

B/89/1855

2/2

6th December 1989

Mr. G. E. Swain  
Chief Planning Officer  
Babergh District Council  
Corks Lane  
Hadleigh  
IPSWICH  
Suffolk



37

NRA

National Rivers Authority  
Anglian Region

Our Ref: PM/GJ/89/3/B/0407

Your Ref: B/89/1855

Dear Mr. Swain,

PLANNING APPLICATION NO. B/89/1855  
DEVELOPMENT OF NEW DWELLING  
ORCHARD LEA, EDIES LANE, LEAVENHEATH

Thank you for your letter dated 29th November 1989.

National Rivers Authority, Anglian Region, has no objection to this proposal from a land drainage point of view.

Only clean surface water from roofs should discharge to soakaways.

Your documents are returned herewith.

Yours sincerely

pp J. ROBINSON  
Planning Engineer

Encs.

BABERGH DISTRICT COUNCIL PLANNING DEPARTMENT	
ACK.	
FILE No.	
08 DEC 1989	
CFO	
PPO(S)	
<del>PPO(S/C)</del>	<i>WJH</i>
PBCCO	

MG-SMITH-INSURANCE

TEL No. 0376-501528

12 Dec. 89 12:49 P.01

23 Edies Lane  
Leavenheath  
Colchester  
Essex  
CO6 4PA  
12th December 1989

Planning Dept  
Corks Lane  
Hadleigh

Your Ref. B/89/1355  
F.A.O. MR PRICE  
Ext 2265

Dear Sirs

Outline-Direction of 2 Detached Bungalows with Detached Garages  
And Construction of Vehicular Access (Existing Bungalow to be  
demolished at Orchard Lea Edies Lane Leavenheath

Thank you for your letter of the 29th November 1989 the contents of which are noted. This letter is to confirm our support of the above application which, if approved, will improve the overall area locality and access. We sincerely hope the Council will approve the application.

Yours faithfully

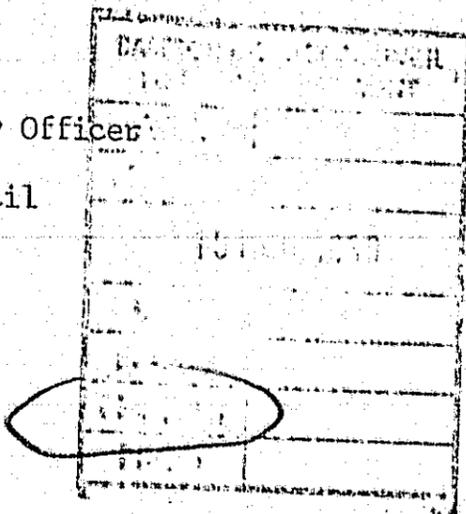
Peter Price

# LEAVENHEATH PARISH COUNCIL

39

Hartlands  
61 High Road  
Leavenheath  
Colchester  
Essex  
CO6 4PB

G Roberts Esq.  
Senior Rights of Way Officer  
Highways Department  
Suffolk County Council  
St Edmunds House  
Rope Walk  
Ipswich  
IP4 1LZ



12 December 1989

Dear Mr Roberts

EDIES LANE PATH

The Parish Council has received a full copy of the Inspector's decision letter dated 14 November 1989 with a covering letter from the Department of the Environment dated 28 November: an earlier copy of the decision letter omitted pages 2, 4, 6 and 8.

We note the Inspector's comments at paragraph 11 on page 8 viz

"11. I am very concerned at the implications for owner of 'Sanjika' of the establishment of the Edies Lane spur to FP 12 and I consider that every effort should be made by those concerned to ameliorate these."

I understand that you have discussed the matter with Mr Rix but that no further progress can be made until Mr Rix decides whether he will appeal against the decision.

I explained to you that, if the Inspector's decision had not been favourable, the Parish Council would have endeavoured to secure another access from Edies Lane to the junction of Footpaths Nos 12 and 13. The only way that could be achieved would be to establish a Right of Way within the curtilage of Orchard Lea, ie on the other side of the boundary between Sanjika (Mr Rix) and Orchard Lea (Mr Randall).

As you may be aware Mr Randall's applications to replace his bungalow with 3 and 4 detached houses were refused and the appeal was dismissed. A further (outline) application for replacement with 2 bungalows has now been made by Mr Randall. The Parish Council opposes this application also (see enclosed copy report), but it is just possible that Babergh District Council will give consent subject to changes in the lay-out, or if consent is refused that an appeal would succeed.

Cont.

G Roberts Esq

-2-

12 December 1989

If Mr Rix goes to appeal, which means a danger of losing the path through Sanjika, the Parish Council intends to request Babergh to establish the path within Mr Randall's curtilage as part of the planning consent. I understand that this is within the District Council's powers, and would have the support of our District Councillor. Presumably you too would have to be involved.

As discussed with you, diverting the path to the other side of the boundary might be the solution to Mr Rix's worries and would presumably meet the Inspector's concern. It would require Mr Randall's co-operation and agreement: I cannot predict his reaction to the suggestion, and I have not consulted the Parish Council formally about it, but payment by Mr Rix to Mr Randall for this solution might be cheaper than an appeal with all its uncertainties.

Mr Randall's planning application will probably be considered by Babergh in mid January so the timing here is vital. Can I ask you to let me know immediately Mr Rix decides about his appeal, so that if necessary the Parish Council can write to Babergh.

You will note that the Parish Council's report on Mr Randall's planning application mentions that Footpath 13 is within the site, and that we are initiating action to have the path otherwise than in the ditch. I think this is a problem for your West Area Surveyor rather than you and I am writing separately to him.

Yours sincerely



R E Collett  
Chairman of the Council

Copy to: County Solicitor  
Surveyor (West Area), County Highways

**Babergh  
District Council  
South Suffolk**

G.E. Swain  
Chief Planning Officer

Planning Department  
Corks Lane  
Hadleigh  
Ipswich IP7 6SJ

Hadleigh 822801  
(STD code 0473)

Grid Ref: TL95063596

My ref: B/89/1855      MJP  
Date: 29th November 1989

Dear Sir/Madam,

Application No: B/89/1855

Proposal:

OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES AND  
CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE  
DEMOLISHED)

Location:

ORCHARD LEA    EDIES LANE    LEAVENHEATH

Applicant: MR & MRS J J RANDALL

The application described above has been received by the Babergh District  
Council. Copies of the application and plans are enclosed.

