

## **Working Draft: IBC and ESC Suggested Conditions- HDL Appeal 16.01.2025- FULL APPLICATION**

The Inspector is respectfully requested to dismiss this appeal. However, if the Inspector is minded to allow this Appeal, the Local Planning Authorities suggest the following conditions in relation to the Full Planning Permission and the Outline Planning Permission.

### **IBC Suggested Conditions**

#### **FULL PLANNING PERMISSION**

**Application Reference:** IP/24/00172/OUTFL

**Proposal:** Hybrid- Means of vehicle, cycle and pedestrian access to and from the site

No.	Wording and reason	Suffolk County Council Comments 16.1.25	Appellant (Hopkins Homes/Barratt David Wilson) Comments 15.1.25	Joint Council Comments 16.1.25
1.	<p><b>Timeframe for Commencement</b></p> <p>The development to which this approval relates (full element <a href="#">as defined by the extent of the works shown on the approved plans listed in Condition 2 below</a>) must be begun no later than the expiration of three years beginning with the date of this notice.</p> <p><i>Reason: By virtue of Section 91 of the Town and Country Planning Act 1990.</i></p>		<p>Text added to make clear what the extent of the 'full' element is.</p>	<p>Content to include wording from Appellant.</p>

2.	<p><b>Compliance with approved plans</b> The development hereby approved shall be carried out in accordance with approved plans and documents.</p> <ul style="list-style-type: none"> <li>• <b>List TBC</b></li> </ul> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>		See accompanying suggested condition/note.	<p>This condition will be finalised as part of the Inquiry.</p> <p>Only documents suggested by Appellant relate to the access drawings initially submitted. Question whether any other documents in the submission are relevant.</p> <p>In addition need to ensure there is no compliance issue/conflict with other conditions which allow provide amended details.</p>
3.	<p><b>Prior to commencement- accesses</b> Notwithstanding the details submitted, no development works on the accesses listed below shall commence until precise details of that access have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority. The details shall include surface materials, signage, street lighting, gradient, and visibility splays.</p>	SCC can agree to a “without prejudice condition” if the Inspector is minded to accept the revised /alternative drawings	See accompanying suggested condition/note.	<p>This condition is provided on a “without prejudice basis” as the Inspector may take the view that the access arrangement is acceptable and therefore recommend the Appeal be allowed on these grounds.</p> <p>To Appellant: Will be guided by SCC and the Inspector. Option 1 could cause conflict between the two conditions where</p>

	<p>a. The signalised junction with Humber Doucy Lane and Inverness Road.</p> <p>b. The priority junction onto Humber Doucy Lane.</p> <p>c. The bus access and pedestrian and cycle connection onto Humber Doucy Lane.</p> <p>d. The priority junction onto Tuddenham Road.</p> <p>e. Pedestrian and cycle access onto Seven Cottages Lane, including improvements to the bus stop on Humber Doucy Lane (northwest of Seven Cottages Lane).</p> <p>f. Pedestrian and cycle access onto Tuddenham Lane.</p> <p>The accesses shall thereafter be constructed and completed in all respects in accordance with the approved details pursuant to this condition and made available prior to first use. The accesses shall thereafter be retained in their approved form.</p> <p><i>Reason: To ensure that the accesses are designed and constructed to an appropriate specification in the interests of highway safety. A Section 278 Agreement with the Local Highway Authority is required to carry out these</i></p>			<p>condition two requires compliance with the access drawings submitted and condition 3 allows amended details to these approved plans. It could also lead to inconsistencies with condition 4.</p> <p>Option 2 is quite prescriptive and requires amendments to the drawings submitted for full permission. Option 2 could potentially mean the Inspector is being asked by the Appellant simultaneously to grant permission on the basis of the submitted access plans and to condition a different set of plans. It would be undesirable for full permission to be granted in respect of access plans which it is known will be subject to material revision under a separate condition.</p> <p>It is not currently known if the details in the PoE are accepted by SCC. In</p>
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	<p><i>works. This is required prior to commencement as it is necessary to have the design of the accesses approved prior to works on such matters commencing.</i></p>			<p>addition, these drawings have not been subject to a public consultation and the discharge of condition is also not required to be subject to public consultation.</p>
4.	<p><b>Prior to commencement- construction programme for accesses</b></p> <p>Prior to commencement of construction works for the accesses approved under condition 3 above, a construction programme detailing the timeframes for the construction and completion of all the accesses approved under condition 3 shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority.</p> <p>The accesses shall thereafter be completed in accordance with the approved construction programme.</p> <p><i>Reason: To ensure the accesses are brought into use before any other part of the development proposed under IP/24/00172/OUTFL is first brought into</i></p>		<p>Condition not necessary and suggest that it is deleted. The reason given is that the accesses are brought into use in advance of the development they serve, and as the wider development is part of the Outline, the timing for the access works would be picked up as part of the material required to satisfy Outline Condition 4 on phasing.</p>	<p>This condition is considered necessary as it is to agree the timeframes for constructing and completing the accesses and ensuring they are delivered. This approach has been taken in lieu of any suggested occupation trigger points by SCC Highways for the different accesses.</p> <p>The accesses form part of the Full Application and are therefore subject to a separate decision notice to the Outline Applications. They will therefore technically not fall within or</p>

