

Application no: H19/1098/93

Applicant: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Agent: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Description: Retention of dwelling without
complying with landscaping
maintenance condition
(Condition 2 of H19/0179/92)

Location: Chestnut House
239 Broadgate
Sutton St Edmund
Spalding

Type: SEC 73 MODIFICATION

Date received: 26-NOV-93

23-DEC-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE THAT PERMISSION IS NOT REQUIRED

It appears that by virtue of the above Act, the proposal is one which does not involve development requiring planning permission.

No further action will therefore be taken on your application and any fee paid will be refunded as soon as possible.

You should be aware however that approval under the Building Regulations may still be required.

Yours faithfully

Director of Planning and Building Control Services

PLANNING APPLICATION

For office use only

Application No. H19/1098/93

Date Registered

18 NOV 1993

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR M F WYATT
CHESTNUT HOUSE
239 BROADGATE
SUTTON ST EDMUND
Tel. No. 0945 700356

NAME AND ADDRESS OF AGENT

(if form completed by agent)

Tel. No.

(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

CHESTNUT HOUSE 239 BROADGATE
SUTTON ST EDMUND LINES PE12 0LT

OFFICE COPY

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

ALTERATION TO LANDSCAPING, REMOVAL OF HAWTHORN AND
PLANTING OF 3 SPECIMEN BUSHES.

Please complete

I attach

* Four copies of all plans

* an ownership certificate (see back page)

* a fee of 18-11-93

If you consider no fee is payable include a written explanation instead.

Previous application No.

Signed

M F Wyatt

Date

18-11-93

Please tick **one** box and answer the extra questions under that section.

2. TYPE OF APPLICATION

This is a **full** application for change of use and/or new building worksor This is an **outline** application

(✓)

Now complete Parts
3, 4 and 5 and an
Ownership Certificate

Please state Site Area (Hectares)Please tick **any** box where you are including details which you wish to be considered as part of this application.Siting ☐Design ☐External Appearance ☐Means of Access ☐Landscaping ☒

Now complete Parts 3 and 5 and an Ownership Certificate.

or This is a **reserved matters** application.

A. Please state Reference Number of outline permission.

B. Please state which reserved matters are dealt with in this application.

Now complete Part 4 only

or This is an application for **renewal** of temporary permission or **continuation** without complying with planning condition.

A. Please state reference Number of previous permission

B. Please state Condition Number referred to

Now complete an Ownership Certificate

or This is an application for **modification** of a condition on a planning permission which has not yet been implemented.

A. Please state Reference Number of previous permission

B. Please state Condition Number referred to

C. Please state variation required

Now complete an Ownership Certificate.

H19/1179/92

2

H19/1179/92

2

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE ACTIONS.

1. APPLICANT'S INTEREST

Please state interest in site (e.g. owner, prosp. purchaser)

(Please remember to indicate on the location plan any other land under your control).

OWNER

2. OWNERSHIP OF THE SITE

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site**, complete **Certificate A**.

In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B**. (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

Certificate A Nobody except the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Signed Mr J. J. J. J. J. (Applicant / Agent) Date 18/11/93

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Owner's Name:

Address of owner at which notice was served:

State Date notice served:

Signed Mr J. J. J. J. J. (Applicant / Agent) Date 18/11/93

3. AGRICULTURAL HOLDINGS CERTIFICATE

If the land is not in agricultural use complete Certificate 1.

If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.

If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1 None of the land to which the application relates is or is part of any agricultural holding.

Signed Mr J. J. J. J. J. (Applicant / Agent) Date 18/11/93

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates.

Tenant's Name:

Address of tenant at which notice was served:

State Date notice served:

Signed (Applicant / Agent) Date

CHESTNUT HOUSE
239 BROADGATE
SUTTON St EDMUND
SPALDING
LINCS. PE12 0LT



18 November, 1993

Dear Sir,

Please find attached 4 application forms and 4 plans for a planning application for a change of landscaping detail.

I consider that no fee is payable because of the very minor alteration required to the landscaping plan.

The Hawthorn referred to in the application is clearly shown coloured on the plans, the three bushes are also clearly shown on the same plans.

