

*A development site with planning permission for the erection of three new dwellings just outside the village of Somersham.*

Offers In Excess Of  
£250,000 Freehold  
Ref: P7043/J

Development Site at  
Watering Farm  
Main Road  
Nettlestead  
Suffolk IP8 4QL



Planning permission has been implemented for the erection of three new dwellings comprising a link-detached bungalow, a link-detached house and a detached bungalow following the demolition of an existing building on a site that extends to approximately 0.27 acres (0.11 hectares) in all.

Contact Us



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Framlingham  
Suffolk IP13 9DU  
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*And The London Office*  
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London SW1A 1NS

[email@clarkeandsimpson.co.uk](mailto:email@clarkeandsimpson.co.uk)  
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## Location

The site forms part of Watering Farm which is located in the Parish of Nettlestead, but just a short distance to the north-west of the popular village of Somersham. Somersham benefits from a village pub, The Duke of Marlborough, and other facilities including a hairdresser, primary school, garage, village hall, shop and children's play area, as well as St Mary's Church and Somersham Baptist Chapel. The village is surrounded by farmland but has easy access to the larger villages of Bramford and Claydon, both offering further everyday shopping and recreational facilities as well as primary and secondary schools. There is easy access to the A14 which offers access in an easterly direction to the A12, Ipswich and Felixstowe and in a westerly direction to Bury St Edmunds, Cambridge and on to the Midlands. The county town of Ipswich which is just 2 miles to the east, offers a wide range of facilities including mainline railway link to London's Liverpool Street.

## Description

Planning Permission was granted by Mid Suffolk District Council on 15th January 2021 for the erection of three new dwellings on site - Reference DC/20/04004. Extracts of the consented plans are included within these particulars. The consented scheme that accompanied the application provides for three dwellings to be built on site following the demolition of an existing former agricultural storage building. The layout comprises a link detached bungalow, a link detached chalet style house and a detached bungalow, all with gardens and car parking facilities. The vendors also secured a separate planning permission for the conversion of the adjacent barn, which is also available for sale by separate negotiation.

The vendors, in conjunction with their architects HAT Projects, implemented the planning permission before it expired on 14th January 2024. This was achieved by securing permission from the local planning authority to phase the development, with the first phase comprising the installation of the new agricultural access, with the second phase comprising the development itself. A non-material amendment was approved in that regard-reference DC/23/03921. Mid Suffolk Council have also advised that the CIL liability has not been triggered by these works. Further information is available on request.

## CIL

The planning permission is subject to the local planning authority's Community Infrastructure Levy (CIL) and a CIL Liability Notice was subsequently issued dated 19th January 2021 confirming that the amount of CIL payable is £47,385.47, although we understand that this is subject to indexation. Any detailed enquiries relating to CIL should be referred to the local planning authority, Mid Suffolk District Council;  
Email: [infrastructure@babergmidsuffolk.gov.uk](mailto:infrastructure@babergmidsuffolk.gov.uk). Reference: LN00004440.

## The Accommodation

A schedule of the indicative accommodation for the consented scheme is as follows:

Property	Approx GIA		Description
	Sq Ft	Sqm	
Unit 1	887	81.48	A link detached two/three bedroom bungalow with garage
Unit 2	1,245	115.66	A link detached four bedroom chalet style house with garage
Unit 3	853	79.21	A detached two bedroom bungalow with garage
<b>TOTAL</b>	<b>2,985</b>	<b>276.35</b>	

## Proposed Terms of Sale

The extent of the site being offered for sale is as per the indicative plans included within these particulars. A right of way will be granted over the access roadway, which is to be retained by the vendors.

Prospective purchasers should note that the vendor will include a positive covenant within the sale contract requiring that the development should be in accordance with the planning permission granted and any variation will need to be with the vendor's prior consent, which is not to be unreasonably withheld. The vendors will not be obliged to maintain the roadway to any better standard than that for agricultural purposes only, although the purchasers can upgrade the roadway should they so wish. Moving forward the purchasers will be obliged to contribute a fair proportion towards the maintenance and upkeep of the roadway.

Access to the site will be via the existing roadway, although this will be retained by the vendors. The vendors will covenant only to use that access for residential and light good vehicles only, with a new access for agricultural vehicles being created to the west. The vendors will not be obliged to maintain the roadway to any better standard than that for agricultural purposes only. The purchasers will be obliged to contribute a fair proportion towards the maintenance and upkeep of the roadway.

The vendors will include a covenant/obligation within the sale contract not to use the agricultural buildings at the rear for the housing of any livestock. The vendors will also include a covenant/obligation requiring that the purchaser, and future purchasers, will not object to any planning application to redevelop the retained barns to the north-east for residential purposes.