	<p><i>use or first occupied, in the interests of highway safety and to promote sustainable travel. This is required prior to commencement to ensure the accesses are provided at the appropriate times in relation to the wider development site.</i></p>			<p>be controlled by any Phasing Strategy secured under the Outline Applications. A standalone condition to secure the appropriate timeframe for delivering the accesses is therefore necessary.</p> <p>In practice the approved programme will inform and link to any Phasing Strategy for the Outline Application.</p>
5.	<p><b>Traffic Control Measures – Inverness Road:</b></p> <p><del>No development shall commence</del><u>Commencement of works to implement the traffic light controlled junction on Humber Doucy Lane as shown on approved plan 890695-RSK-ZZ-XX-DR-C-0003-P02 shall not occur</u> -until details of a scheme of traffic control measures on Inverness Road have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority.</p> <p>The traffic control measures shall thereafter be constructed and completed</p>	<p>We're seeking further details for the signalised junction, so it does not seem suitable to include the drawing number within this condition?</p>	<p>No objection in principle but this should be on the Outline, since it is linked to beneficial use of the signalised junction i.e. by the occupation of houses under the Outline element. Timing amended to make clear that the details for Inverness Road are linked only to the construction of the traffic light controlled junction on HDL, rather than to construction of any of the other access points.</p>	<p>This is a recommended condition put forward by SCC.</p> <p>Agree the requirement for these traffic control measures are due to the use/demand associated with the Outline Applications. However, the trigger point for providing the details of the scheme and implementing them are related to the signalised junction which is part of the full application not the outlines.</p>

	<p>in all respects in accordance with the approved details pursuant to this condition and made available prior to first use of the Signalised Junction on Humber Doucy Lane <u>by vehicles entering or exiting the site. The traffic control measures shall thereafter be retained in their approved form.</u></p> <p><i>Reason: To ensure that any traffic problems which would arise from the intensification of motorised traffic on Inverness Road resultant of the development are suitably mitigated.</i></p>		<p>Suggested change is just to cover off through traffic using the junction in advance of development traffic, as per IBC point).</p> <p>As the traffic control measures would be within the highway boundary, the appellant would have no ability to remove or alter them, but perversely, with this wording, would be in breach of condition if the Highway Authority were to alter the measures in the future.</p>	<p>Applying the condition as suggested by the Appellant to the OPPs would not restrict the commencement of the signalised junction. As such, on reflection it is best applied to the Full Application.</p> <p>IBC however suggest the following: Prior to commencement of the signalised junction with Humber Doucy Lane and Inverness Road, details of a scheme of traffic control measures on Inverness Road shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority. The traffic control measures shall thereafter be constructed and completed in all respects in accordance with the approved details pursuant to this condition and made available prior to first use of</p>
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				<p>the Signalised Junction on Humber Doucy Lane by vehicles entering or exiting the appeal site.</p> <p>Agree reference to drawing to be amended may not be appropriate.</p>
6.	<p><b>Prior to commencement- walking and cycling infrastructure connecting the east and west parcels</b></p> <p>Notwithstanding the details submitted, no development shall commence on the proposed walking and cycling infrastructure linking the east and west parcels of the site (as shown on drawing 890695- RSK—ZZ-XX-DR-C-0001 rev. P02 – Proposed Access Strategy Sheet 1 of 6) until precise details of the walking and cycling infrastructure have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority. The details shall include suitable pedestrian and cycle crossing facilities surface materials, signage, street lighting, gradients, visibility splays and a timeframe for delivery of the approved infrastructure.</p> <p>The walking and cycling infrastructure shall thereafter be constructed and</p>	<p>This condition will secure the parallel crossing, of which is currently proposed as a zebra crossing and does not permit cyclists.</p>	<p>Condition not considered necessary as the works are shown on the approved plan and covered by the Appellant's proposed alternative to Condition 3 above.</p>	<p>The condition requires the precise design details of the walking and cycling path connecting the east west parcels and accesses under condition 3. Condition 3 relates to the access points and this condition relates to the path. The alternative condition from the Appellant does not cover this.</p> <p>The condition is therefore necessary.</p> <p>The reference to the drawing is to refer to the location and extent of the path.</p>