The hawthorn has already been removed because it had become diseased and infected with mildew, this was beginning to spread to other existing bushes and trees. We are advised that mildew on Hawthorn is rampant in this area and will reoccur within a year on any new bushes. Furthermore you will no doubt have noticed that there are only three Hawthorn hedges left in the village, one is plainly dead and the other two are nearly dead or will soon become deceased, we therefore believe that the choice of Hawthorn for hedging was particularly poor, despite all the good intentions with regard to rural hedgerows and retention thereof. The three bushes already planted are slow growing compact evergreen specimen hushes growing to no more than 4ft in ten years.

The removal of the diseased hedge and the planting of the bushes has the full approval and consent of my neighbour at No. 241.

I look forward to your reply,

A handwritten signature in black ink, appearing to read 'M.F. Wyatt'.

M.F.WYATT

Directions

Art 7

☐

RM checklist

Previous
Current
Required

Sit	Des	Ext	Acc	Land

EA Reg4 -

☐☐

Scale dwg:

Highway S/W:

Agric appraisal:

LB Advt

☐☐Details
needed:
(Non-std only)

Other.....

Direction authorised by Senior Officer.....

Date.....

Revalidation after Direction

Information satisfactory

Signed.....

Date.....

Valid date:

Amended description

Superseded plans
indicated☐Unsatisfactory -
Further direction:
Signed.....
Senior Off.....

Precise details:

Extra Consultations/Publicity Required

☐None
identified
initiallyRECONSULTS
(revalidated)☐

All

Publicity: >>

Consultations:

Departure
 Setting of LB
 Public Right of Way
 Discretionary

County
 E Heritage
 Societies G ROW

Extra Consultations:

Transport D/Transp A15 G* T15
 TRA D/Transp A18
 B Rail
 B Rail

WP Note -
 G Group available
 G* Group essential
 (longer expiry)

Press
 PC
 WM
 Residents

Environment/ Env Services
 Drainage NRA
 WAT IDB
 Env Assess
 Env Assess ☐ G ENV (See separate sheet)

Conservation LB Demolish G* DEM
 LB Archaeology G ARC Specify:
 Eng Heritage
 Consultant
 Other
 Order No:
 Specify:

Hazards HSC Group G* HAZ
 Specific
 Other PLA
 Specify:
 Specify:

Case Officer: DAVID GEDNEY

Senior Officer Confirmed

[Signature]
 Date: 3/11/...

Recorded DC....

APPLICATION ASSESSMENT

Notes for Case Officer

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

*Neighbours hedging appears to have
been removed along boundary with adj. plot.
Still hedging along frontage.*

Inspected by
Date

*DMG
1/12*

Site Notice posted by
Date
Expiry

*DMG
1/12*

Individual Resident Notices required:

Addresses to be
sent to -

Addresses
delivered to -

Telephone/Visitor Record

Date

Conversation with

Conclusion

Case Officer Conclusions

R COMMENDATION/DECISION

NON-DETERMINATION

Permitted Dev (or equiv)
Non Development (or equiv)
Non Response after Direction

Senior Officer confirmed

Withdrawn

COMMITTEE

Confirmed as agenda

SUB-COMMITTEE

Confirmed as agenda

DPBCS AUTHORISED

Decision Issue confirmed

DELEGATED DECISION

Case Officer

Approve Refuse
(or equiv) (or adverse)

Signed Date.....

Notes:

	Disabled
	Prev conditions
	Amended plans -
	Dwg no:
	Received:

CONDITIONS/REASONS:

Condition monitoring:

non-std expiry
prior submission
prior siteworks

Determined plans indicated

Departure approval confirmed

Flag for on-site review

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ADMIN RECORD SHEET

Initial

Submitted Fee £ NIL

Receipt No

Date first Rec'd 18 NOV 1993

Registration

Reference H19/1098/93

Cross-Ref

Date 19-NOV-93 JAC

Validation

TYPE SEC B

Site area
No of dwellings
Floorspace

Earlier permission - Ref:
New/Redevelop/Use/Ext/Alt/Works

Description
to be recorded

Retention of Dwelling without
complying with landscaping
maintenance condition.

