

Application No: DC/18/2551/RM

APPLICANT

Miss Jessica Baker
Persimmon Homes (Suffolk)
Orion Court
Orion Aven
Great Blackenham
IP6 OLW

Date Registered: 24 December 2018

Date of Decision: 11 July 2019

Town And Country Planning Act 1990 (as Amended)

**Town & Country Planning (Development Management Procedure)
(England) Order 2015**

**Proposal: Reserved Matters Application - Means for Landscaping
(replacement hedge) for phase one of the development
previously approved under DC/16/2836/RM**

**Submission of details under SE/09/1283/OUT - the means of landscaping
(replacement hedge) for the construction of (i) residential
development (ii) primary school (iii) local centre including
retail and community uses (iv) public open space (v)
landscaping (vi) infrastructure, servicing and other associated
works**

**Location: Land Nw Of Haverhill, Anne Sucklings Lane, Little Wratting,
Suffolk,**

The application for approval of reserved matters described above and the plans and information contained in that application, submitted in pursuance of conditions imposed on outline planning permission No. DC/18/2551/RM are hereby **APPROVED** by the Council as Local Planning Authority for the purposes of the above Act and Order, subject to the following conditions:

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

[Planning and Regulatory Services, West Suffolk Council, West Suffolk House,
Western Way, Bury St Edmunds, Suffolk, IP33 3YU](#)

JBA/16/152-02 rev L
JBA/16/152-03 rev L
JBA/16/152-06 rev L (planting mix)

Reason: To define the scope and extent of this permission.

- 2 The approved native hedge planting mixes (native hedge mix 1 and native hedge mix 2) are set out on drawing number JBA/16/152-06 REV L. All planting shall be carried out in accordance with these specifications.

Reason: To ensure an appropriate mix of species and planting specification to mitigate for the loss of the previous hedgerow and restore the green corridor within the site in accordance with the approved masterplan and parameter plans approved under the outline consent.

- 3 All planting must be completed in the first growing season following the grant of this reserved matters consent.

Reason: To ensure the timely delivery of the green infrastructure that will serve the occupants of phase one and to mitigate for the loss of the hedgerow, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 The protective fencing set out on the Tree Protection Plan in drawing number 1 rev M, approved under DCON(B)/16/2836 shall remain in situ until the planting has been completed and the public open space is available for its intended use.

Reason: To ensure the replacement planting is adequately protected to enable the regeneration of the green space such that it can once again be a significant natural feature and provide the intended green relief and open space to the adjacent developed parcels, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015,

Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

The Following policies are considered relevant to the current decision:

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
Core Strategy Policy CS2 - Sustainable Development
Core Strategy Policy CS3 - Design and Local Distinctiveness
Core Strategy Policy CS4 - Settlement Hierarchy and Identity
Core Strategy Policy CS5 - Affordable Housing
Core Strategy Policy CS7 - Sustainable Transport
Core Strategy Policy CS8 - Strategic Transport Improvements
Core Strategy Policy CS12 - Haverhill Strategic Growth

Vision Policy HV1 - Presumption in Favour of Sustainable Development
Vision Policy HV2 - Housing Development within Haverhill
Vision Policy HV3 - Strategic Site - North-West Haverhill
Vision Policy HV4 - Strategic Site - North-East Haverhill
Vision Policy HV8 - New and Existing Local Centres and Community Facilities
Vision Policy HV12 - Haverhill North-West Relief Road
Vision Policy HV18 - Green Infrastructure in Haverhill

Development Management Policy DM1 Presumption in Favour of Sustainable Development
Development Management Policy DM2 Creating Places Development Principles and Local Distinctiveness
Development Management Policy DM3 Masterplans
Development Management Policy DM6 Flooding and Sustainable Drainage
Development Management Policy DM7 Sustainable Design and Construction
Development Management Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
Development Management Policy DM11 Protected Species
Development Management Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
Development Management Policy DM13 Landscape Features
Development Management Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
Development Management Policy DM20 Archaeology
Development Management Policy DM42 Open Space, Sport and Recreation Facilities
Development Management Policy DM44 Rights of Way
Development Management Policy DM45 Transport Assessments and Travel Plans

Informatives:

Planning and Regulatory Services, West Suffolk Council, West Suffolk House,
Western Way, Bury St Edmunds, Suffolk, IP33 3YU

- 1 This decision notice and any conditions thereon must be read in conjunction with the outline planning application reference listed above, along with any conditions and legal agreements associated with such outline approval.
- 2 Any failure to adhere to approved plans or to comply with any conditions or limitation attached to this permission/consent may lead to enforcement action being taken. This permission may be invalidated if conditions requiring compliance before commencement are not complied with.
- 3 The project may be subject to the requirements of the Building regulations 2010. Advice and assistance can be obtained from our Building Control Team on 01284 757387 or building.control@westsuffolk.gov.uk. They will work with you offering competitive fee quotations and pre-application advice upon request.
- 4 This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or registration other than the Town and Country Planning Act 1990 or under any covenant.
- 5 The development hereby approved should be built in accordance with the approved plans as a further planning permission will be required where material alterations or revisions are proposed to an approved scheme. An application for non-material changes to the planning permission can be submitted in writing to the Local Planning Authority under Section 96A(4) of the Town and Country Planning Act 1990. A specific form will be required for that purpose and these are available via the Planning Portal or they can be downloaded from the council's website at www.westsuffolk.gov.uk. A fee of £34 for a householder application or £234 for all other applications will be required in order to register the application.
- 6 When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the local planning authority worked with the applicant to secure the appropriate planting details to best restore the landscape feature.

David Collinson

David Collinson
Assistant Director - Planning & Regulatory Services

Date: 11 July 2019

NOTES

- 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/model-notification-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.
3. 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 () at least 10 days before submitting the appeal.

*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.