### Services

We anticipate that a purchaser will wish to bring new, independent underground supplies for water, electricity and drainage from the public highway and a suitable easement to undertake these works within the retained land will be granted, subject to any 'making good' works to the vendor's satisfaction. It will be for the purchaser to satisfy themselves in relation to the provision and capacity of any services required.

### Architects

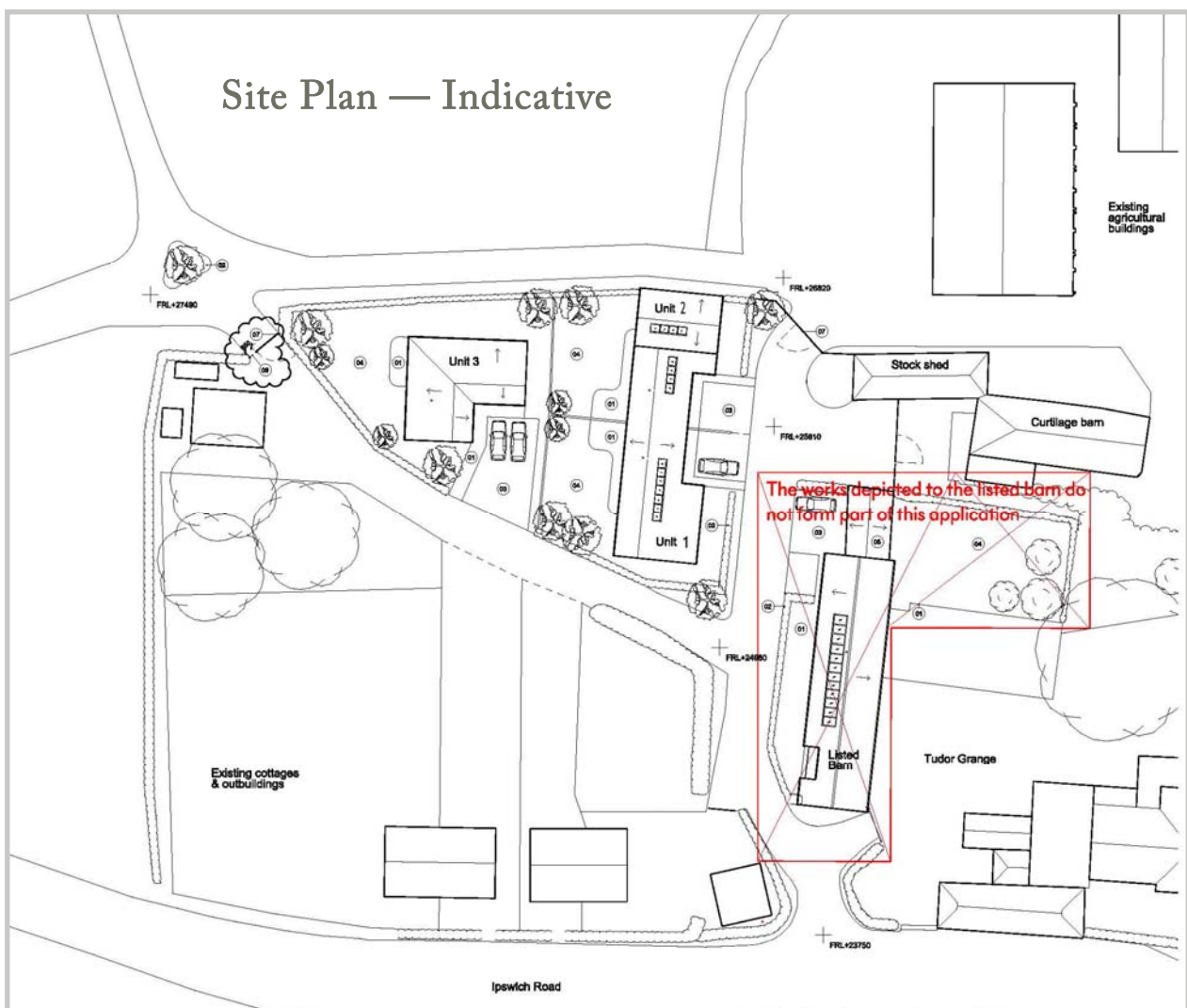
HAT Projects, Trinity Works, 24 Trinity Street, Colchester, CO1 1JN Tel: 01206 766585  
Email: blakenhamfarms@hatprojects.com. For the attention of Hana Loftus.