I shall be grateful if you will set out any observations which your Council  
wish to make in respect of this application in the space provided below and  
sign and return one copy of this letter to me so that I receive it by not  
later than the 17th January 1990.

Yours faithfully,

G.E. SWAIN  
Chief Planning Officer

Application No : B/89/1855  
Observations of LEAVENHEATH

Parish Council

PLEASE SEE ATTACHED OBSERVATIONS

Mrs P N Morgan  
Meadowlands  
24 High Road  
LEAVENHEATH,  
Colchester, Essex.  
CO6 4nz

Date..... 13 December 1989

# LEAVENHEATH PARISH COUNCIL



B/89/1855 OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES  
AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED)  
ORCHARD LEA EDIES LANE LEAVENHEATH

The Parish Council opposes this application, generally for the same reasons stated on B/1312/87 (to which please refer), and in particular as follows:-

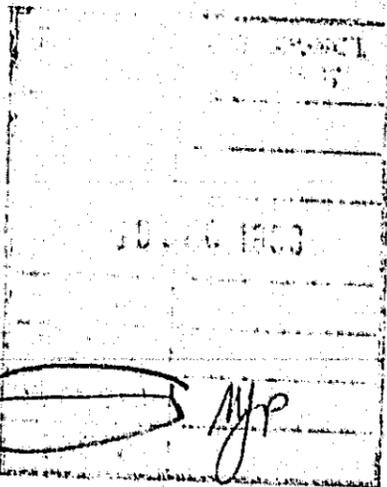
- \* *see the*
1. This is a single plot with a frontage suitable for one detached dwelling only. The Parish Council has no letter from your Council's Eastern Area Development Control Sub-Committee indicating that 2 dwellings may be acceptable on this site (statement in letter dated 28 November 1989 from applicant's agent).
  2. County Council standards allow for a maximum of 4 dwellings to be served from an unadopted road. This aspect was considered to be worthy of mention by the inspector appointed by the Secretary of State for the Environment when dismissing the appeals for 3 and 4 dwellings on the site (B/855/86 and B/1036/86). There are 7 dwellings (including Orchard Lea) already served by this unadopted section of Edies Lane. The shortcomings of Edies Lane also mentioned by the inspector continue to be relevant.
  3. Both proposed dwellings as shown on the site plan are partly or wholly outside the village envelope: that nearest Sanjika being virtually wholly outside. We disagree with the claim by the applicant's agent in the letter dated 28 November 1989 that because the whole of the application site is currently in residential use it is not a material factor that only part of the site is within the village envelope. Many other sites in Leavenheath are partly inside and partly outside the envelope and to ignore the dividing line and to allow building wholly or partly outside the envelope as is proposed would create a disastrous precedent and could open the floodgates to similar applications.
  4. This site has been subject to flooding problems. Surface water from as far away as Elm Tree Lane finds its way along the front of the site. Any piping of the ditch which may be allowed must ensure that flood water is satisfactorily taken away and does not cause problems upstream.
  5. There is a Right of Way (Leavenheath Footpath No 13) within the site running north to south along the west boundary. This is not shown on the location plan. A Modification Order to the Definitive Map (re)establishing a footpath within the curtilage of Sanjika has very recently been confirmed following a public enquiry. This will result in greater use of Footpath 13 now that it is accessible from Edies Lane. Hitherto because of the absence of direct access from Edies Lane Footpath 13 has been underused, and pending the public enquiry the Parish Council has not pressed for the path to be maintained and properly identified on the ground. The part of Footpath 13 that is on the applicant's land is presently confined to the ditch by barbed wire fencing but the Parish Council will now be pressing County Highways to deal with this matter.

P N Morgan (Mrs)  
Clerk to the Council

# LEAVENHEATH PARISH COUNCIL

43.

Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex  
CO6 4NZ



Chief Planning Officer  
Babergh District Council  
Corks Lane  
Hadleigh  
Ipswich  
IP7 6SJ

13 December 1989

Dear Sir

B/89/1855 OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES  
AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED)  
ORCHARD LEA EDIES LANE LEAVENHEATH

With reference to item 5 of the attached report I enclose for your information a copy of the Parish Council's letter dated 12 December to the Senior Rights of Way Officer, Suffolk County Council about the situation arising from the public enquiry. I will write to you as soon as it is known whether an appeal is made against the Inspector's decision about the footpath, and whether the Parish Council wishes you to take action to secure an alternative route for the path within the application site.

Yours faithfully

P N Morgan (Mrs)  
Clerk to the Council

Encs.



# Babergh District Council

South Suffolk

G.E. Swain  
Chief Planning Officer

886

Planning Department  
Corks Lane  
Hadleigh  
Ipswich IP7 6QJ

Hadleigh 822801  
(STD code 0473)

Grid Ref: TL95063596

My ref: B/89/1855 MJP

Date: 29th November 1989

Previous History: B/87/1312 Road & Class Number: UNGLAS

Location: ORCHARD LEA EDIES LANE LEAVENHEATH

Proposal: OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED)

Notice is hereby given that the County Council as Highway Authority:

- does not wish to restrict the grant of permission.
- directs that permission be refused (see below for reason).
- directs that any permission which the Planning Authority may give shall include the conditions shown below.
- recommends that any permission which the Planning Authority may give shall include the conditions shown below.
- make the following comments.
- has no observations.

