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Suffolk

## Refusal of Planning Permission

### Town and Country Planning Act 1990

### The Town and Country Planning (Development Management Procedure) (England) Order 2015

|                      |                                                                  |
|----------------------|------------------------------------------------------------------|
| <b>Our reference</b> | DC/20/4526/FUL                                                   |
| <b>Date valid</b>    | 10 November 2020                                                 |
| <b>Site</b>          | Part Of Land South Side Of A14 , Felixstowe Road, Levington      |
| <b>Parish</b>        | Levington                                                        |
| <b>Proposal</b>      | Change of use from former agricultural to mixed use of B2 and B8 |

East Suffolk Council as local planning authority hereby **refuse** to permit the development proposed in your application and plan(s) attached thereto.

The reason for the decision to refuse permission is:

1. This application seeks retrospective change of use from former agricultural building/site to mixed use of B2 and B8 (Eastern Structures Ltd) on land on the south side of A14, Felixstowe Road, Levington, IP10 0LT.

New employment development should firstly be directed to the identified employment sites or within settlement boundaries, where the application site is located within the countryside for planning purposes. It has not been demonstrated that there is no sequentially preferable land available adjacent to existing Employment Areas, within existing Employment Areas or within Settlement Boundaries as required by SCLP4.2. It is also considered that the rural location of the site is not compatible with the proposed uses, thus would result in an unacceptable adverse impact to the surrounding environs, contrary to SCLP3.3, SCLP4.5, SCLP4.5, SCLP10.1 , SCLP10.4 and SCLP12.34. Equally the proposal is not for the expansion or

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intensification of an existing employment site or farm diversification thus contrary to SCLP4.3, SCLP4.7.

2. Suffolk County Council at Local Highways Authority have recommended refusal of the application as it has not been demonstrated that a safe and suitable vehicular access can be achieved, commensurate with the developments intensification of use and change of use from agriculture to an industrial/commercial operation, contrary to SCLP7.1 and paragraph 109 of the National Planning Policy Framework.

## Notes

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.

Yours sincerely,



**Philip Ridley BSc (Hons) MRTPI | Head of Planning & Coastal Management**  
East Suffolk Council

**Date:** 4 January 2021

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## 2. Please read notes below

### Note

Most work, including change of use, has to comply with Building Regulations. Have you made an application or given notice before work is commenced?

### Town and Country Planning Act 1990

#### Notification to be sent to an applicant when a local planning authority refuse planning permission or grant it subject to conditions

#### Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Planning applications: Sections 78 Town & 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 & 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 an enforcement notice has been/is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

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- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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