	<p>completed in all respects in accordance with the approved details pursuant to this condition and made available prior to first use. The accesses shall thereafter be retained in their approved form.</p> <p><i>Reason: To ensure that the walking and cycling infrastructure is designed and constructed to an appropriate specification and brought into use at the appropriate time, in the interests of highway safety and to promote sustainable travel. A Section 278 Agreement and/ or Section 38 Agreement with the Local Highway Authority may be required to carry out these works. This is required prior to commencement as it is necessary to have the design of these aspects approved prior to works on such matters commencing.</i></p>			
7.	<p><b>Prior to commencement- Arboricultural Method Statement</b></p> <p>No <u>works to construct the accesses shown on the approved plans development</u> shall commence until a detailed Arboricultural Method Statement <u>in relation to the relevant access works</u> has been submitted to and approved in writing by the Local Planning Authority. The Statement should expand on the</p>		Amendment intended to facilitate the separate submission of AMSs for each access, in case these are built at different times (whilst also not precluding the submission of a single AMS or an AMS covering multiple junctions).	Content to agree the amendment from the Appellant relating to separate AMSs. However, suggested wording to incorporate the walking and cycling infrastructure as well:



	<p>submitted Arboricultural Impact Assessment (received 26.03.2024) to ensure:</p> <ul style="list-style-type: none"> <li>a) appropriate tree and hedge retention <del>and new replacement planting</del>;</li> <li>b) specifications for tree protection barriers including any revisions to barrier locations;</li> <li>c) a schedule of tree and hedgerow works;</li> <li>d) phasing of work; safeguarding procedures for development with RPAs (Root Protection Areas); and</li> <li>e) a scheme for auditing tree protection and subsequent reporting to Ipswich Borough Council Arboricultural Officers.</li> </ul> <p>Detailed Tree Protection Drawings should be prepared to 1:500 scale to support the Arboricultural Method Statement with detail given of proposed ground levels and service routes.</p> <p>The development shall only be implemented in full accordance with the details as approved.</p>		<p>Replacement planting would be outside of the areas covered by the detailed elements, and so picked up as part of the Outline landscaping conditions.</p>	<p><i>Prior to commencement of the accesses and walking and cycling infrastructure hereby approved, an Arboricultural Method Statement for those works shall be...</i></p> <p>The removal of 'new replacement planting' is not accepted. The Full Application is separate to the Outline Application and as such details of the tree replacement will be needed. This could be included within the AMS as statement as to how the replacement planting will be addressed, e.g. that x number of trees and hedgerow will be incorporated within the adjacent phase of the Outline Application. The relevant RM would therefore pick this up.</p>
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	<p><i>Reason: To safeguard existing trees and other natural features within and adjoining the site in the interest of amenity and to also ensure adequate replacement and compensation for any trees or hedgerows to be removed. This is required prior to commencement to ensure the tree protection measures are approved and installed prior to construction works commencing as to avoid any harm to trees and other natural features.</i></p>			
8.	<p><b>Prior to Commencement: Construction and Environmental Management Plan</b></p> <p>No <u>works to construct the accesses shown on the approved plans development</u> shall commence until a Construction and Environmental Management Plan ('CEMP') <u>for the relevant access works</u> has been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highways Authority. The CEMP shall include the following matters:</p> <ul style="list-style-type: none"> <li>a) parking and turning for vehicles of site personnel, operatives and visitors.</li> <li>b) loading and unloading of plant and materials.</li> </ul>		<p>The CEMPs could potentially be different depending upon which access is being created. Also it is not necessary for a CEMP for all accesses to be in place before construction of the first.</p>	<p>Content to agree the amendment from the Appellant. However, suggest the following amended wording to incorporate the walking and cycling infrastructure as well.</p> <p><i>Prior to commencement of the accesses and walking and cycling infrastructure hereby approved, a Construction and Environmental Management Plan ('CEMP') for those works shall be...</i></p>

