

**Philip Isbell – Acting Chief Planning Officer**  
**Growth & Sustainable Planning**

**Babergh District Council**

Endeavour House, 8 Russell Road, Ipswich IP1 2BX

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



Shiel Architecture Ltd  
The Estate Office  
Harkstead Hall Barns  
Harkstead  
Ipswich  
IP9 1DB

**Please ask for:** Mark Brands  
**Your reference:**  
**Our reference:** DC/19/00017  
**E-mail:** [planninggreen@baberghmidsuffolk.gov.uk](mailto:planninggreen@baberghmidsuffolk.gov.uk)  
**Date:** 27th February 2019

Dear Sir/Madam

**DISCHARGE OF CONDITION(S)**  
**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposal:** Discharge of Conditions Application for DC/17/05704 - Condition 8 (Mitigation)

**Location:** Hill House Farm, Wades Lane, Shotley, Ipswich Suffolk IP9 1EW

Babergh District Council hereby gives notice that the details submitted in pursuance to the conditions referred to above have been determined as summarised below in relation to each relevant condition together with any appropriate comments, limitations or advice.

**APPROVED CONDITION(S):**

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

No development shall be carried out until proposals for the mitigation of 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 proposals must provide for mitigation in accordance with the emerging joint (Draft) Habitats Regulations Assessment Recreational Disturbance Avoidance and Mitigation Strategy, or for mitigation to at least an equivalent effect. Provide details of the manner in which the proposed mitigation is to be secured. The development shall be carried out in accordance with and subject to the proposals 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 you will be able to do this. 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.

**LPA Decision:**

Details as specified within the application form received on 3rd January 2019 have been considered by this Authority in consultation with our Legal Team and a Unilateral Undertaking was completed on 22nd February 2019 whereby you agree to contribute to the Habitats Sites Mitigation Strategy as stated in the second schedule. Your signing, contribution to and compliance of this undertaking means that this condition has been satisfied subject to implementation in accordance with the wording of the above condition.

You should note that this letter does not waive or exempt you from complying with the specific terms of the conditions on your original planning permission. Please also refer to the wording of all the conditions on your consent regularly during your development to ensure it continues to comply with any ongoing requirements. Should you have any further queries please do not hesitate to contact the case officer named at the top of this letter.

Yours faithfully

**Philip Isbell**

*Acting Chief Planning Officer – Growth & Sustainable Planning*