### Local Authority

Mid Suffolk District Council, Endeavour House, 8 Russell Rd, Ipswich IP1 2BX; Tel: 0345 6066067

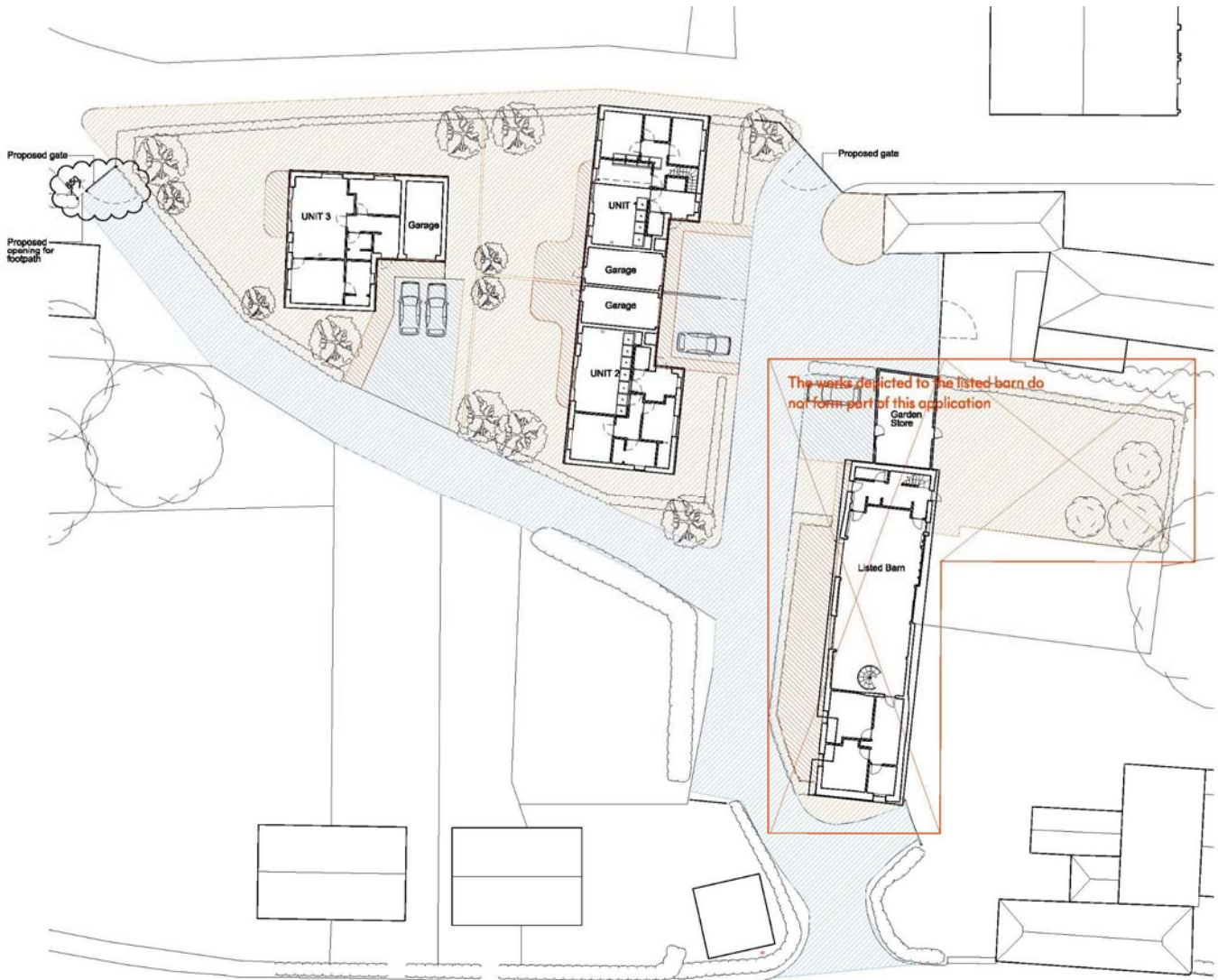
### Viewing

Prospective purchasers should note that adjacent to the site is a working arable farm and therefore viewings should be strictly by prior appointment with the selling agents.