Invalid

Site plans
Certificate

☐

Fee

Fee (not free)

☐

Inaccurate
Incomplete
Unclear

☐

Fees

Correct fee £ 60

Nil fee

☐

Previous app - ref:
Type of app
Reason:

Discounted

Additional £ 60
Refund £ 60

Receipt No P336 Date
Voucher No ✓ Date 20/11/94

60 Ad (Application not necessary)

Information

Index sheet 365 OS Plots

Grid ref 5267312920

Ward W Parish SSE

Inside IBD YES Inside LP area NO

Constraints:

CA Cons Area

LB Listed - Grade:
ARC Archaeology
AM Ancient Mon
SSI Special Int

TR Rural
BP TR proposed 67m
LC Level Cross
FP Footpath

TPO Tree Pres

Hazards -

Dist Bound

Other: PIP 16

HAZ Site
AIR Safeguard
LIN Elect
PIP Pipe
CON Waste/contamin

Linked to site

Ref

Linked to property

Ref

0331595

P15 12/15

Planning Records:

Earlier apps

17/1/92
29/2/93

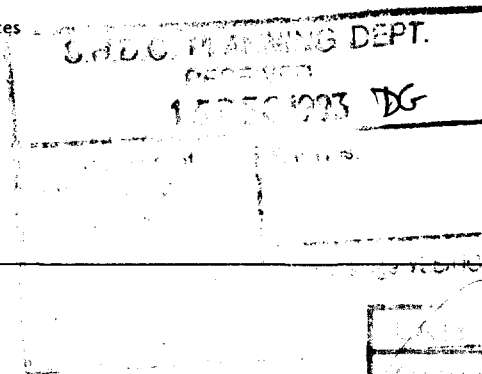
B Reg Records:

Already submitted - Ref:

Request needed

Requested

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772



Application no: H19/1098/93

Applicant: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Agent: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Description: Retention of dwelling without complying with landscaping maintenance condition (Condition 2 of H19/0179/92)

Location: Chestnut House 239 Broadgate
Sutton St Edmund Spalding

Type: SEC 73 MODIFICATION

Date received: 26-NOV-93

30-NOV-93

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 14-DEC-93. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully

B SMITH

Director of Planning and Building Control Services

Clerk to Sutton St Edmund PC
Parish Council Office
2 Spalding Road, Holbeach
Spalding, Lincs

FOR PARISH COUNCIL USE ONLY

Comments: *No objections*

Signed:

R. Blake

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772



Application no: H19/1098/93

Applicant: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Agent: Mr M F Wyatt
Chestnut House
239 Broadgate
Sutton St Edmund
Spalding Lincs

Description: Retention of dwelling
without complying with
landscaping maintenance
condition

Location: Chestnut House
239 Broadgate
Sutton St Edmund
Spalding

Type: SEC 73 MODIFICATION

Date received: 18-NOV-93

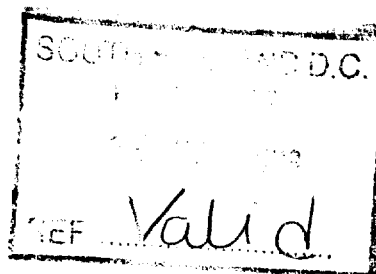
22-NOV-93

Dear Sir/Madam

NOTICE THAT APPLICATION IS INVALID
Requirement for additional information, fees etc

Your submission for the above has been received, but I regret that it cannot be dealt with as it stands. Please provide the following:

A fee of £60.00 is payable.



Please return the additional copy of this letter with your reply.
If I do not hear from you within the next 14 days it will be assumed that you have no wish to continue with the application. It will then be filed away and any fee already received will be reimbursed.
If you wish to contact the department at any time, please ask for Mrs Lowe quoting the above reference.