- (1). Before the development is first occupied the existing highway along the frontage of the application site shall be widened by 1.0m, and this length of highway shall be surfaced with an impervious material, to the satisfaction of h.p.o in conjunction with H.A.
- (2). Before the development is first occupied a turning head shall be constructed off the highway at the eastern end of the application site.
- (3). S.c.7 "Dc 102"
- (4). S.c.8
- (5). S.c.25 "development is first occupied"
- (6). S.c.29



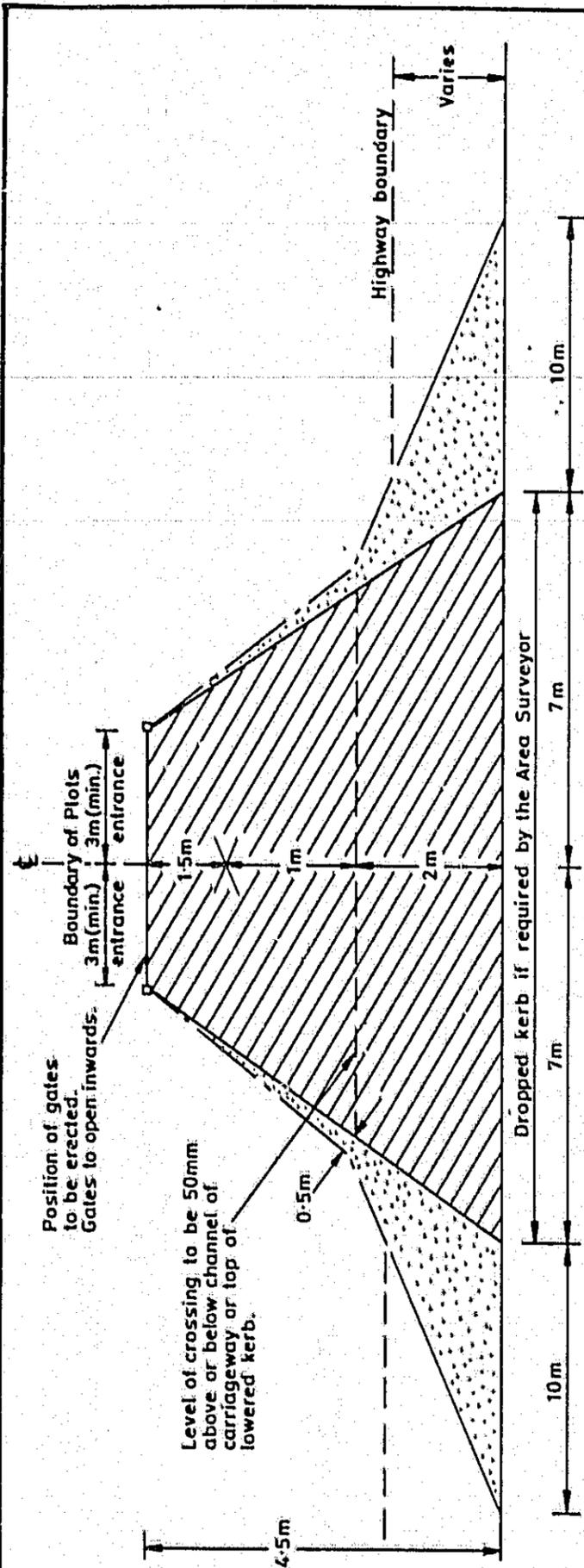
REASONS: for the ~~direction~~/recommendation above

- 1. In the interests of road safety
- 2. To make reasonable provision for any road improvements which may become necessary in the future.

Date.... 29/01/90.....

Signed.... .....  
For County Surveyor

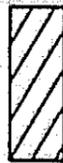
HIGHWAYS DEPARTMENT



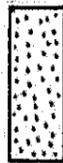
**LAYOUT DC 102**

**NOTES**

1. Any conditions which Local Planning Authority may give involving the use of this drawing do NOT give the applicant permission to carry out works within the Public Highway.
2. Unless otherwise agreed in writing all works within the Highway will be carried out by the County Council or its agent authority at the applicants expense.
3. The County Council Area Surveyor or its agent authority must be contacted at the appropriate address shown opposite.



Area to be constructed to the satisfaction of the local planning authority in consultation with the county council as highway authority.



Visibility Splay areas to be free from all obstructions to visibility exceeding 0.25m above carriageway level.

**AGENT AUTHORITY**

- District Technical Officer,  
Waveney District Council,  
Works Dept.,  
White Horse St.,  
Lowestoft. Tel. 62111
- Director of Development Services,  
Ipswich Borough Council,  
Works Dept.,  
Civic Centre,  
Ipswich. Tel. 211211
- Director of Technical Services,  
Borough of St. Edmundsbury,  
St. Edmund House,  
Lower Baxter St.,  
Bury St. Edmunds. Tel. 63231

**SUFFOLK C.C.**

- East Area Surveyor,  
Chantry Road,  
Saxmundham. Tel. 3171
- Central Area Surveyor,  
Gt. Blakenham Depot,  
Lodge Lane,  
Ipswich. Tel. 830010
- West Area Surveyor,  
Shire Hall,  
Bury St. Edmunds. Tel. 63141

**SUFFOLK COUNTY COUNCIL HIGHWAYS DEPT.**

REVISIONS

DOMESTIC VEHICULAR  
ACCESS LAYOUT DC 102

SCALE  
NOT TO  
SCALE

DATE PJW  
MAY 84

SD11/2/6  
DC 102

LET.

Mr. J.A. Andrews      Mr. D. Mitchell  
Mr. J.W. Baxter      Mr. K.M. Overman  
Mr. A.J. Boram      Cmdr. E. Pollard  
Mr. R. Cook      Mr. C.B. Watson  
Mr. J.E. Godley      Mr. R. Whiting  
Mrs. M.G.E. Heselden  
Mrs. J.A. Law

B/89/1855 &  
B/89/1798 JB/ht

Miss Bull  
2263

12th February, 1990.

Dear Sir/Madam:

EASTERN AREA DEVELOPMENT CONTROL SUB-COMMITTEE SITE INSPECTIONS -  
MONDAY, 19TH FEBRUARY, 1990  
B/89/1855 - LEAVENHEATH - PAPER N375, ITEM 17  
B/89/1798 - BENTLEY - AGENDA ITEM 7

I refer to Mr. Salmon's letter of the 6th February concerning the above-mentioned site inspections.

As the plans accompanying this earlier letter did not clearly identify the sites, I enclose amended plans for your information.

Yours faithfully,

Chief Planning Officer.