	<p>c) piling techniques (if applicable).</p> <p>d) storage of plant and materials.</p> <p>e) provision and use of wheel washing facilities.</p> <p>f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works.</p> <p>g) site working and delivery times.</p> <p>h) a communications plan to inform local residents of the program of works.</p> <p>i) details of <u>security fencing</u>, boundary hoarding and lighting.</p> <p>j) details of proposed means of dust suppression.</p> <p>k) details of measures to prevent mud from vehicles leaving the site during construction.</p> <p>l) haul routes for construction traffic on the highway network.</p> <p>m) monitoring and review mechanisms.</p> <p>n) Details of deliveries times to the site during the construction phase.</p> <p>Construction of the development shall not be carried out other than in strict accordance with the approved CEMP.</p>		<p>Additional text allows condition 17 to be deleted.</p>	<p>Content to include details of security fencing but this does not address condition 17 which relates to post-construction security. This condition relates to construction and the CEMP only applies to construction works.</p>
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	<p><i>Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. Also to protect the amenities of neighbouring occupiers and to ensure the relevant mitigation measures identified in the Air Quality Assessment are satisfactorily accommodated. This is required prior to commencement because an approved Construction and Environmental Management Plan must be in place at the outset to ensure construction is carried out appropriately.</i></p>			
9.	<p><b>Prior to commencement- CECMP: Biodiversity</b>  <u>No works to construct the accesses shown on the approved plansdevelopment</u> shall take place (including <del>any demolition</del>, ground works or vegetation clearance) until a Construction <del>Environmental—Ecological</del> Management Plan <u>for the relevant access works: Biodiversity</u> ('CEMP: Biodiversity') has been submitted to and approved in writing by the Local Planning Authority. The CECMP: Biodiversity shall include the following:</p>		<p>This should refer to a Construction Ecological Management Plan (CEcMP).</p> <p>As previously, timing altered to allow different accesses to be built at different times.</p> <p>Inclusion of reptiles (see para 6.3 of the March 2024 ECIA by CSA) means that following condition can be removed.</p>	<p>Do not accept the amendment to a CECMP. Construction Environmental Management Plan is the correct term as per BS 42020:2013 and as referred to in the ECIA submitted by the Appellant.</p> <p>Content to accept the amendment to have separate CEMP: Biodiversity. However, the suggest the following</p>

	<p>a) Risk assessment of potentially damaging construction activities, including those in relation to <u>reptiles</u>, great crested newts, breeding birds and bats.</p> <p>b) Identification of “biodiversity protection zones”.</p> <p>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).</p> <p>d) The location and timing of sensitive works to avoid harm to biodiversity features.</p> <p>e) The times during construction when specialist ecologists need to be present on site to oversee works.</p> <p>f) Responsible persons and lines of communication.</p> <p>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</p> <p>h) Use of protective fences, exclusion barriers and warning signs.</p>			<p>wording to include the walking and cycling infrastructure:</p> <p><i>Prior to commencement of the accesses and walking and cycling infrastructure hereby approved, a Construction and Environmental Management Plan: Biodiversity ('CEMP: Biodiversity') for those works shall be...</i></p> <p>Content to include the reference to reptiles however this only relates to risk assessments. The SoCG does agree a reptile mitigation strategy condition is required. Condition 10 is proposed for that purpose. Given the level of detail required it is considered best to separate from the CEMP: Biodiversity.</p>
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	<p>Construction of the development shall not be carried out other than in strict accordance with the approved CEMP: Biodiversity.</p> <p><i>Reason: To ensure that ecological receptors are adequately protected and to minimise impacts on biodiversity. This is required prior to commencement because an approved CEMP: Biodiversity must be in place at the outset to ensure construction is carried out appropriately to protect and conserve ecological receptors.</i></p>			
10.	<p><b>Prior to commencement: Reptile Method Statement</b></p> <p>No development shall commence (including any demolition, ground works or vegetation clearance) until a Reptile Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Reptile Method Statement shall include:</p> <ul style="list-style-type: none"> <li>a) purpose and objectives for the proposed works;</li> <li>b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);</li> </ul>		<p>Condition unnecessary as reptiles would fall to be covered under the previous condition.</p>	<p>As above- Condition is deemed necessary.</p>