# Landscaping Site Plan — Indicative Only

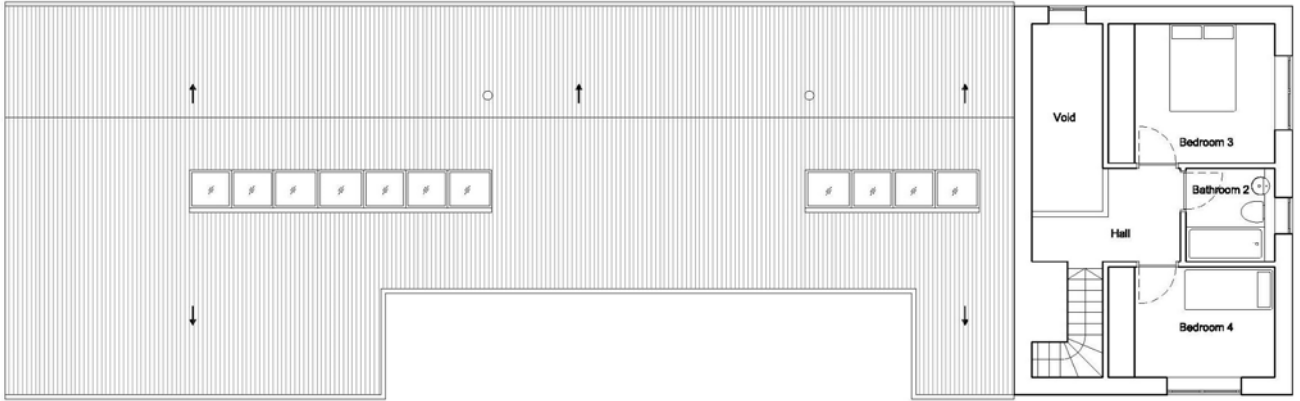


## NOTES

1. Every care has been taken with the preparation of these particulars, but complete accuracy cannot be guaranteed. If there is any point, which is of particular importance to you, please obtain professional confirmation. Alternatively, we will be pleased to check the information for you. These Particulars do not constitute a contract or part of a contract. All measurements quoted are approximate. The Fixtures, Fittings & Appliances have not been tested and therefore no guarantee can be given that they are in working order. Photographs are reproduced for general information and it cannot be inferred that any item shown is included. No guarantee can be given that any planning permission or listed building consent or building regulations have been applied for or approved. The agents have not been made aware of any covenants or restrictions that may impact the property, unless stated otherwise. Any site plans used in the particulars are indicative only and buyers should rely on the Land Registry/transfer plan.
2. The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 require all Estate Agents to obtain sellers' and buyers' identity.
3. Interested parties should note that the property forms part of a working arable farm, Watering Farm, and the buildings to the rear of the site are still used for the storage of crops.
4. Prospective purchasers should note that the Suffolk barn, to the south-east benefits from planning permission for conversion and is being offered for sale separately.
5. Prospective purchasers should note that there is a redundant underground fuel storage tank located within the development site.