Encl:

BABERGH DISTRICT COUNCIL

Site Inspection Sub-Committee Location Plan

Application No: B/89/1855

Proposal: OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED)

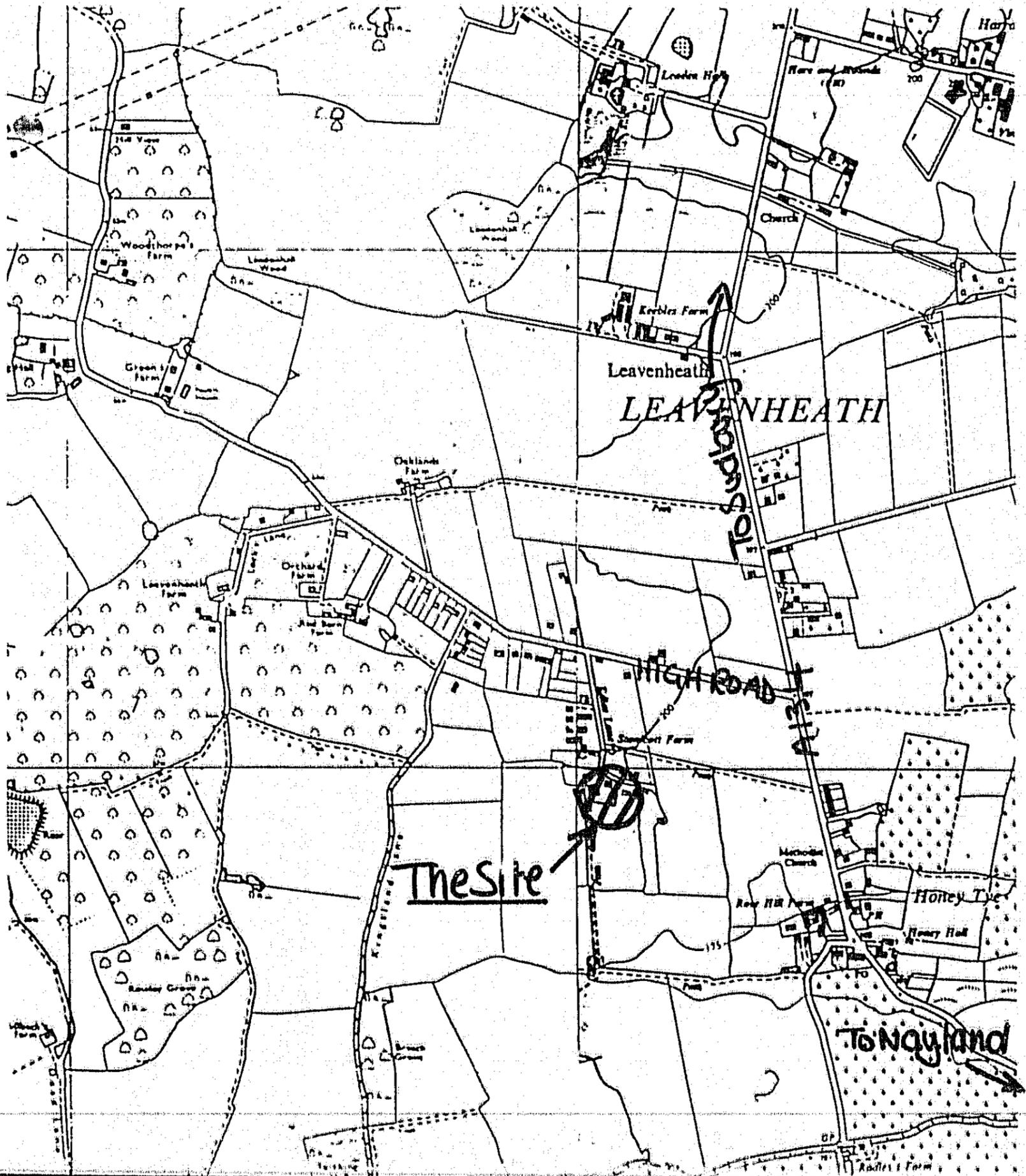
Location: ORCHARD LEA EDIES LANE LEAVENHEATH

Scale 1:10,000



Chief Planning Officer

G E Swain MRTF



BABERGH DISTRICT COUNCIL

Site Inspection Sub-Committee Location Plan

Application No: B/89/1855

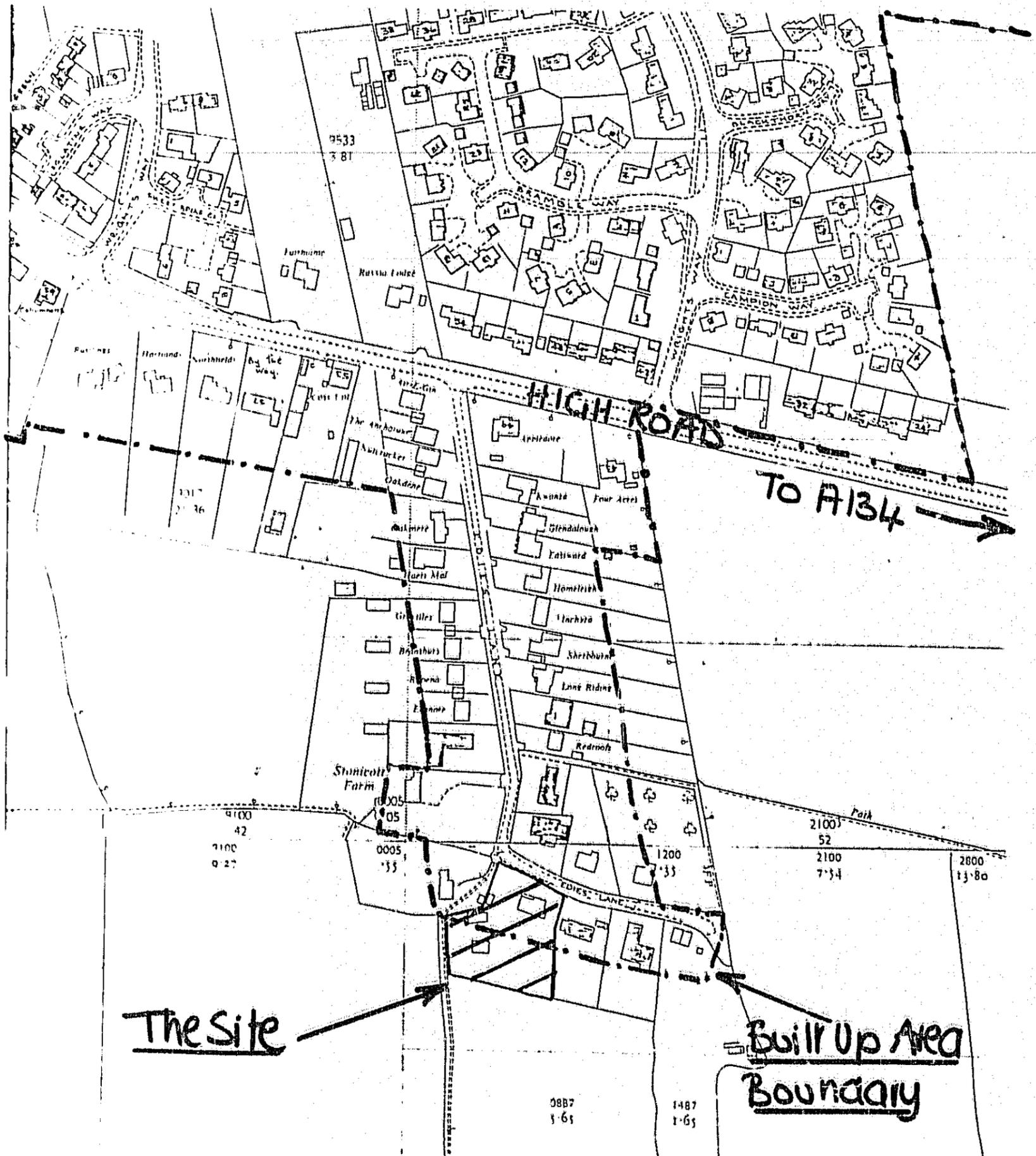
Proposal: OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED)

