

St. Edmundsbury Borough Council

Application No: DC/14/2087/OUT

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

AGENT

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APPLICANT

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Date 6th November 2014
Registered:
Date of 22nd December 2014
Decision:

PROPOSAL

Outline Planning Application (Means of Access to be considered) - Construction of research/business park (Class B1) and hotel (Class C1) (previously approved under applications SE/11/1062 and SE/11/1063)

LOCATION

Haverhill Research Park, Hanchett End, Haverhill, Suffolk,

OUTLINE permission is hereby **GRANTED** by the Council as Local Planning Authority for the purpose of the above Act and Orders for development in complete accordance with the application shown above, the plans and information contained in the application, and subject to compliance with the following condition(s) and the submission of 'Reserved Matters':

- 1 Before any individual phase of the development commences precise details in respect of the following matters (which shall be based upon the plans submitted in support of this application and which are hereinafter referred to as the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority:-

(a) the layout of that part of the site and any development thereon which shall be based upon an accurate survey of the site and which shall indicate accurately the position, height, spread and species of any trees and hedges

within and on the boundaries of the site (including any trees and hedges which it is proposed to remove);

(b) the siting, design and external appearance of all buildings to be erected thereto;

(c) the provision, siting and amount of land to be allocated for open space;

(d) a landscape design showing:-

(i) an indication of all existing trees and hedgerows on the land, including details of any to be retained together with measures for their protection in the course of development;

(ii) details of proposed planting;

(iii) details of the means of forming enclosures, the materials to be used for paved areas and hard surfaces;

(iv) finished levels in relation to existing levels;

(v) the provision, alignment, height and materials of all walls, fences and other means of enclosure.

Reason: To secure orderly and well designed development in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

2 (a) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 10 years from the date of this permission.

(b) The development hereby permitted shall be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990.

3 Before any individual phase of the development hereby permitted is commenced the following details (Design Code) relating to the building(s) to be erected on that part of the application site shall be submitted to and approved in writing by the Local Planning Authority:-

(i) samples of the external materials to be used in the construction of the buildings;

(ii) details of brickbond and mortar mix;

(iii) details (including materials/colour finish) of balconies, windows and external doors;

(iv) details of surfacing;

(v) building heights and density

- (vi) detailed working drawings of all elevations and floor plans drawn to a scale of not less than 1:50 or 1:100
- (vii) block principles - Handling of blocks and different block types.
- (viii) frontage codes - Principles for building frontages and set back.
- (ix) street hierarchy and codes
- (x) parking strategy - for parking and how this is accommodated within the development, and
- (xi) details of sustainability in construction methods

The development shall be carried out in complete accordance with the approved details and specifications unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To secure orderly and well-designed development in accordance with the provisions of the Masterplan and Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

- 4 The development shall be carried out and completed in accordance with the submitted plans, specifications and written particulars for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

- 5 No development shall take place, including any works of demolition, earth works or site clearance or construction, until a Construction Method Statement incorporating a Site Waste Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities
- vi) measures to control the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition, site clearance and ground remodelling works
- vii) details of the extend of areas to protected (fenced) during the works to ensure reduce the risk of ground compaction within areas which will be landscaped
- ix) make provision for the regular review of the site waste management plan during the project and for review and analysis on completion
- x) hours of construction operations including times for deliveries and the removal of excavated materials and waste;
- xi) site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading, access and vehicle turning areas;

- xii) noise method statements and noise levels for each construction/site clearance activity including any piling and excavation operations;
- xiii) dust, dirt and vibration method statements and arrangements;
- xiv) site lighting.

The details submitted should include measures to allow for the possibility of the development being constructed in a phased manner as approved under condition 3.

Reason: To ensure a satisfactory form of development and in the interests of public safety in accordance with the provisions of Policy CS3 (Design and Local Distinctiveness) of the Core Strategy.

- 6 Demolition or construction works shall not take place outside 0730; hours to 1900; hours Mondays to Fridays and 0800; hours to 1300; hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance.

- 7 No development shall commence until a scheme for the provision of fire hydrants within the application site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation

Reason: To ensure the adequate supply of water for fire fighting/community safety

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order), the site and all buildings erected thereon shall be used for Class B1 (Business) purposes and Class C1 (hotel) as defined in the Town and Country Planning (Use Classes) Order 1987 as amended, or in any legislation revoking or re-enacting that class, save that any uses falling within Class B1C (light industry) shall be limited to ancillary areas of any individual buildings where the predominant use of any building shall remain B1A (offices) or B1B (research and development).

Reason: To ensure the appropriate use of the site in accordance with Policy HV10 of the Haverhill Vision 2031.

- 9 The completed development (excluding any floorspace associated with the hotel) shall not exceed a maximum total gross floor area of 41,805 square metres.

Reason: To ensure an appropriate scale of development in accordance with the adopted masterplan and Policy HV10 of the Haverhill Vision 2031.

- 10 The trees shown on the approved landscaping scheme to be retained shall be protected in the manner shown on the submitted plans or shall be fenced as described below, (and the Local Planning Authority shall be advised in writing that the protective measures/fencing have been provided) before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from the site.

Where possible the fencing shall be erected outside the 'Root Protection Area' (RPA) defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level and shall consist of robust wooden stakes connected by robust wooden cross members to a height of not less than 1.2 metres. Where fencing can not be erected outside the RPA an arboricultural method statement shall be submitted and approved in writing in accordance with the relevant condition. Within the fenced area no work shall take place; no materials shall be stored; no oil or other chemicals shall be stored or disposed of; no concrete, mortar or plaster shall be mixed; no fires shall be started; no service trenches shall be dug; no soil shall be removed or ground level changed at any time, without the prior written consent of the Local Planning Authority.