	<p>c) extent and location of proposed works shown on appropriate scale maps and plans;</p> <p>d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;</p> <p>e) persons responsible for implementing the works;</p> <p>f) initial aftercare and long-term maintenance (where relevant);</p> <p>g) disposal of any wastes arising from works.</p> <p>The works shall only be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.</p> <p><i>Reason: To ensure that ecological receptors are adequately protected and to minimise impacts on biodiversity. This required prior to commencement as an approved Reptile Method Statement must be in place at the outset to ensure construction is carried out appropriately to protect ecological receptors.</i></p>			
11.	<p><b>Prior to commencement- Archaeological Investigation</b></p> <p>No development shall take place until the implementation of a programme of archaeological work has been secured, in</p>		Condition not considered necessary, as with the exception of the rugby pitches, the archaeological	This is the condition recommended by SCC. It is a condition included in the SoCG. It is understood from comments on the Outline

	<p>accordance with a Written Scheme of Investigation which has previously been submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall include:</p> <ul style="list-style-type: none"> <li>a) The programme and methodology of site investigation and recording.</li> <li>b) The programme for post investigation assessment.</li> <li>c) Provision to be made for analysis of the site investigation and recording.</li> <li>d) Provision to be made for publication and dissemination of the analysis and records of the site investigation.</li> <li>e) Provision to be made for archive deposition of the analysis and records of the site investigation.</li> <li>f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.</li> </ul> <p>No development shall commence until the site investigation has been completed,</p>		<p>investigation has been completed.</p>	<p>that SCC consider further targeted investigation will be needed. It has not yet been determined where this further investigation is required and it may impact on the areas subject to the Full Application.</p> <p>If the results of the trial trenching provide no archaeological evidence or anything found is superficial SCCAS may advise that no further investigation is required in relation to the Full Application.</p>
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	<p>unless any such other phased arrangement has been previously agreed and approved in writing by the Local Planning Authority under this condition.</p> <p><i>Reason: 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. This is required prior to commencement because the archaeological investigation must be carried out to ensure that any below ground heritage assets that exist are not damaged or destroyed by the construction works.</i></p>			
12.	<p><b>Prior to commencement- Construction Surface Water Management</b></p> <p>No <u>works to construct the accesses shown on the approved plans</u><del>development</del> shall commence until details of a Construction Surface Water Management Plan ('CSWMP') <u>for the relevant access works</u> detailing how surface water and storm water will be managed on the site during construction (including any demolition and site clearance operations) has been submitted</p>		<p>Timing amended to facilitate access works being undertaken separately, and to make clear what the duration of the temporary surface water management works relate to.</p>	<p>The amendment by the Appellants is not accepted. It is considered necessary for one CSWMP to show how the construction drainage for the different parts of the development will relate to each other rather than providing separate CSWMP for each element. There is a need to consider the in-combination</p>

	<p>to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.</p> <p>The CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-</p> <ul style="list-style-type: none"> <li>a) Temporary drainage systems.</li> <li>b) Measures for managing pollution / water quality and protecting controlled waters and watercourses.</li> <li>c) Measures for managing any on or offsite flood risk associated with construction.</li> </ul> <p>The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of <del>construction</del><a href="#">the works to which it relates</a>.</p> <p><i>Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. This is required prior to commencement to ensure an acceptable strategy is in place to manage surface water during construction.</i></p>			effects of construction drainage, particularly if utilising existing ditches or features.
13.	<b>Prior to commencement: Surface Water Drainage Strategy</b>		Not convinced this condition is necessary, as it appears to	The development proposed under the Full Application