Location: ORCHARD LEA EDIES LAHE LEAVENHEATH

Scale 1:2500

Chief Planning Officer

G E Swain MRT



# LEAVENHEATH PARISH COUNCIL

50

Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex  
CO6 4NZ

BABERGH DISTRICT COUNCIL PLANNING DEPARTMENT	
ACK.	
FILE No.	
15 FEB 1990	
<del>CPO</del>	
PPO(P)	
<del>PPC(P)</del>	
PPCO	<i>MJC</i>

Chief Planning Officer  
Babergh District Council  
Corks Lane  
Hadleigh  
Ipswich  
IP7 6SJ

*Response  
- I think  
what they  
are concerned*

13 February 1990

*CP*

Dear Sir

B/89/1855 ORCHARD LEA EDIES LANE LEAVENHEATH

The Parish Council has seen the papers prepared for the Planning meeting of 7 February where, on page 70, paragraph 18, it is stated that "the application should be considered in relation to Policy H5(b) of the Suffolk Structure Plan (Alteration No 1) and Policy LPH6 of the Babergh Local Plan (adopted as interim policy concerning abutting groups)."

The Parish Council is firmly under the impression that both built up areas of Leavenheath village - Harrow Street and High Road - are excluded from the abutting groups procedure. This being so it seems improper to invoke the procedure to justify granting planning consent in this case. It is understood that a decision has been deferred pending a site inspection and the Parish Council feels that the misleading statement should be corrected before the Committee considers the application.

However if the Parish Council is mistaken please advise.

Yours faithfully

*P N Morgan*

P N Morgan (Mrs)  
Clerk to the Council

*reply dictated  
15/2/90*

Mrs P N Morgan  
Clerk to Leavenheath Parish Council  
Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex  
CO6 4NZ

B/89/1855 MJP/SED

Mr Price  
2265

21 February 1990

Dear Mrs Morgan

PLANNING APPLICATION B/89/1855 - OUTLINE - THE ERECTION OF TWO DETACHED BUNGALOWS WITH DETACHED GARAGES AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED) - ORCHARD LEA EDIES LANE LEAVENHEATH

Thank you for your letter dated the 13th February 1990 concerning the above-mentioned matter.

You are quite correct in that both built-up areas of Leavenheath (Harrow Street and High Road) are identified as places where abutting groups would not be acceptable (Policy LPH5 refers). The reference to abutting groups in my report to the Eastern Area Development Control Sub-Committee was made in error and I apologise for any inconvenience which this may have caused. However, as you may be aware, consideration of this application was deferred by the Sub-Committee on the 31st January 1990, in order that a Panel of Members might visit the site. The application is to be considered by the Sub-Committee on the 28th February, and my report has now been amended to take account of this.

Once again I apologise for any inconvenience which you may have been caused.

Yours sincerely



For Chief Planning Officer

# William H. Brown

**PROFESSIONAL**

Building Surveyors and Planning Consultants

23/24 Market Hill, Sudbury, Suffolk, CO10 6EN  
Telephone: (0787) 72247 Fax: (0787) 880052

R.J. Prosser, F.R.I.C.S. M.R. Miller, B.Sc., A.R.I.C.S.  
T.D. Harbord, Dipl E.P., M.R.T.P.I. (Chartered Town Planner)  
N.J. Wakefield, A.R.I.C.S. A.P. Brown, A.R.I.C.S.

Divisional Directors R.J. Prosser, F.R.I.C.S. (Managing Director)  
D.C. Moon, Dip.B.S., F.R.I.C.S. P.J. Weston, F.R.I.C.S.

*52*

B/89/1855  
RJP/LSM

14th February, 1990

Chief Planning Officer,  
Babergh District Council,  
Corks Lane,  
Hadleigh,  
Ipswich,  
Suffolk, IP7 6SJ

Dear Sir,

Proposed Development - Orchard Lea, Edies Lane, Leavenheath

Further to our recent telephone conversation concerning the above, we enclose two copies of an amended drawing showing the alignment of the footpath against the western boundary of our Client's property.

As discussed, our Client is concerned at the apparent suggestion that part of the footpath should be realigned against the north-western boundary of his property rather than across 'Sanjika', but as we have agreed, this is not a material planning consideration and we are grateful to you for making this point in your Committee Report.

Yours faithfully,

*[Handwritten signature]*

Encs.

BABERGH DISTRICT COUNCIL PLANNING DEPARTMENT	
ACK.	
FILE No.	
15 FEB 1990	
CPO	
PPC(P)	
PPC(DIST)	<i>[Signature]</i>
PBCC	

Offices in: London, Berkshire, Buckinghamshire, Cambridgeshire, Cheshire, Derbyshire, Essex, Gloucestershire, Hertfordshire, Leicestershire, Lincolnshire, Middlesex, Norfolk, Northamptonshire, Nottinghamshire, Suffolk, Yorkshire and Scotland.

**William H. Brown**  
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 Building Surveyors and Planning Consultants

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Divisional Directors R.J. Prosser, F.R.I.C.S. (Managing Director)  
 D.C. Moon, Dip.B.S., F.R.I.C.S. P.J. Weston, F.R.I.C.S.