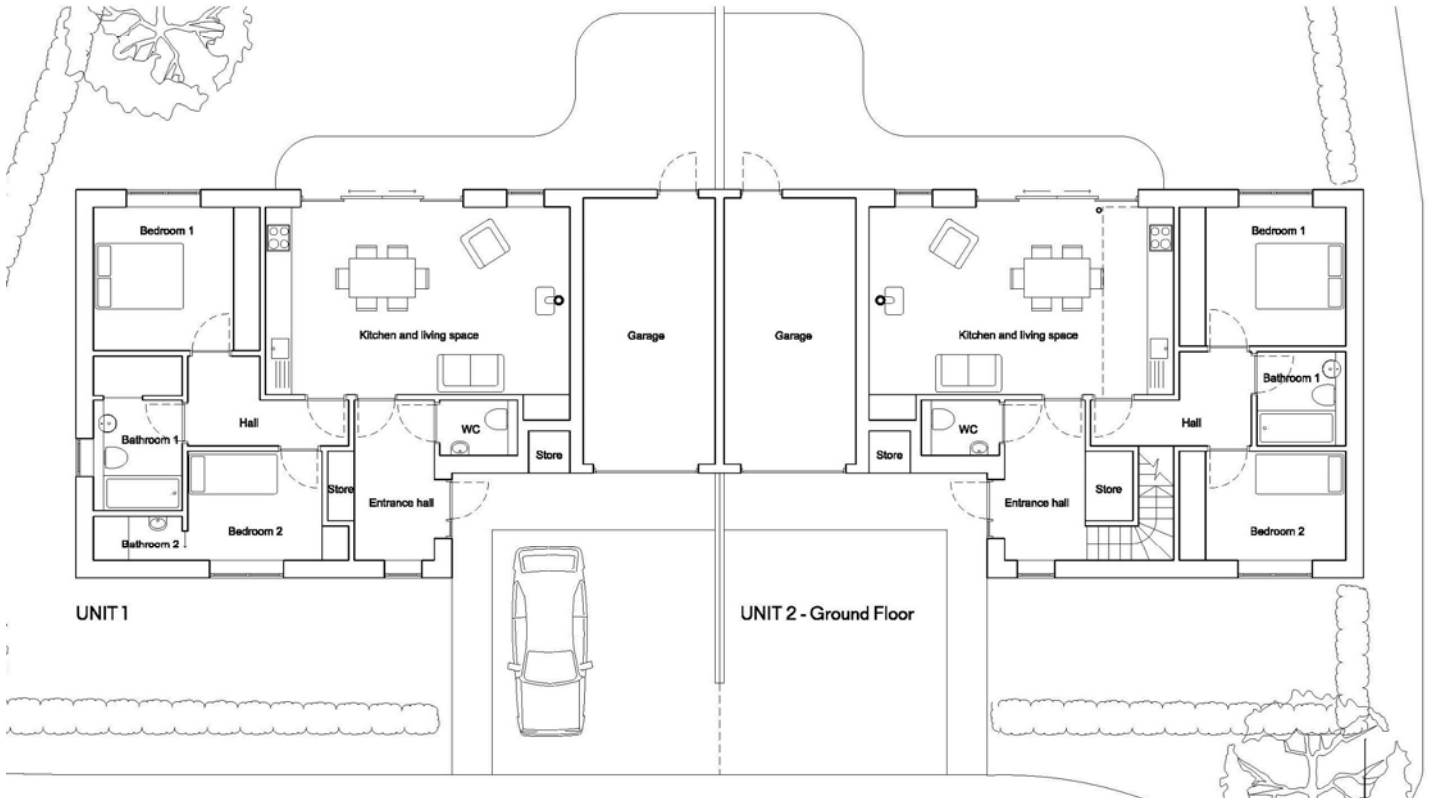
*May 2024*

# Proposed Floorplans — Indicative Only



UNIT 1 - Roof Plan

UNIT 2 - First Floor



UNIT 1

UNIT 2 - Ground Floor



UNIT 3 - Ground Floor Plan

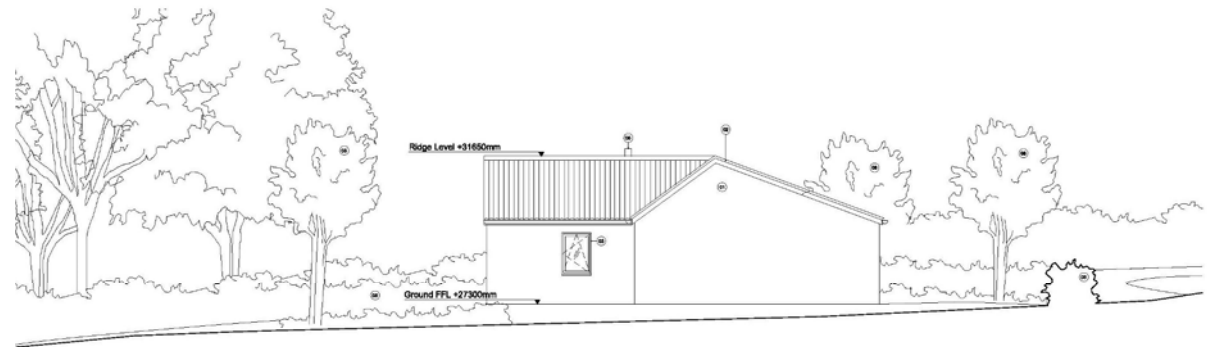
# Elevations — Indicative Only



East Elevation - Unit 1 and 2



West Elevation - Unit 1 and 2

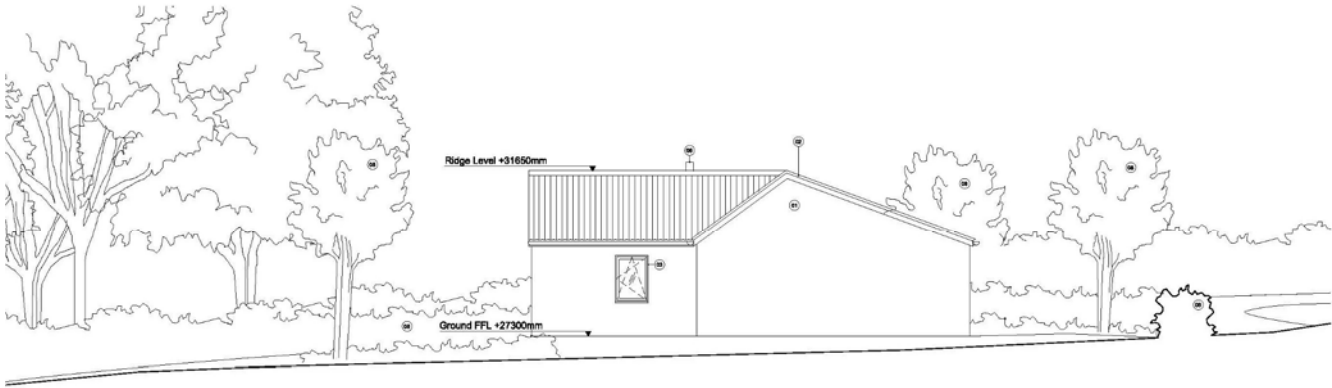


East Elevation - Unit 3



West Elevation - Unit 3

# Elevations - Indicative Only



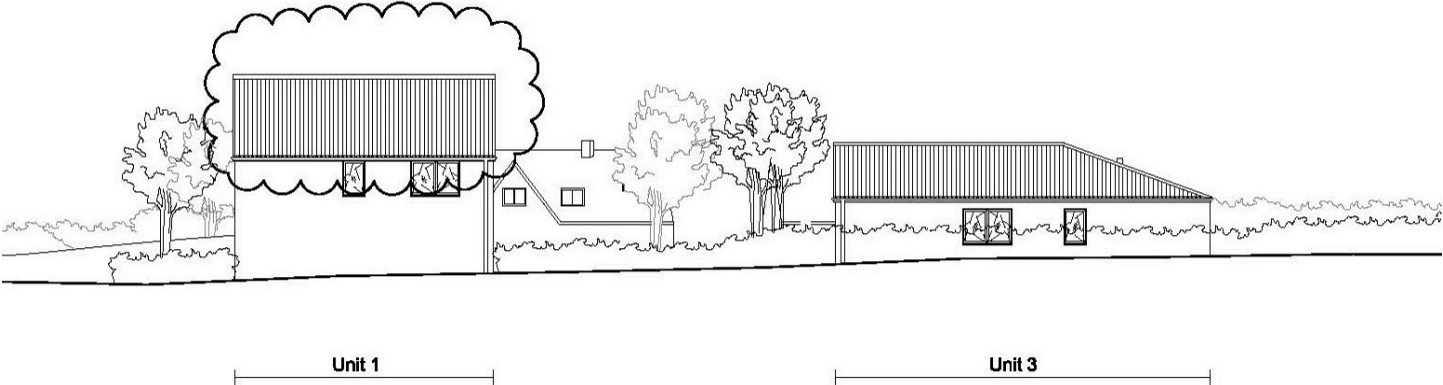
East Elevation - Unit 3



West Elevation - Unit 3



North Elevation



South Elevation





## Directions

Proceeding in a northerly direction on the A14 beyond Ipswich, take Junction 52 onto the B1113 where signposted to Bramford and Great Blakenham. At the roundabout take the second left onto the B1113 (Bramford Road). After a approximately half a mile take the second turning on your right onto Pound Lane. Continue along Pound Lane, turning right at the next junction onto Somersham Road. Continue through the village of Somersham where the site will be found on the right hand side.

For those using the What3Words app:  
 ///brilliant.professed.kitchens



Need to sell or buy furniture?

If so, our Auction Centre would be pleased to assist — please call 01728 746323.



**Philip Isbell – Chief Planning Officer**  
**Sustainable Communities**

**Mid Suffolk District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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## **PLANNING PERMISSION**

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

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**Correspondence Address:**

Ms Hana Loftus  
Trinity Works  
24 Trinity Street  
Colchester  
CO1 1JN  
United Kingdom

**Applicant:**

Blakenham Farms  
c/o Agent  
Cottage Farm, Somersham Road  
Little Blakenham  
IP8 4LZ

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**Date Application Received:** 15-Sep-20

**Application Reference:** DC/20/04004

**Date Registered:** 17-Sep-20

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**Proposal & Location of Development:**

Full Planning Application - Erection of 3no new dwellings.