	<p>No development shall commence until details of the strategy for the disposal of surface water on the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and the Local Highways Authority. The Strategy shall include details of the future maintenance and management of the drainage features.</p> <p>The development shall be carried out, managed, and maintained in full accordance with the approved details.</p> <p><i>Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained, and to prevent hazards caused by flowing water or ice on the highway. To also ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. This is required prior to commencement to ensure an acceptable strategy is in place to manage surface water and delivered accordingly to avoid any abortive works.</i></p>		<p>relate to the wider surface water network to which the junctions will be connected in due course, and which forms part of the Outline consent. Until such time as the drainage strategy for the Outline areas is approved and constructed, the junctions will operate under the temporary construction details approved pursuant to the previous condition.</p>	<p>is not controlled by the Outline Applications and therefore can be constructed separate to the Outline Applications.</p> <p>It is therefore necessary to submit for approval the permanent drainage proposals and (if necessary) any interim/temporary drainage proposals associated with the development under the Full Application and to ensure these drainage proposals are delivered.</p> <p>The proposal would likely provide a piped network which will eventually connect into the proposed drainage network within the Outline Applications and also potentially connect to the existing (current/upgraded) network within the highway.</p>
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14.	<p><b>Prior to commencement- Habitat Management and Monitoring Plan</b></p> <p>No development shall commence until a Habitat Management and Monitoring Plan (the HMMP), has been submitted to, and approved in writing by, the Local Planning Authority. The created and/or enhanced habitat specified in the approved HMMP shall be implemented, retained, managed and monitored in accordance with the approved HMMP for a minimum of 30 years.</p> <p>The HMMP shall be prepared in accordance with the Overall Biodiversity Gain Plan and include:</p> <ul style="list-style-type: none"> <li>• a non-technical summary;</li> <li>• the roles and responsibilities of the people or organisation(s) delivering the HMMP;</li> <li>• the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;</li> <li>• the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a minimum period of 30 years from the completion of development; and</li> </ul>		<p>Rather than duplicate conditions across the detailed and outline elements, it would be simpler and preferable to have the HMMP/BNG conditions placed at the start of the list of conditions, so that they are applicable to both the detailed and outline elements.</p>	<p>For the purposes of this document this is included to show it is relevant to the Full and Outline Applications.</p> <p>Should the Inspector allow the appeal then there will be two decision notices (for IBC) one for the Full Application and one for the Outline Application – a split decision. The Accesses can technically be constructed in isolation from the Outline Application and therefore BNG and HMMP applies to the Full Application on its own.</p>
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	<ul style="list-style-type: none"> <li>the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,</li> </ul> <p><i>Reason: To ensure that habitats created or enhanced to meet the Biodiversity Gain objective are appropriately managed and monitored for a minimum of 30 years in accordance with the requirements of the Environment Act (2021).</i></p>			
15.	<p><b>Ecological Enhancement Strategy</b></p> <p>No development shall commence until an Ecological Enhancement Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall address how ecological enhancements will be delivered on site.</p> <p>Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.</p> <p><i>Reason: To ensure that the development delivers ecological enhancement. Also to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife &amp; Countryside Act 1981 as amended and s40 of the NERC Act 2006</i></p>		<p>This is considered to be an Outline condition rather than a detailed condition, as ecological enhancement will form part of the wider Outline details, rather than being specific to the land within which the junction works will occur.</p>	<p>The Full Application involves the removal of trees and hedgerow and loss of habitat. As it is separate to the Outline Applications, ecological enhancement is needed. This can identify measures which will be included in the soft landscaping and within the RMs (if necessary). As mentioned above the Full Application is a separate permission to the Outline Application.</p>

	<i>(Priority habitats &amp; species). This required prior to commencement as the enhancement measures must be in secured from the outset before any habitat is removed and constructions works commence.</i>			
16.	<p><b>Visibility splays</b></p> <p>Before the access junctions are first used visibility splays shall be provided as shown on the approved details under condition 3 above and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town &amp; Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.</p> <p><i>Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely, including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have</i></p>		See accompanying suggested condition/note.	Will defer to SCC and the Inspectors comments on the acceptability of the visibility splays proposed.