Reason: To ensure that the most important and vulnerable trees are adequately protected during the period of construction.

- 11 The approved scheme of landscaping in respect of each phase of the development shall be implemented not later than the first planting season following the commencement of development on the phase to which it relates (or within a specific time scale as may be agreed in writing with the Local Planning Authority). 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.

- 12 Prior to the commencement of the development, a landscape management plan relating to the landscaped areas, identified in the plans submitted in respect of condition 1, including long term design objectives, management responsibilities and maintenance schedules for the amenity grass areas, shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved unless any subsequent variations are agreed in writing with the Local Planning Authority.

Reason: To enhance the appearance of the development in accordance with the provisions of Policies CS3 (Design and Local Distinctiveness) of the Core Strategy and NE3 (Protection of the Landscape) of the Replacement Local Plan.

- 13 The development hereby approved shall be implemented in full in accordance with the scheme of ecological mitigation submitted with planning application

SE/11/1062 unless the prior written approval of the Local Planning Authority is given for any variation:

Martin Newcombe Ecological Survey Report	05/05/2010
Reptiles report	01/11/2010
Robert Stebbings Survey for Bats report	17/03/2011

Reason: In the interests of the protection of wildlife on the site.

- 14 Before any individual phase of the development is commenced, details of the estate roads and footpaths, relating to that phase of the development (including layout, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard in the interest of highway safety.

- 15 No building shall be occupied until the carriageways and footways serving that building have been constructed to at least base course level or better, in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

- 16 No development shall commence until details of the areas to be provided for the loading, unloading, manoeuvring, parking of vehicles, including secure cycle storage, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided.

- 17 The gradient of any vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner in the interests of road safety

- 18 No building shall be occupied until details of the travel arrangements to and from the site for employees and customers, in the form of a Travel Plan, including monitoring provisions have been submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented before the building to which it relates is first brought into use and thereafter adhered to.

Reason: In the interests of sustainable development.

- 19 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a new or amended Method Statement detailing how this unsuspected contamination shall be dealt with.
Reason: To protect and prevent pollution of controlled waters in accordance with the National Planning Policy Framework 2012 and Environment Agency Groundwater Protection (GP3) documentation.
- 20 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
Reason: To protect and prevent pollution of controlled waters
- 21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
Reason: To protect and prevent pollution of controlled waters.
- 22 No building shall be occupied until it has been provided with bin storage areas, refuse storage provision and collection points, the specification of which shall have first been approved in writing by the Local Planning Authority.
Reason: To ensure the satisfactory development of the site in accordance with the provisions of Policy CS3 (Design and Local Distinctiveness) of the Core Strategy.

NOTES:

- 1 This permission is the subject of an Obligation under Section 106 of the Town and Country Planning Act 1990 as amended by Section 12 of the Planning and Compensation Act 1991 (relating to planning application ref:SE/11/1062 and Se/11/1063 previously granted in respect of this site).
- 2 It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's West Area Manager should be contacted at Shire Hall, Bury St Edmunds, IP33 1RF. Telephone 01284 352000.

- 3 This permission does not grant any approval or consent which may be required under any enactment, byelaw, order or regulation other than the Town and Country Planning Act 1990 or under any covenant.
- 4 In accordance with the Regulation 11D of the Town and Country Planning (Fees for Applications and Deemed Applications)(Amendment)(England) Regulations 2008, a fee of £97 will be charged for each request for the discharge of a condition(s) attached to this planning permission. The fee will need to be submitted with each request. Cheques should be made payable to St Edmundsbury Borough Council.
- 5 The granting of planning permission does not grant or imply the right to construct any part of the development (including foundations, walls and roof) on or overhanging the adjoining property or to enter onto adjoining property without the consent of the owner of that property (other than in accordance with the provisions of the Party Wall Act) in order to carry out construction work or subsequent maintenance work.
- 6 In the event that the landscaping scheme referred to in Condition 1 includes the carrying out of planting within the curtilage of any building the occupier of that property may become responsible for the carrying out of the approved landscaping in so far as it relates to that property, should those works not have been carried out by the developer, and for its subsequent maintenance.
- 7 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 Borough Council's website (www.stedmundsbury.gov.uk) A fee of £28 for a householder application or £195 for all other applications will be required in order to register the application.
- 8 The responsibility for the safe development and secure occupancy of the site rests with the developer. If contamination is found on the site that was not previously identified, the Borough Council's Environmental Health Department should be contacted as a matter of urgency to discuss the situation.
- 9 In accordance with the 'National Planning Policy Framework' the Council confirms it has implemented the requirement to work with the applicant in a positive and proactive way.

Steven Wood
DNB

Steven Wood
Head of Planning and Regulatory Services

Date: 22 December 2014

NOTES

Planning Applications
Listed Building Applications
Advertisement Applications
Section 76
Town and Country Planning Act 1990
Section 20
Planning (Listed Buildings and Conservation Areas) Act 1990
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 refusal must be served within 12 weeks in all other cases. Minor Commercial Appeals must be served within 12 weeks in all other cases. Notice of appeal must be served within six months of the date of the decision on a planning application relating to the same or substantially the same land and development as is already the subject of an advertisement and notice 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 www.planningportal.gov.uk. 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 that 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 Secretary's requirements, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not intend to refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

St. Edmundsbury Borough Council

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 www.planningportal.gov.uk/pcs. 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 practise 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.

*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.