development.
2. To identify the approved drawings with regard to layout and scale.
3. To ensure a high standard of development, ensure sustainable modes of travel, public safety, amenity, biodiversity and having regard to flood risk.
4. To ensure safety having regard to flood risk.
5. To ensure a high standard of development, public amenity and to mitigate against the potential for crime and anti-social behaviour.
6. To ensure safety having regard to flood risk.
7. 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 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.

8. In the interests of highway safety and the amenity of the area. These details relate to construction work so cannot be considered after commencement.
9. In the interests of sustainable development and to mitigate the impact on off-site parking.
10. In the interest of sustainable development.
11. & 12. 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. This condition relates to pre-commencement investigations and cannot be considered retrospectively.
13. To promote sustainable development.
14. & 15. To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.
16. In the interests of highway safety. These aspects of the development are fundamental to the layout and must be considered at an early stage and prior to commencement.
17. & 18. To ensure a high standard of development, in the interests of highway safety and to promote sustainable modes of travel. These aspects of the development are fundamental to the layout and must be considered at an early stage and prior to commencement as without them development would not be sustainable or of a high standard.
18. To ensure a high standard of development, in the interests of highway safety and to promote sustainable modes of travel. These aspects of the development are fundamental to the layout and must be considered at an early stage and prior to commencement as without them development would not be sustainable or of a high standard.
19. In the interests of highway safety and to promote sustainable modes of travel. These aspects of the development are fundamental to the layout and must be considered at an early stage and prior to commencement as without them development would not be sustainable or of a high standard.
20. To safeguard the vitality and viability of existing centres against additional shop floorspace that would exceed 200m².
21. In the interests of amenity and the appearance of the adjacent public realm works.
22. To ensure a high standard of development and to safeguard the key principles of the development that may be eroded by permitted development rights that would be inappropriate for the proposed layout and the need to ensure natural surveillance of communal gardens and other public areas.
23. To ensure a high standard of amenity.
24. To ensure that garages are sufficient for the parking of a car and to ensure appropriate parking across the development. These matters are fundamental to the precise layout of the development and must be considered before commencement.

25. To ensure public and highway safety and visual amenity at all times.
26. To ensure all flood risk assets and their owners are recorded onto the Lead Local Flood Authority statutory flood risk asset register as per Section 21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.
27. In the interests of the environment and public amenity.
28. In the interests of highway safety and to promote sustainable modes of travel.

INFORMATIVES

1. The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
2. This application is the subject of a legal agreement (Section 106) and this decision should only be read in conjunction with this agreement.
3. 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 at Ipswich Borough Council on email: building.control@ipswich.gov.uk or on telephone number: 01473 432951.
4. Many species of plant and animal in England, and their habitats, are protected by law. You are breaking the law if you capture, kill, disturb or injure a European protected species (on purpose or by not taking enough care); damage or destroy a breeding or resting place (even accidentally); obstruct access to their resting or sheltering places (on purpose or by not taking enough care); possess, sell, control or transport live or dead individuals, or parts of them. For further information and guidance you are advised to speak to Natural England at www.gov.uk or by telephone on 0300 060 6000.
5. There is now a planning fee payable for applications in writing to discharge planning permission conditions. Forms for applications to discharge conditions are available from the Council's website.
6. The Council and Suffolk Fire and Rescue recommend the installation of an appropriate sprinkler system within the development.
7. It is recommended that the submitted scheme of archaeological investigation (conditions 14 and 15) be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
8. Section 153 of the Highways Act 1980 makes it an OFFENCE to put up doors, windows or gates that open out over the highway.
9. The Highway Authority advise that the applicant must contact the Street Lighting Engineer of Suffolk County Council, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.

10. Hedges and shrubs should be planted far enough away from the public highway so that they can mature without impacting on the public highway. Section 154 Highways Act 1980 empowers the Highway Authority to cut or fell trees, hedges etc that cause danger, obstruction or interference with use of the highway.
11. Suffolk County Council's highway apparatus appears to be affected by this proposal.
12. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The developer will be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements unless they are delivered by the County Council with funded through a S106 obligation. Amongst other things the S278 Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.
13. 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.
14. The Travel Plan and Resident Travel Pack should be produced in accordance with Suffolk County Council's Travel Plan Guidance (www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/information-for-developers)
15. The Resident Travel Pack should be produced in accordance with Suffolk County Council's Travel Plan Guidance (www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/information-for-developers)
16. The employee cycle storage shall be in a lockable facility away from public access to maximise the uptake in cycling among employees.
17. Please note the advice from Suffolk Fire and Rescue.
18. Advice from Anglian Water:-
 - i. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
 - ii. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter.
 - iii. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
 - iv. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity.
 - v. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
19. The applicant may need an environmental permit for flood risk activities if they want to do

work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The River Gipping, is designated a 'main river'. Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law.