Yours faithfully

K Lowe
Principal Administrative Officer

CHESTNUT HOUSE
239 BROADGATE
SUTTON St EDMUND
SPALDING
LINCS. PE12 0LT

Ref. H19/1098/93

24 November, 1993

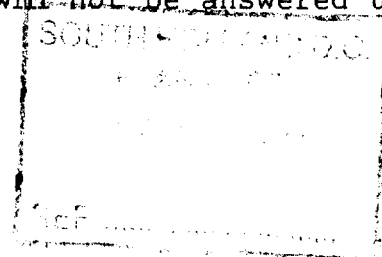
Dear Sir,

Please find attached your letter and two cheques totalling
£60.00

One is from myself and the second from my neighbour at No. 241
who fully supports the application for a landscaping amendment.

Please note that we be absent from this country from January
94 to April 94. Therefore any reply to the application will not be answered until
after April 94.

Yours respectfully,



M.F.WYATT

Total received £ 60.00

Cash/Cheque : Cheque

APPLICATION REFERENCE: H19/1098/93 DATE RECEIVED: 26-NOV-93

TYPE: SEC 73 Modification

DESCRIPTION: Retention of dwelling without complying with landscaping maintenance condition (Condition 2 of H19/0179/92)

LOCATION: Chestnut House, 239 Broadgate, Sutton St Edmund

APPLICANT: Mr M F Wyatt AGENT:

APPLICATION REFERENCE: H19/1112/93 DATE RECEIVED: 06-DEC-93

TYPE: SEC 73 Modification

DESCRIPTION: Retention of dwelling without complying with landscaping maintenance condition (Condition 2 of H19/0179/92)

LOCATION: 243 Broadgate, Sutton St Edmund

APPLICANT: D C H & S L J Matthewman AGENT:

REASON FOR COMMITTEE CONSIDERATION

H19/1098/93 - Objection received plus recommendation of refusal.

H19/1112/93 - Recommendation of refusal.

RECOMMENDATION

A H19/1098/93 - Refuse permission.

- 1 In the opinion of the Local Planning Authority the ~~retention of the dwelling without complying with the landscaping maintenance condition~~ would result in an unsatisfactory landscaping ~~scheme~~ ^{which} upon the site which would not ^{harmonise with} ~~complement~~ the rural nature of the village of Sutton St Edmunds. Consequently, the new development would appear more "urban" in nature and, ~~therefore~~, out of character with the rural locality. The proposal would, therefore, be harmful to the purpose of Structure Plan Policy 5A and also advice contained within Planning Policy Guidance Note 3, 1992 (Housing), because as well as its individual effect, ~~the~~ ^{the proposal} ~~it~~ would encourage further similar proposals which would then be hard to resist.

- 1 In the opinion of the Local Planning Authority the retention of the dwelling without complying with the landscaping maintenance condition, would result in an unsatisfactory landscaping scheme upon the site which would not ^{HARMONISE WITH} complement the rural nature of the village of Sutton St Edmunds. Consequently, the new development would appear more "urban" in nature and, therefore, out of character with the rural locality. The proposal would, therefore, be harmful to the purpose of Structure Plan Policy 5A and also advice contained within Planning Policy Guidance Note 3, 1992 (Housing), because as well as it's individual effect, ^{THE PROPOSAL} it would encourage further similar proposals which would then be hard to resist.

- B That the owners of Plots 1-5 inclusive be ~~given a period of 6 months to implement the approved landscaping scheme in full (including the trees and hedging at the rear)~~

instead of 6 months, 12 months to implement the approved landscaping scheme, full (including the trees and hedging at the rear) by the 13 May 1994.

COMMENTS

- 1 These applications have been submitted since the owners of Plots 1 and 3 have, ~~inter alia~~, replaced approved ~~indigenous~~ hedging with evergreen and privet. The owners of Plot 4 (and also possibly Plot 2) have also modified the approved scheme.
- 2 The original landscaping has mainly been substituted ~~by~~ ^{WITH} species which are less "rural" in nature; This is ~~considered~~ unacceptable, and if the proposals were to be permitted it would encourage either the total removal of ~~indigenous landscaping~~ or its substitution ^{SPECIES} by species which are less appropriate to the rural locality.
- 3 It should be noted that the majority of the trees and also the hedging at the rear have not yet been planted. However, the applicants are not in breach of Condition 2 ^{IN THIS RESPECT} until 13 May 1994 (two years from the date development commenced).

*SINCE THE COMPLAINT
PERIOD EXTENDS
TO*

REPRESENTATIONS

Parish Council: H19/1098/93

No objections.