	<i>sufficient warning of a vehicle emerging in order to take avoiding action if necessary.</i>			
17.	<p><b>Security fencing</b></p> <p>Prior to the completion of each access, details of the temporary security fencing, gates and/or any other security measures to prevent motorised vehicles accessing the application site of IP/24/00172/OUTFL shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the timeframe for the installation and removal of the fencing, gates and/or other security measures.</p> <p>The development shall thereafter be carried out in accordance with the approved details.</p> <p><i>Reason: To ensure the site remains secure from potential anti-social behaviour and noise nuisance.</i></p>		Can be covered under CEMP	<p>This is not covered by the CEMP. The CEMP relates to construction activity only.</p> <p>This condition relates to post-construction in the event the accesses are not connected to a development parcel. The condition is therefore not agreed to be removed.</p>
18.	<p><b>Soft landscaping</b></p> <p>Prior to completion of each access, soft landscaping details for <u>the verges relating to that each</u> access shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:</p>		Amendments are intended to make it clear that this condition only relates to the limited areas of verge that form part of the detailed access designs.	IBC have concerns over the inclusion of 'verge' as it is unclear how verge is to be defined e.g. a 1m grassed strip beside the new pavements/accesses?

	<p>a) a planting specification with details of the quantity, size, species, <u>and</u> position <u>of any</u>d tree pit details;</p> <p>b) the proposed time of planting of <u>any</u> trees and hedging / shrubs to be planted; and</p> <p>c) details of the future management and maintenance of the soft landscaping.</p> <p>The soft landscaping proposal shall have regard to the mature size and anticipated routine maintenance of the tree and hedging/shrubs to be planted.</p> <p>Soft landscaping shall be provided in full accordance with the approved details.</p> <p>If any plants or trees which have been planted pursuant to this condition, dies, are removed, or become seriously damaged or diseased within the period of 15 years from the date on which they were planted, they shall be replaced in the next planting season with other trees or plants (as appropriate) of a similar size and species.</p> <p><i>Reason: In the interest of both highway safety and the character of the development. To also ensure the suitable level of replacement tree and hedge</i></p>			<p>The condition relates only to the accesses and path proposed under the Full Application. Therefore, the extent of soft landscaping is determined by the overall area for the access junctions and path which fall outside of the outline area.</p> <p>This does highlight an issue with the application submission that the precise areas of the full application and the outline application are not well-defined. IBC would expect the entrances to a new development of this scale to provide some entrance planting. Is it proposed that this level of planting will come forward through the RMs?</p> <p>If the above is the case than verges may be acceptable but would recommend verges are defined within the reason</p>
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	<i>planting and the new landscaped areas are properly maintained in the interest of safeguarding the amenity of the area.</i>			and that this includes they are the areas outside of the Outline Application. This is particularly important for the bus gate junction opposite Sidegate Lane.
19.	<p><b>Unexpected Contamination</b></p> <p>The development shall be carried out in accordance with a watching brief for any <del>potential asbestos containing materials and other</del> previously undiscovered contamination.</p> <p>If, during development, contamination not previously identified is found to be present at the site then no further works in the immediate vicinity of the contamination source (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unexpected contamination shall be dealt with and obtained written approval from the Local Planning Authority.</p> <p>The remediation strategy shall be fully implemented as approved. The extent of the area surrounding the contamination source where works shall be placed on</p>			Accept the removal of the text as proposed by the Appellant.

	<p>hold will be determined by a suitably qualified person acting on behalf of the developer in consultation with the Local Planning Authority.</p> <p><i>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.</i></p>			
20.	<p><b>Archaeological Post Investigation</b></p> <p>The accesses shall not be made available for public use until the post investigation assessment has been completed and 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 <b>condition 11</b> and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.</p> <p><i>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any</i></p>	<p>SCC note - The condition is to ensure reporting.....yes appears to be covered by 11 but this is as drafted and agreed in SoCG.</p>	<p>Not convinced condition is necessary for the detailed element, but Appellant is awaiting feedback from its consultant, RPS, on the matter.</p>	<p>This is the condition recommended by SCC. It is a condition included in the SoCG.</p> <p>As condition 11 is needed than this condition is also needed as it relates to the post investigation assessment.</p>

	<i>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.</i>			
21.	<p><b>Surface Water Drainage Verification Report</b></p> <p>Within 28 days of practical completion of the development approved under the full planning permission, a surface water drainage verification report shall be submitted to and approved in writing by the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The Report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.</p> <p><i>Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation. Also to ensure that the Sustainable Drainage System has been implemented as</i></p>		Not considered necessary, as permanent drainage is an Outline condition matter.	As detailed above, this is separate to the Outline Applications and as such a verification report is required as it is not controlled by the Outline Applications.