*SB*

Our Ref: RJP/sjv

19th February 1990

Babergh District Council  
 Planning Department  
 Corks Lane  
 Hadleigh  
 Ipswich  
 Suffolk

For the attention of Mr. M. Price

Dear Sirs,

Re: Land at 'Orchard Lea' Edies Lane

Following our recent telephone conversation please find enclosed two copies of the revised plan for the above showing a turning area off Edies Lane.

Yours sincerely,

*[Handwritten signature]*

*agreed  
 but plan is  
 for into only.  
 this can be  
 conditioned.*

BABERGH DISTRICT COUNCIL PLANNING DEPARTMENT	
ACIC	
FILE NO.	
20 FEB 1990	
CPO	
SPL	
FORWARD	<i>WHP</i>
PREP	

*surely turning  
 area is too  
 small*

*[Handwritten signature]*

Offices in: London, Berkshire, Buckinghamshire, Cambridgeshire, Cheshire, Derbyshire, Essex, Gloucestershire, Hertfordshire, Leicestershire, Lincolnshire, Middlesex, Norfolk, Northamptonshire, Nottinghamshire, Suffolk, Yorkshire and Scotland.

54

Initial Appraisal:

Clearly 2 dwellings cannot be accommodated on that part of the site within the defined built up area & relate satisfactorily to existing.  
The relationship of the proposed development to existing works to be acceptable.  
However, since the location of the second part just outside the built up area requires the settlement policy & several might be difficult to justify - detailed site appraisal is imperative in this case.

MOP 29/11/89.

MS 30.11.89

Site & Other Notes:

It looks a very contrived layout and given the nature of Edley Lane I think a new access road is acceptable as one on this site.

Site inspected by MOP 1/12/89.

MS 1/12/89

Site inspected by MOP/RJW/GES 17/1/90 accepted that this is probably now ok, subject to planning listed etc.

Note: - Discussed Parish Council's drainage comments with S. Sedlip (CESO) on 17/1/90. He informed that there are no surface water drainage objections to this proposal. He simply remarks that inclusion be proposed re: size of down pipe to be agreed.

Discussed question of public footpath with Colin Matthews (Control Admin) 17/1/90

- No objections to the ~~proposed~~ proposals but footpath must not be obstructed.

# William H. Brown

**PROFESSIONAL**  
Building Surveyors and Planning Consultants

23/24 Market Hill, Sudbury, Suffolk, CO10 6EN  
Telephone: (0787) 72247 Fax: (0787) 880052

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A.P. Brown, A.R.I.C.S.

Divisional Directors R.J. Prosser, F.R.I.C.S. (Managing Director)  
D.C. Moon, Dip.B.S., F.R.I.C.S. P.J. Weston, F.R.I.C.S.

*SS*

By fax and by post

RJP/LSM

Chief Planning Officer,  
Babergh District Council,  
Corks Lane,  
Hadleigh,  
Ipswich,  
Suffolk, IP7 6SJ

Dear Sir,

Orchard Lea, Edies Lane, Leavenheath,  
B/89/1855 and B/90/1219.

*Discussed with  
John Gharidge (SCC)  
11/6/91. He has  
no objections to  
this suggestion.  
MPP.*

3rd April, 1991

*Copy sent to  
NORTHAMPTON  
PLAN COMMENTS  
26/4*

BABERGH DISTRICT COUNCIL  
PLANNING DEPARTMENT  
AGK  
25 APR 1991  
MPP

*26/4  
JAG  
5 MARCH  
LEFT IN  
N.P.  
CRASHLY  
RESPONSE*

Further to our recent telephone conversation with Mr. Price, we write with regard to conditions 9 and 10 attached to the outline consent (B/89/1855), which concerns widening and improvement of the lane.

As you know, it is our Clients' intention to proceed with the bungalow approved under B/90/1219 immediately for their own occupation, and the existing bungalow will be demolished on completion. However, it is not intended to immediately proceed with the sale of plot 2.

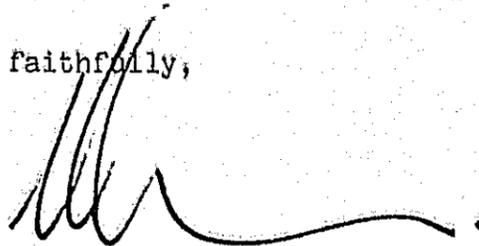
As you will doubtless appreciate, the works to the lane are necessary due to the increase in user caused by the second dwelling, and not by what is in effect a replacement dwelling which our Clients will be building.

Accordingly, it will be of considerable assistance to them financially, and we think perfectly reasonable in planning terms, if the required works to the lane are delayed until the second dwelling is constructed. This will allow our Clients to use their limited funds in the construction of the dwelling and put the liability for the works to the lane on the purchaser of the adjoining plot.

We would however, for the sake of clarity, confirm that the driveway from the lane to the proposed new bungalow will be constructed in accordance with the drawings submitted and the existing point of vehicular access which lies within the confines of the plot to be immediately developed will be closed off.

We hope you will be able to give this matter your early and favourable consideration.

Yours faithfully,



Offices In: London, Berkshire, Buckinghamshire, Cambridgeshire, Cheshire, Derbyshire, Essex, Gloucestershire, Hertfordshire, Leicestershire, Lincolnshire, Middlesex, Norfolk, Northamptonshire, Nottinghamshire, Suffolk, Yorkshire and Scotland.

William H. Brown Professional is a division of William H. Brown Limited registered in England No. 2012472. The names of the members of the firm are given in the list of directors and officers published in the annual accounts and in the annual report.

*Price file*

*56.*

Mrs P.N. Morgan  
Clerk to Leavenheath Parish Council  
Meadowlands  
Leavenheath  
Colchester  
Essex  
CO6 4NZ

B/90/1219 & B/89/1855

RJP/LSM  
MJP/CAB

Mr. Price  
2265  
815865

17th June, 1991

Dear Mrs Morgan,

PLANNING PERMISSION B/89/1855 AND B/90/1219 - ORCHARD LEA, EDIES LANE, LEAVENHATH

I refer to the above mentioned development and I enclose a copy letter dated 23rd April, 1991 from Messrs. William H. Brown, the contents of which are self-explanatory. I feel that the suggestion put forward in that letter are perfectly reasonable, and I do not, therefore, propose to enforce that the improvements to Edies Lane be carried out before the first of the two dwellings is occupied.