H19/1112/93

No objections so long as the hedge at the front does not obstruct the view from Chapel Road.

County Council
Public:

H19/1098/93

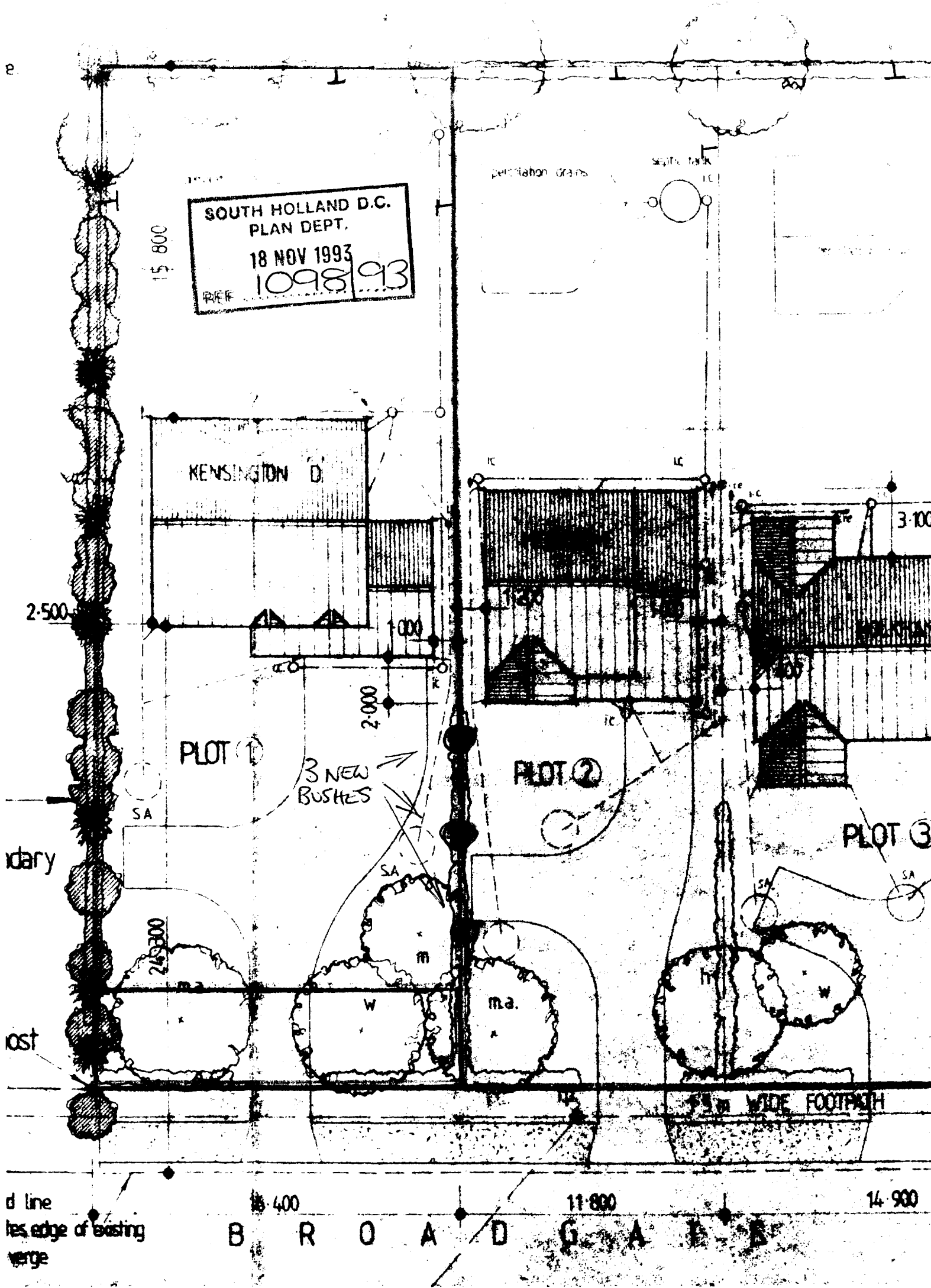
Objection received from 239 Broadgate
- summarised:

- Assumed condition imposed to ensure that planting species would be sympathetic with local rural area. See no reason

Commencement Dates

Plots 3 & 5	1/6/92
Plot 1	13/5/92
Plot 2	22/5/92
Plot 4	29/5/92.

e



SOUTH HOLLAND D.C.
PLAN DEPT.
18 NOV 1993
1098/93

15 800

KENSINGTON D

2 500

1 000

2 000

PLOT 1

3 NEW BUSHES

PLOT 2

PLOT 3

3 100

boundary

lost

d line
edge of existing
verge

11 800 14 900
ROAD

5.5m WIDE FOOTPATH

Chapel End School House
Broadgate Rd
Sutton St. Edmund
Spalding
Lines.
PE12 0LT

Chief Planning Officer
South Holland D.C.
Priory Road, Spalding.

OBJECTION

re Application to retain dwelling without complying
with Landscaping conditions at 239 Broadgate.
Sutton St. Edmund. Applicant MR. M.F. Wyatt.

Dear sir.

With reference to the above application, I assume
the conditions as imposed on the original approval
were to protect the local environment and
ensure that planting and species would be
sympathetic with the local rural area. I see
no reason for a change of policy or view from
these original conditions. In fact in my
opinion a reversal of this condition must put
into question the reason for imposing it in
the first place.

Yours faithfully
Peter Hayes

SOUTH HOLLAND PLANNING DEPT. RECEIVED 13 DEC 1993 DG	
APPROVED BY ✓ CPO BO AC	FILE NOS.
Action by	ACKNOWLEDGE YES/NO
Discuss with	By SF
Copy to	date 13/12

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772



VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3565
Date received : 26-NOV-93

Received from

Mr M F Wyatt & Mr R A Hooper

Address

Chestnut House
239 Broadgate
Sutton St Edmund
Spalding

Fee paid	£	60.00
VAT	£	0.00

Total received £ 60.00

Cash/Cheque : Cheque

Signed.....*K. Lowe.*
(Authorised Collector)



Plans x 2
Applications x 4.
Inner Groundnut = no fee

S O U T H

H O L L A N D
DISTRICT COUNCIL

**PLANNING & BUILDING
CONTROL DEPARTMENT**

BRIAN SMITH
Dip TP MRTPI
Director of Planning and
Building Control Services

Mr K Woods

Your Contact:

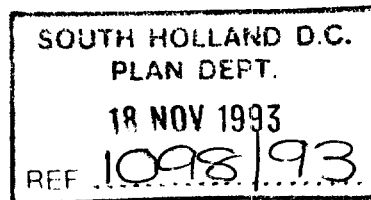
KW/JK/E19/2574/93

Our Ref:

Your Ref:

11 November, 1993

Date:



The Owner/Occupier
239 Broadgate Road
Sutton St Edmunds
Spalding
Lincs

Dear Sir

Planning Application H19/0179/92 - Residential Development at
Broadgate Road, Sutton St Edmunds (Condition Compliance)

The above planning permission, granted on 6 May, 1992 contained a condition which requires that the approved scheme of landscaping and/or screening shall be carried out in its entirety within a period of 2 years beginning with the date on which the development on the land is commenced. The trees, shrubs or bushes shall be adequately maintained by the owners of the land on which they are situated for a period of 10 years and all losses shall be made good during that period.

The approved scheme referred to includes a hawthorn hedge across the frontages of all dwellings, except that of No. 247, together with a similar hedge along the front boundaries between each plot.

A recent inspection of the site reveals that the hawthorn hedge on the boundary between your plot and that of your neighbours has been removed and replaced with three leylandii plants.

I understand that you are responsible for this particular boundary and the removal of the hawthorn hedge constitutes a breach of a planning condition and I must advise you that the Planning and Compensation Act of 1991 provides the Council the powers to serve a Condition Compliance Notice requiring full compliance with this condition within a set period of time, against which there are no facilities to appeal. The failure to comply with such a notice in the specified time would result in legal proceedings being taken against you.

/Cont...

Planning & Building
Control Department
Council Offices,
Priory Road,
Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772