20. The Lead Local Flood Authority advise that:-

- i. Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- ii. Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- iii. Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be subject to payment of a surface water developer contribution
- iv. Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991

21. For the avoidance of doubt, commencement with regard to the above conditions does not include initial investigative works relating to contaminated land or archaeology.

Summary of Development Plan policies and proposals relevant to this decision: -

1. Ipswich Core Strategy and Policies DPD Review (2017) - Policies CS8 (Housing Type and Tenure); CS12 (Affordable Housing); CS17 (Delivering Infrastructure); DM1 (Sustainable Design and Construction); DM2 (Decentralised Renewable or Low Carbon Energy); DM3 (Provision of Private Outdoor Amenity Space in New and Existing Developments); DM4 (Development and Flood Risk); DM5 (Design and Character); DM8 (Heritage Assets and Conservation); DM10 (Protection of Trees and Hedgerows); DM17 (Transport and Access in New Developments); DM18 (Car & Cycle Parking); DM22 (Town Centre Uses Outside the Central Shopping Area); DM23 (Retail Proposals Outside Defined Centres); DM26 (Protection of Amenity); DM29 (Provision of New Open Spaces, Sport and Recreation Facilities); DM30 (The Density of Residential Development); DM31 (The Natural Environment); DM33 (Green Corridors).

2. Ipswich Site Allocation and Policies DPD (2017)

Policies SP1 (The Protection of Allocated Sites); SP2 (Land Allocation for Housing); SP5 (Land Allocated for Employment Use); SP6 (Land Allocated and Protected as Open Space).

3. Other relevant planning guidance

Space and Design Guidelines SPD (2015)
Suffolk Guidance for Parking - Technical Guidance (2019)
DCLG Technical housing standards - nationally described space standard (2015)
Cycling Strategy SPD (2016)
Ipswich Urban Character Study SPD
Development and Archaeology SPD (2018)
Development and Flood Risk SPD (2016)
Recreational Avoidance and Mitigation Strategy (RAMS) SPD (2020)
Public Open Space SPD (2017)

Dated:

Signed:

Russell Williams BSc (Hons) DipTP DMS MRTPI
Chief Executive
Grafton House
15-17 Russell Road
Ipswich IP1 2DE

SEE NOTES BELOW/OVERLEAF

N.B. This permission is not an approval under the Building Regulations; Approval under those regulations may also be required.

NOTES

1. If you are aggrieved by the decision of your Local Planning Authority to refuse permission or approval for the proposed development, or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
2. 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.
3. 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 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
4. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
5. If you want to appeal against your Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
6. Appeals must be made using a form which you can get from Secretary of State, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.gov.uk/topic/planning-development/planning-permission-appeals.
7. The Secretary of State can allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
8. 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.
9. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by the Secretary of State.
10. If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
11. In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park Authority for that Park, or in any other case the District Council

(or County Council which is exercising the function of a District Council in relation to an area for which there is no District Council), London Borough Council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

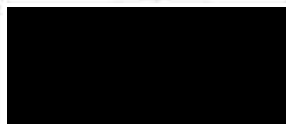
In making this decision the Council has positively addressed the National Planning Policy Framework 2021.

DRAFT

THE COMMON SEAL OF IPSWICH)
BOROUGH COUNCIL was hereunto)
affixed in the presence of:)

Authorised Signatory

THE COMMON SEAL OF SUFFOLK)
COUNTY COUNCIL was hereunto affixed)
in the presence of:)



Authorised Signatory



65345

EXECUTED as a DEED by)
)
PLUTUS (IPSWICH) LIMITED)
)
Acting by its Director)

In the presence of:

Witness signature

Witness name

Witness address

Witness occupation

EXECUTED as a Deed by)
)
)
an attorney for and in the name of) Attorney
)
REFLEX BRIDGING LIMITED

In the presence of

Witness signature

Name

Address