Watering Farm, Main Road, Nettlestead, Suffolk

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**Section A – Plans & Documents:**

This decision refers to drawing no./entitled 174\_WF1\_HAT\_PL\_110PL3 received 18/12/2020 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:

Defined Red Line Plan 174\_WF1\_HAT\_PL\_110 PL3 - Received 18/12/2020  
Proposed Landscaping Plan 174\_WF1\_HAT\_PL\_111 PL3 - Received 18/12/2020  
Plans - Proposed 174\_WF1\_HAT\_PL\_120 PL3 - Received 18/12/2020  
Plans - Proposed 174\_WF1\_HAT\_PL\_122 PL3 - Received 18/12/2020  
Plans - Proposed 174\_WF1\_HAT\_PL\_142 PL3 - Received 18/12/2020  
Plans - Proposed 174\_WF1\_HAT\_PL\_143 PL3 - Received 18/12/2020  
Elevations - Existing 174\_WF1\_HAT\_PL\_020 PL2 - Received 18/12/2020  
Elevations - Existing 174\_WF1\_HAT\_PL\_022 PL2 - Received 18/12/2020  
Plans - Proposed 174\_WF1\_HAT\_PL\_144 PL3 - Received 18/12/2020

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**Section B:**

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:  
COMMENCEMENT TIME LIMIT

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

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. APPROVED PLANS & DOCUMENTS

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

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

3. ACTION REQUIRED PRIOR TO COMMENCEMENT: LAND CONTAMINATION

No development shall take place until:

1. A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.
4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

4. ACTION REQUIRED PRIOR TO OCCUPATION: SCHEME TO PROTECT AMENITY FROM NOISE

The proposed dwellings shall be insulated from traffic noise prior to their occupation, in accordance with a scheme which shall have previously been submitted to and approved, in writing, by the Local Planning Authority.

Reason: The site is adjacent to a busy road and the dwellings need to be adequately insulated to protect the future residents from traffic noise.

5. ACTION REQUIRED TO ACCESS

The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM01 and with an entrance width of 4.5m and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

6. ACTION REQUIRED PRIOR TO FIRST RESIDENTIAL USE: VISIBILITY SPLAYS TO ACCESS

The use shall not commence until the area(s) within the site shown on Drawing No. 174\_WF1\_HAT\_PL\_110 Rev. PL3 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

7. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL REPORT

The development hereby approved shall be undertaken in line with the recommendations, including optional recommendations, set out at sections 5 and 6 of the submitted report prepared by Elite Ecology, dated July 2020.

Reason: In order to secure the development is undertaken in such a manner that secures protection and enhancement for biodiversity within the site.

8. ACTION REQUIRED PRIOR TO WORKS ABOVE SLAB LEVEL: EXTERNAL MATERIALS

No works shall take place above slab level until manufacturer's literature of the materials (including colour of render, paintwork and colourwash if applicable) to be used in the construction of the external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details.

Reason: In order to preserve the historic character of the nearby listed building.



9. ACTION REQUIRED PRIOR TO ERECTION OF BOUNDARY TREATMENTS

Notwithstanding the detail shown on the approved drawings, additional architectural drawings shall be submitted at appropriate scale and in profile and section of any hard boundary treatments shall be submitted to and agree with the Local Planning Authority. Such details shall give information on the bricks to be used, their bond, mortar mix and profile and any coping that may be applied.

Reason: To ensure that the detail is appropriate in the setting of a listed building.

10. IMPLEMENTATION OF ACCEPTABLE LANDSCAPING SCHEME AS SHOWN

The landscaping details as shown on the approved drawings shall be carried out in full prior to the end of the first planting season following the first occupation of the development or in such other phased arrangement as shall have previously been agreed, in writing, by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees, in writing, to a variation of the previously approved details.

Reason: In order to ensure that there is a sufficient landscaping scheme for the development where there is insufficient detail within the submitted application.

11. PUBLIC RIGHTS OF WAY

Notwithstanding the detail shown on the approved plans, no gates or other means of obstruction or diversion shall be erected in such a position whereby it may impede the public use of footpath within the site.

Reason: To ensure the route of the public footpath remains open for public use.

12. ACTION REQUIRED PRIOR TO COMMENCEMENT DEVELOPMENT: MITIGATION TO BE AGREED

No development shall be carried out until a proposal for mitigation (including timetable) for the impact of the development on protected Suffolk European Sites have been submitted to and approved in writing by the Local Planning Authority, and the Local Planning Authority has confirmed in writing that the provision of the proposed mitigation has been secured.

Such proposal/s must provide for mitigation in accordance with the emerging joint Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy, or for mitigation as may otherwise be agreed in writing by the Local Planning Authority.

The mitigation scheme shall be carried out in its entirety and in accordance with details as may be approved.

Note:

You will need to secure the provision of appropriate habitat mitigation measures before the condition can be discharged. There are two ways in which mitigation can be achieved. You can either;

i) contribute to funding the Council's suite of mitigation projects and secure such provision prior to occupation through a legal agreement between the Council and Developer/Applicant and site owners, or

ii) provide your own mitigation project to mitigate the impact of the proposal prior to occupation.

