

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
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REFUSAL OF PLANNING PERMISSION

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

Correspondence Address:

Mr Jack Wilkinson
Wilkinson Planning Ltd
Bury Lodge
Bury Road
Stowmarket
Suffolk
IP14 1JA

Applicant:

Anglia Business Park Ltd
Anglia Business Park Wattisham Road
Ringshall
Ipswich
IP14 2HX

Date Application Received: 10-May-22

Application Reference: DC/22/02458

Date Registered: 17-May-22

Proposal & Location of Development:

Planning Application - Erection of 20no commercial units consisting of Class E(g) (office and light industrial) and B2 (general industrial)

Anglia Business Park, Wattisham Road, Ringshall, IP14 2HX

Section A – Plans & Documents:

This decision refers to drawing no./entitled 5442-0100 P04 received 10/05/2022 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

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

Noise Impact Assessment - Received 24/01/2024
Roof Plan - Proposed 5442-0303-P02 Units 8-10 - Received 16/11/2023
Roof Plan - Proposed 5442-0306-P02 Units 14-16 - Received 16/11/2023
Elevations - Proposed 5442-0400-P03 Units 1-4 - Received 16/11/2023
Elevations - Proposed 5442-0401-P03 Units 5-7 - Received 16/11/2023
Elevations - Proposed 5442-0402-P03 Units 8-10 - Received 16/11/2023
Elevations - Proposed 5442-0403-P03 Units 11-13 - Received 16/11/2023
Elevations - Proposed 5442-0404-P03 Units 14-16 - Received 16/11/2023
Elevations - Proposed 5442-0405-P03 Units 17-19 - Received 16/11/2023
Site Plan 5442-0103-P09 - Received 24/11/2023
Elevations - Proposed 5442-0406-P04 Units 20 - Received 16/11/2023

Floor Plan - Proposed 5442-0301 P01 units 5-7 - Received 10/05/2022
Topographic Survey AS1523-01A 1 - Received 10/05/2022
Topographic Survey AS1523-02A 2 - Received 10/05/2022
Block Plan - Proposed 5442-0103 P06 - Received 10/05/2022
Defined Red Line Plan 5442-0100 P04 - Received 10/05/2022
Floor Plan - Proposed 5442-0300 P01 units 1-4 - Received 10/05/2022
Floor Plan - Proposed 5442-0302 P01 units 8-10 - Received 10/05/2022
Floor Plan - Proposed 5442-0304 P01 units 11-13 - Received 10/05/2022
Floor Plan - Proposed 5442-0305 P01 units 14-16 - Received 10/05/2022
Floor Plan - Proposed 5442-0307 P01 units 17-19 - Received 10/05/2022
Floor Plan - Proposed 5442-0308 P02 unit 20 - Received 10/05/2022
Plans - Proposed 5442-0104-P02 Solid Fence - Received 10/04/2024

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. The proposed development is outside the settlement boundary within the countryside. Policy SP03 of the Joint Local Plan states that outside the settlement boundary development will only be supported subject to being in accordance with policies within table 5. It is not considered that the development is in accordance with Policies SP05 as it is not a strategic employment site or located within a strategic employment corridor.
2. In the absence of a Heritage Assessment to understand the significance of the existing hardstanding areas and buildings which are proposed to be demolished, the proposed development has the potential to be detrimental to existing non-designated assets and the wider understanding of the area's development as a World War II airfield contrary to Policy LP19 and the NPPF.
3. There is no provision for a minimum of 10 per cent Biodiversity Net Gain. This is contrary to policies SP09 and LP16 of the Joint Local Plan.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

SP03 - The sustainable location of new development
SP05 - Employment Land
LP09 - Supporting a Prosperous Economy
LP15 - Environmental Protection and Conservation
LP16 - Biodiversity & Geodiversity
LP23 - Sustainable Construction and Design
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport
LP19 - The Historic Environment

NOTES:

1. The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF

encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area:

In this case the principle of development was unacceptable and there were not any improvements to the scheme that would have enabled the proposals to be considered more favourably.

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

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

This relates to document reference: DC/22/02458

Signed: Philip Isbell

Dated: 12th April 2024

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/appeal-planning-decision>

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

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.