

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/W3520/W/25/3364061

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Tony Harris
Company/Group Name	CHRISTCHURCH LAND & ESTATES (ELMSWELL SOUTH) LIMITED
Address	24 Fore Street IPSWICH IP4 1JU
Preferred contact method	Email <input type="checkbox"/> Post <input checked="" type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name	Mr Richard Brown
Company/Group Name	Richard Brown Planning Limited
Address	18 Redwood Burnham SLOUGH SL1 8JN
Phone number	01628 663638
Email	richard@richardbrownplanning.co.uk
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Mid Suffolk District Council
LPA reference number	DC/23/05651
Date of the application	05/12/2023

Did the LPA validate and register your application? Yes ☒ No ☐

Did the LPA issue a decision? Yes ☒ No ☐

Date of LPA's decision 29/10/2024

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☐ No ☒

Does the appeal relate to an existing property? Yes ☐ No ☒

Address Land at School Road
Elmswell
Grid Ref Easting: 598300
Grid Ref Northing: 263860

Is the appeal site within a Green Belt? Yes ☐ No ☒

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☒

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form? Yes ☒ No ☐

If YES, please state below the revised wording

Outline Planning Application (Access to be considered, all other matters reserved) - Erection of Care Village comprising 66 bedroom care home (C2 Use), 37 No. Extra Care Bungalows (C2 Use), 3 No. Almshouses (C3), Management Office (E(g)(I) Use), Club House, Community Growing Area, Orchard, Community Bee hives and Open Space Provision

Please attach a copy of the LPA's agreement to the change.
☒ see 'Appeal Documents' section

Area (in hectares) of the whole appeal site [e.g. 1234.56] 11.5 hectare(s)

Does the proposal include demolition of non-listed buildings within a conservation area? Yes ☐ No ☒

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development. ☒
2. Refused permission to vary or remove a condition(s). ☐
3. Refused prior approval of permitted development rights. ☐
4. Granted planning permission for the development subject to conditions to which you object. ☐
5. Refused approval of the matters reserved under an outline planning permission. ☐
6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above). ☐

8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐
9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation. ☐

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐
2. Hearing ☐
3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

☒ [see 'Appeal Documents' section](#)

(a) How many witnesses do you intend to call?

5

(b) How long do they need to give their evidence?

3 hours each

(c) How long do you estimate the inquiry will last?

5 day(s)

H. FULL STATEMENT OF CASE

☒ [see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case?

Yes ☒ No ☐

☒ [see 'Appeal Documents' section](#)

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available)

Yes ☒ No ☐

☒ [see 'Appeal Documents' section](#)

(b) Have you made a costs application with this appeal?

Yes ☐ No ☒

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

☐

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

☒

Owner's Name:

Kathleen Over

Address at which notice was served:

Elmswell Hall, Elmswell, IP30 9EN

Date the notice was served:

11/04/2025

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

☐

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.

☒

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.

☐

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

☐

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.

☒

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).

☐

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

☒

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

☒

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

☒

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

☒

05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.

☒

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.

☒

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

☒

07. A copy of the design and access statement sent to the LPA (if required).

☒

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.

☒

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.

☒

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

☒

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.

☐

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

- (a) the relevant outline application; ☐
- (b) all plans sent at outline application stage; ☐
- (c) the original outline planning permission. ☐
12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐
14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application. ☐

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Mr Richard Brown

Date

14/04/2025 15:39:52

Name

Mr Richard Brown

On behalf of

Mr Tony Harris

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	DESCRIPTION OF DEVELOPMENT
Document Description:	A copy of the LPA's agreement to the change.
File name:	Description Change Confirmation.pdf
Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	STATEMENT IN RESPECT OF THE CRITERIA FOR DETERMINING THE PROCEDURE FOR PLANNING APPEALS_- ELMSWELL_4134-3041-3659.docx
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	School Road Elmswell - Statement of Case - 11.04.25.docx
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	SOC Core Document List Draft.docx
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
File name:	Draft s106 Agreement (clean)_4126-6536-9435_4140-7255-8683.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	ApplicationForm (1).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	DC_23_05651-OUTLINE_-_REFUSAL-8684274.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	1661-CAM-XX-XX-DR-A-PL01-REV A Site Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	1661-CAM-XX-XX-DR-A-PL01-REV A Site Location Plan.pdf
File name:	1661-CAM-XX-XX-DR-A-PL02-REV B Site Plan in the Wider Context As Existing.pdf
File name:	1661-CAM-XX-XX-DR-A-PL03-REV B Site Plan As Existing.pdf

File name: 1661-CAM-XX-XX-DR-A-PL05-REV D Block Plan As Proposed.pdf

File name: 1661-CAM-XX-XX-DR-A-PL08-REV B Site Sections As Existing and Proposed.pdf

File name: 1661-CAM-XX-XX-DR-A-PL04-REV B Site Opportunities and Constraints.pdf

File name: 107174-T-000003-P01 SPA Access Refuse.pdf

File name: 107174-T-000004-P01 SPA Access Large Car.pdf

File name: 1661-CAM-XX-XX-DR-A-PL06-REV D Site Plan in the Wider Context As Proposed.pdf