I should be grateful if you would bring this to the attention of your Parish Council.

Yours sincerely,

*MJP*

M.J. Price  
Principal Development Control Officer

*Please file*

57

Mr. R.J. Prosser  
William H. Brown  
Building Surveyors & Building Consultants  
23/24 Market Hill  
Sudbury  
Suffolk  
CO10 6EN

B/90/1219 & B/89/1855 RJP/LSM  
MJP/CAB

Mr. Price  
2265  
815865

17th June, 1991

Dear Mr. Prosser,

OUTLINE PLANNING PERMISSION B/89/1855 - ERECTION OF TWO DETACHED BUNGALOWS AND GARAGES

APPLICATION B/90/1219 - PART SUBMISSION OF DETAILS UNDER OUTLINE PLANNING PERMISSION B/89/1855 - ORCHARD LEA, EDIES LANE, LEAVENHEATH

I refer to your letter dated 23rd April, 1991 and to our subsequent telephone conversations concerning the above mentioned development and I apologise for not having replied earlier. I have considered the matter put forward in your letter and I feel it would be reasonable for the improvements to Edies Lane indicated on the approved drawings to be carried out before the second dwelling is first occupied. Accordingly, I would not wish to enforce that these works be carried out before either of the dwellings is first occupied, which is strictly speaking what is required by the terms of the relevant condition of planning permission.

I am prepared to interpret the condition in this way as there is already a dwelling on the site which is to be demolished to make way for the approved bungalow which your client proposes to occupy himself. There would, therefore, be no material increase in traffic movements along Edies Lane to justify improvements to the Lane at this stage.

I trust that this is the information that you require.

Yours sincerely,

*MJP*

M.J. Price  
Principal Development Control Officer

Mrs P N Morgan  
Clerk to Leavenheath Parish Council  
Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex, CO6 4NZ

B/90/1219 MJP/sed

Mr Price  
2265  
825865

12th August 1991

Dear Mrs Morgan

**PLANNING PERMISSION NOS B/89/1855 & B/90/1219 - ORCHARD LEA EDIES LANE  
LEAVENHEATH**

Thank you for your letter dated the 16th July concerning the above-mentioned matter, and I apologise for not having replied earlier.

I can confirm that the access serving both of the approved bungalows must be in accordance with the approved plans. With regard to the widening of Edies Lane, I can confirm that this will be widened by 1 metre taken from the frontage of both plots. You will note from the approved drawing, that the existing ditch along the frontage is to be piped.

I am quite satisfied that the improvements to this section of Edies Lane can be enforced by the Council, and this will be done if the works have not been carried out before the second bungalow is first occupied. It is a basic tenet of planning law that the planning permission runs with the land and therefore any subsequent purchaser of the second plot will be subject to the conditions and terms of the planning permission granted. The turning area which is to be provided within the area of the second bungalow will also be the responsibility of either the current owner or any subsequent owner of that plot. Again, I shall be prepared to take action to enforce its provision if it is not provided voluntarily in accordance with the approved plans before the second dwelling is first occupied.

I hope I have clarified the planning position, but if there is any further information you require, please do not hesitate to contact me.

Yours sincerely



M J Price  
Principal Development Control Officer

59.

Mrs P.N. Morgan  
Clerk to Leavenheath Parish Council  
Meadowlands  
24 High Road  
Leavenheath  
Colchester  
CO6 4NZ

B/89/1855 & B/90/1219 MJP/cab

Mr Price  
2260  
825860

12th March 1992

Dear Mrs Morgan,

**OUTLINE PLANNING PERMISSION B/89/1855 - ORCHARD LEA, EDIES LANE, LEAVENHEATH**

Thank you for your letter dated 1st March, 1992 concerning the above mentioned matter. I note that you have raised no objections to the amended access arrangements for the two dwellings approved under planning permission B/89/1855. Accordingly, I have now dealt with this as a minor amendment within the terms of the planning permission granted.

With regard to the matter raised in your letter concerning footpath No. 13, I must advise that I believe that the requirements of Condition 06 of outline planning B/89/1855 have been complied with. The drawings submitted with application B/90/1219 (part submission of details) show the position of this footpath relative to the new development. The purpose of this condition was to ensure that the footpath would not be obstructed by the development.

Prior to the determination of application B/90/1219, a detailed investigation of the site was undertaken and was attended by the Public Rights of Way Officer (Suffolk County Council). It was agreed that the footpath should run alongside the former ditch and not within it. The submitted drawing indicates a width of approximately 3.5 metres between the site boundary of the new dwelling and the far side of the ditch. This distance was considered satisfactory to accommodate both the ditch and the footpath.

I hope that I have clarified the planning position in respect of this matter, but if there is any further information you require please do not hesitate to contact me.

Yours sincerely,



M.J. Price  
Principal Development Control Officer

Mrs P N Morgan  
Clerk to Leavenheath Parish Council  
Meadowlands  
24 High Road  
Leavenheath  
Colchester, CO6 4NZ

10

B/89/1855    MJP/sed  
B/90/1219  
Mr Price  
2265  
825865

11th June 1992

Dear Mrs Morgan

PLANNING PERMISSION NOS B/89/1855 & B/90/1219 : ORCHARD LEA EDIES LANE  
LEAVENHEATH

I refer to your letter dated 31st March 1992 and to our subsequent telephone conversation concerning the above-mentioned matter.

I apologise for the delay in replying to you, but as I explained during our previous telephone conversation, I was awaiting the comments from the Footpaths Officer at Suffolk County Council.

I confirm that I wrongly advised in my letter dated 12th March 1992 that I had agreed to the revised access to this dwelling as a minor amendment. I am sorry for the concern that this has clearly caused you and your Council. In fact, what I should have said was that Suffolk County Council as Highway Authority had no objections to the revised access.

I can now confirm that Mr Glynn Roberts (Suffolk County Council Footpaths Officer) has visited the site and he advises me that the proposed amendment would not prejudice his negotiations with Mr Randall to secure a slightly realigned position for the footpath. He confirms that from his point of view the proposed amended access is acceptable.