	<i>permitted and that all flood risk assets and their owners are recorded onto the Lead Local Flood Authority's statutory flood risk asset register, as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk.</i>			
22.	<p><b>Biodiversity Gain Plan</b> The Overall Biodiversity Gain Plan and subsequent Biodiversity Gain Plans for each phase and parts of the development submitted to discharge the pre-commencement Biodiversity Gain condition shall be prepared in accordance with the Biodiversity Net Gain Assessment: Design Stage report (CSA Environmental, March 2024).</p> <p><i>Reason: To ensure that the Overall Biodiversity Gain Plan and Biodiversity Gain Plans for each phase and part of the development are in accordance with the Biodiversity Gain information submitted with this application.</i></p>		As per HMMP	Same return comments apply to the HMMP.
<u>23</u>	<p><b><u>Skylark Mitigation Strategy</u></b></p> <p><u>Prior to the approval of the first Reserved Matters application, a Skylark Mitigation Strategy shall be submitted to and approved in writing by the Local Planning</u></p>		<p>This should be an Outline condition.</p> <p>For comments on this condition, see the relevant Outline condition.</p>	Agree this can be omitted from the Full Application and applied to the Outline Applications. It would be expected that any works relating to the Full

	<p><u>Authority. The Skylark Mitigation Strategy shall include the following:</u></p> <p><u>a) Purpose and conservation objectives for the proposed Skylark plots;</u></p> <p><u>b) detailed methodology for the Skylark plots;</u></p> <p><u>c) locations of the Skylark plots by appropriate maps and/or plans;</u></p> <p><u>d) persons responsible for implementing the compensation measure; and</u></p> <p><u>e) timeframes for implementing and maintaining these measures.</u></p> <p><u>The approved mitigation measures shall be implemented and maintained in accordance with the approved Strategy. Where such mitigation is to be made off-site, an agreement in accordance with section 106 of the Town and Country Planning Act 1990 shall be entered into, binding those interests in the off-site land as are necessary to secure the delivery of the mitigation measures in accordance with the Strategy, which shall detail the location where such mitigation is to be provided, the form of the approved mitigation and the approved ongoing maintenance regime for the measures; and in such circumstances no development shall commence until the section 106 agreement has been entered into.</u></p>			<p>Application and prior to the Outline Development commencing would be outside of the skylark breeding season as to avoid disturbance.</p>
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	<p><u>Reason: In the interest of protecting and conserving priority and protected species and habitats and to ensure there is no net loss of biodiversity in accordance with Local Plan Policies CS16 and DM31. Also, to comply with the Council's duty under Section 40 of the Natural Environment and Rural Communities Act to conserve and enhance Biodiversity.</u></p>			
	<p><b>INFORMATIVES</b></p> <ul style="list-style-type: none"> <li>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. The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also 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. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and</li> </ul>			

	<p>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. For further information please visit: <a href="https://www.suffolk.gov.uk/planning-waste-andenvironment/planning-and-development-advice/application-for-works-licence/">https://www.suffolk.gov.uk/planning-waste-andenvironment/planning-and-development-advice/application-for-works-licence/</a></p> <ul style="list-style-type: none"><li>• The Local Planning Authority recommends that developers of housing estates should enter into formal agreements with the Highway Authority under Section 38 of the Highways Act 1980 in the interests of securing the satisfactory delivery, and long-term maintenance, of the new streets. For further information please visit: <a href="https://www.suffolk.gov.uk/planning-waste-andenvironment/planning-and-development-advice/application-for-works-licence/">https://www.suffolk.gov.uk/planning-waste-andenvironment/planning-and-development-advice/application-for-works-licence/</a> Please note that this development may be</li></ul>			
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	<p>subject to the Advance Payment Code and the addition of non-statutory undertakers plant may render the land unadoptable by SCC Highways for example flogas and LPG.</p> <ul style="list-style-type: none"><li>• Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991</li><li>• Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.</li><li>• Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act.</li><li>• Biodiversity Net Gain Condition Informative</li><li>• Positive and Proactive Statement</li><li>• Consideration of relevant regs e.g. equality, habitat regs etc</li></ul>			
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Draft: IBC and ESC Suggested Conditions- HDL Appeal

	<ul style="list-style-type: none"><li>• Summary of policies and SPDs</li><li>• Any other by consultees</li></ul>			
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