File name: 107174-T-000001-P02 Site Access.pdf

File name: 107174-T-000002-P02 SPA Onsite Refuse.pdf

File name: 1661-CAM-XX-XX-DR-A-PL07-REV E Site Plan As Proposed.pdf

File name: P22-1167_EN_0009_C_0001 - Fig 8 ILMP.pdf

File name: 107174-PEF-XX-XX-RP-TR-000002 Draft TA.pdf

File name: 0001 BM12457 Flood Risk Assessment and Drainage Strategy (v2.0) - Report and Appendices.pdf

File name: 0001 BM12457 Flood Risk Assessment and Drainage Strategy (v2.0) - Drawings 2 of 2.pdf

File name: 0001 BM12457 Flood Risk Assessment and Drainage Strategy (v2.0) - Drawings 1 of 2.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART VI.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART V.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART II.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART III.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART I.pdf

File name: 1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART IV.pdf

File name: 0002 Land off School Road Elmswell Utilities Report V1.0 Pages 73-141.pdf

File name: 0002 Land off School Road Elmswell Utilities Report V1.0 Pages 1-30.pdf

File name: 0002 Land off School Road Elmswell Utilities Report V1.0 Pages 31-47.pdf

File name: 0002 Land off School Road Elmswell Utilities Report V1.0 Pages 48-72.pdf

File name: 11.23 RPS School Road Elmswell Retirement Village DBA.pdf

File name: 38441-1.pdf

File name: 22-401 Land off School Road Elmswell (Phase 2) - Noise Assessment v3.pdf

File name: 38441-2.pdf

File name: 231201_Built Heritage Statement_Land at School Road Elmswell.pdf

File name: GRM.P10171.DS.1.Rev.D issued Optimised3 Apps H-I.pdf

File name: GRM.P10171.DS.1.Rev.D issued Optimised3 Apps A-G.pdf

File name: P22-1167 LVIA Appx D VET.pdf

File name: P22-1167_EN_0008_B_0001 LV Figure 7_ LV Analysis.pdf

File name: P22-1167 LVIA Appx A Methodology.pdf

File name: P22-1167_EN_Figs 1 to 5.pdf

File name: P22-1167 LVIA Appx B Proposed Site Plan.pdf

File name: P22-1167 LVIA Appx C Montages.pdf

File name: R001v2 BIR - P22 1167 LVIA FINAL.pdf

File name: P22-1167_EN_0007_A_0001 - Fig 6 Viewpoint Photos Pt1.pdf

File name: P22-1167_EN_0007_A_0001 - Fig 6 Viewpoint Photos Pt2.pdf

File name: RSK 445011-01 (03) Air Quality Assessment - Land off School Road Elmswell.pdf

File name: School Road Elmswell - HoTs - 30.11.23.docx

File name: School Road Retirement Village Elmswell - 2023 Updated Preliminary Ecological Appraisal v3.pdf

File name: Elmswell - Statement of Community Involvement.docx

File name: Elmswell SCI Appendix 2 P22-1167 KM Proposed Leaflet Drop Area 2023 03 01.pdf

File name: Elmswell SCI Appendix 1 G001-DE-0001 Community Consultation Leaflet.pdf

File name: School Road Elmswell Application Cover Letter.docx

File name: DC_23_05651-LANDSCAPE_MASTER_PLAN-8513876.pdf

File name: DC_23_05651-SITE_PLAN_AS_PROPOSED_SHOWING_LEVELS-8513874.pdf

File name: DC_23_05651-INDICATIVE_DRAINAGE_STRATEGY-8499489.pdf

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	DC.23.05651 Documents Submitted with Planning Application.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	DC.23.05651 all plans, drawings and documents upon which the LPA made their decision.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	DC_23_05651-SITE_PLAN_AS_PROPOSED_SHOWING_LEVELS-8513874.pdf
File name:	DC_23_05651-LANDSCAPE_MASTER_PLAN-8513876.pdf
File name:	DC_23_05651-INDICATIVE_DRAINAGE_STRATEGY_REV_D-8499489.pdf
File name:	DC_23_05651-HERITAGE_NOTES_RPS_14_Feb_2024.pdf
File name:	DC_23_05651-TECHNICAL_NOTES_LANDSCAPE_AND_VISUAL_RESPONSE-20 March 2024.pdf
File name:	0001 BM12457 Elmswell Flood Risk Assessment and Drainage Strategy (V4.0) Compressed_Part3.pdf
File name:	0001 BM12457 Elmswell Flood Risk Assessment and Drainage Strategy (V4.0) Compressed_Part1.pdf
File name:	0001 BM12457 Elmswell Flood Risk Assessment and Drainage Strategy (V4.0) Compressed_Part2.pdf
File name:	BM12457-001-E Indicative Drainage Strategy 9 April 2024.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	DC.23.05651 Documents Submitted Post Submission Planning Application.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART VI.pdf
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART V.pdf
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART II.pdf
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART IV.pdf
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART III.pdf
File name:	1661-CAM-XX-XX-RP-A-DAS Design and Access Statement PART I.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	School Road Elmswell- DRAFT SoCG - 11.04.25.docx
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.a. Copies of additional plans, drawings or documents relating to the application not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
File name:	2595-DFL-ELG-XX-LD-EO-13001-S3-P02.pdf
File name:	2595-DFL-ELG-XX-RP-EO-13001-S3-P02.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	09.b. A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
File name:	DC.23.05651 Document relating to the application but not previously seen by

the LPA.docx

Completed by

MR RICHARD BROWN

Date

14/04/2025 15:39:52