In the light of all the circumstances, I can see no reason why the amended access should not be treated as a minor amendment within the terms of the planning permission already granted. This is on the basis that the improvements to Edies Lane indicated on the approved plans will be undertaken if and when the second dwelling is erected. I do not believe that the Council's agreement to this minor amendment will prejudice its ability to enforce the highway improvements should that become a problem.

I hope that I have clarified the planning position, and once again I apologise for the confusion resulting from the contents of my earlier letters.

Yours sincerely



M J Price  
Principal Development Control Officer

61.

Messrs William H Brown  
23/24 Market Hill  
Sudbury  
Suffolk  
CO10 6EN

B/89/1855 RJP/LSM  
JMB/sed  
B/90/1219  
Miss Bull  
2263  
825863

28th July 1992

Dear Sirs

OUTLINE PLANNING PERMISSION B/89/1855 & APPROVAL OF RESERVED MATTERS B/90/1219  
- ERECTION OF TWO DETACHED BUNGALOWS AND GARAGES : ORCHARD LEA EDIES LANE  
LEAVENHEATH

Thank you for your letter of 20th July 1992.

I apologise for the error in Mr Price's letter of the 6th July 1992, and can confirm that the widening of Edies Lane and the provision of the turning areas as required by planning permission B/89/1855 should be provided prior to the second dwelling being occupied rather than work on this property commencing.

I trust that I have clarified the position with regard to these works, but please contact me again if you require any further information.

Yours sincerely



Miss Bull  
For Chief Planning Officer

*Please file  
62*

Mr R J Prosser  
Messrs William H Brown  
Surveyors & Planning Consultants  
23/24 Market Hill  
Sudbury  
Suffolk, CO10 6EN

B/89/1855 MJP/sed  
B/90/1219  
Mr Price  
2265  
825865

6th July 1992

Dear Mr Prosser

OUTLINE PLANNING PERMISSION B/89/1855 AND APPROVAL OF RESERVED MATTERS  
B/90/1219 - ERECTION OF TWO DETACHED BUNGALOWS AND GARAGES : ORCHARD LEA  
EDIES LANE LEAVENHEATH

I refer to your drawing No A/5 which you forwarded to me with your compliment slip on 11th April 1992 concerning the above-mentioned development. I apologise that I have not replied to you earlier, but as you are aware, I have been discussing the matter with Suffolk County Council, and in particular any implications that the revised access might have upon the Leavenheath Footpath No 13.

I confirm that your proposal to retain and modify the existing vehicular access to the site to serve Mr Randall's new bungalow is acceptable and may be regarded as a minor amendment within the terms of the outline planning permission already granted. Accordingly, the submission of a fresh planning application will not be required in this instance.

This is said on the basis that Edies Lane will be widened as indicated on your drawing and the turning area will be provided before the second dwelling approved under planning permission B/89/1855 is commenced. I should be grateful if you would confirm in writing that this is to be the case.

Yours sincerely

*MJP*

M J Price  
Principal Development Control Officer

# LEAVENHEATH PARISH COUNCIL

Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex  
CC6 4NZ

63.

9 September 1992

Chief Planning Officer  
Babergh District Council  
Corks Lane  
Hadleigh  
Ipswich  
IP7 6SJ

For the attention of Mr M J Price

Dear Sir

PLANNING PERMISSION NOS B/89/1855 & B/90/1219: ORCHARD LEA, EDIES  
LANE, LEAVENHEATH

The Parish Council noted the contents of your letter dated 11  
June. It was assumed that you had taken the decision and, since  
the Parish Council had no objection, given the assurances  
contained in your letter, no reply was sent.

I understand that Mr Randall has now been informed of the  
consent, and I would be pleased to receive a copy for our  
records.

Yours sincerely

*P N Morgan*

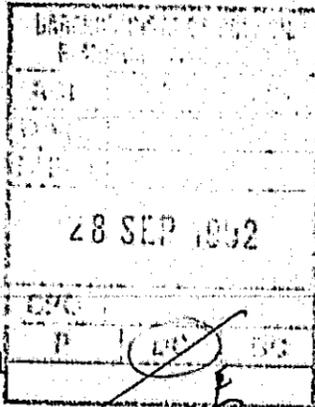
P N Morgan (Mrs) j  
clerk to the Council

*Consent  
14/9*

11 SEP 1992
<i>11/9</i>
<i>AWP</i>

# LEAVENHEATH PARISH COUNCIL

*64*



Meadowlands  
24 High Road  
Leavenheath  
Colchester  
Essex  
CO6 4NZ

24 September 1992

*Handy  
dictated  
28/9*

Chief Planning Officer  
Babergh District Council  
Corks Lane  
Hadleigh  
Ipswich  
IP7 6SJ

For the attention of Mr M J Price

Dear Sir

OUTLINE - ERECTION OF 2 DETACHED BUNGALOWS WITH DETACHED GARAGES AND CONSTRUCTION OF JOINT VEHICULAR ACCESS (EXISTING BUNGALOW TO BE DEMOLISHED) IMPROVEMENTS TO EDIES LANE INCLUDING PROVISION OF A VEHICLE TURNING AREA

I have received a copy of planning consent dated 22 March 1990, reference B/89/1855, with a compliments slip, and assume this is in response to my letter dated 8 September 1992.

This letter requested a copy of the formal consent (presumably a letter to the applicant) for the amended access, which the Parish Council accepts as a minor amendment in the terms of Mr Price's letter dated 11 June 1992.

Can you now oblige please?

Yours faithfully

P N Morgan (Mrs)  
Clerk to the Council

*Please file*

*65*

Mrs P.N.Morgan,  
Clerk to Leavenheath Parish Council,  
Meadowlands,  
24 High Road,  
LEAVENHEATH  
COLCHESTER  
Essex CO6 4NZ

B/89/1855 & B/90/1219  
MJP/CAL  
Mr Price  
2265  
825865

5th October, 1992

Dear Mrs Morgan,

PLANNING PERMISSION NOS B/89/1855 & B/90/1219: ORCHARD LEA, EDIES LANE,  
LEAVENHEATH

Thank you for your letter dated 24th September, 1992 concerning the above-mentioned matter.

I enclose a copy of my letters dated 6th & 28th July, 1992 to the applicant, which I believe is the information you require. If there is anything else you need then please do not hesitate to contact me.

Yours sincerely,

*MJP*

M.J.Price  
Principal Development Control Officer