You are advised to discuss this matter with the Local Planning Authority prior to submission of details to discharge this condition.

Reason - In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. This condition is required to be agreed prior to the commencement of any development as any construction process to ensure adequate time for any agreement to be secured and be implemented prior to occupation.

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

NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
CS01 - Settlement Hierarchy  
CS05 - Mid Suffolk's Environment  
GP01 - Design and layout of development  
H03 - Housing development in villages  
HB03 - Conversions and alterations to historic buildings  
H09 - Conversion of rural buildings to dwellings  
T10 - Highway Considerations in Development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
HB01 - Protection of historic buildings

## **NOTES:**

### **1. Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

### **2. Environmental Health at the District Councils should be contacted in the event of unexpected ground conditions / contamination being encountered during construction. The developer should be aware that the responsibility for the safe development of the site lies with them at all times.**

3. **Building Control Note**

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

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

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

This relates to document reference: DC/20/04004

**Signed: Philip Isbell**

**Dated: 15th January 2021**

**Chief Planning Officer  
Sustainable Communities**



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

### **Please read carefully**

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

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

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

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

### **Building Control:**

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

## Appeals to the Secretary of State

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

Planning Applications: Section 78 Town and Country Planning Act 1990

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

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

Town and Country Planning (Control of Advertisements) Regulations 2007

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

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

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

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

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

**Philip Isbell – Chief Planning Officer**  
**Sustainable Communities**

**Mid Suffolk District Council**

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



Ms Hana Loftus  
Trinity Works  
24 Trinity Street  
Colchester  
CO11JN  
United Kingdom

**Please ask for:** Daniel Cameron  
**Your reference:** Watering Farm NMA  
**Our reference:** DC/23/03921  
**E-mail:** [planningyellow@babberghmidsuffolk.gov.uk](mailto:planningyellow@babberghmidsuffolk.gov.uk)  
**Date:** 7th September 2023

Dear Sir/Madam

**NON MATERIAL AMENDMENT**  
**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposal:** Application for a Non Material Amendment relating to DC/20/04004 - Introduce a phasing plan in order to clarify the phasing of the development.

**Location:** Watering Farm, Main Road, Nettlestead, Suffolk

I write to confirm that the following amendments to the above proposal have been determined to be approved as listed below.

**Amendment Details Approved:**

Background:

DC/20/04004 secured the development of the site at Watering Farm, Main Road, Nettlestead for the erection of three no. dwellings.

Amendment Sought:

This application seeks to add a phasing plan to the list of approved drawings under DC/20/04004 such that the development could be built out in phases, with phase 1 being the development of the access and phase 2 being the development of the dwellings. This would allow the development to lawfully commence without requiring payment of the CIL liability for the development which could be offset until such time as the dwellings were to be built in the later phase.

The additional drawing reference to be added would be:  
Phasing Plan - 174\_WF1\_HAT\_PL\_200

Consideration:

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**Babergh District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX  
Telephone: (0300) 1234 000  
[www.babergh.gov.uk](http://www.babergh.gov.uk)

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**Mid Suffolk District Council**  
Endeavour House, 8 Russell Road, Ipswich IP1 2BX  
Telephone: (0300) 1234 000  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



The NMA proposal is considered proportionately in relation to DC/20/04004, with specific regard to design and layout considerations of the original permission and with regards to the drawings submitted.

An alteration to the approved plans in this respect, engages the test of 'fact and degree'. Cases which require a 'fact and degree' judgement must be considered upon sound planning reason(s). Such judgement is considered 'on balance' in full view of all material planning considerations. As a matter of fact, the alterations must be assessed with regard to the degree of public harm caused by the proposed amendment.

The material difference between the approved proposal under planning permission DC/20/04004 and as proposed under this reference is marginal. The development would be undertaken in line with the decision previously made by the Local Planning Authority, with the only difference being the timing and CIL delivery, which would follow commencement of development in any event. The material nature and extent of the proposed change is considered acceptable, as the works would not result in a materially different development.

If you consider that a particular amendment you have sought is not covered by the description of the amendment(s) above, you should not assume that it has been agreed. Written confirmation of approval of all amendments must be obtained before any such works take place on site.

This decision only relates to the non material amendment(s) listed above. It is not a reissue of the original decision which still stands. This document should therefore be read in conjunction with the original applications decision notice referenced above.

It is emphasised that this decision is in relation to Planning Legislation only and that separate written approval of any approved amendments must be obtained under the Building Regulations Legislation or any other relevant Legislation.

Yours faithfully

**Philip Isbell**  
*Chief Planning Officer - Sustainable Communities*