

Application No: DC/19/0344/FUL

AGENT

Mr Chris Hobson - Durrants
2B Market Hill
Diss
IP32 4JZ

APPLICANT

Mrs Juliet Hargrave
JJ Leisure Holdings Ltd
Liberty House
Hepworth Road
Market Weston
Suffolk
IP22 2PF

Date Registered: 25 February 2019

Date of Decision: 22 August 2019

Town And Country Planning Act 1990 (as Amended)

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

Proposal: Retrospective Planning Application - Change of use from single dwelling house (use Class C3) to a holiday let property (sui generis).

Location: Liberty House, Hepworth Road, Market Weston, Suffolk, IP22 2PF

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 approved plans, specifications and information contained in the application, and subject to compliance with the following condition(s):

- 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:

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

Reference No:	Plan Type	Date Received
20-001	Location Plan	24.04.2019
Appendix B - Floor Plan	Floor Plans	06.03.2019

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

- 2 The holiday-let use of the property hereby permitted shall be discontinued and the property shall revert back to a single C3 dwelling house within 12 months from the date of this planning permission.

Reason: to ensure the proposal is able to satisfactorily comply with the provisions of policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies, the permission hereby granted is of a temporary nature so that the noise impacts arising from the site may be considered further in 12 months.

- 3 Within 2 months from the date of this planning permission, a Noise Management Plan which sets out the measures that are to be taken to minimise the potential noise impacts of the development shall be submitted to and approved in writing by the LPA. Unless otherwise agreed in writing, the development shall be carried out in complete accordance with any details as shall have been approved by the LPA and the Noise Management Plan shall not be altered or amended without the prior written consent of the LPA.

A written 12 month record of all bookings (including party size and booking type) shall be maintained and made available to the LPA for inspection upon request.

Reason: to ensure the proposal is able to satisfactorily comply with the provisions of policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 Within 6 months from the date of this planning permission, the holiday let property hereby approved shall be provided with an operational electric vehicle charge point at a reasonably and practicably accessible location, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: to promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

- 5 Within 3 months from the date of this permission, details of the areas to be provided for the storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety within 2 months from the date of the details being agreed by the LPA and shall be retained thereafter for no other purpose

Reason: To ensure that refuse recycling bins are not stored on the highway

causing obstruction and dangers for other users

- 6 Within 3 months from the date of this permission, details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 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 CS9 - Employment and the Local Economy

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 CS13 - Rural Areas

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV3 - Housing settlement boundaries

Development Management Policy DM1 Presumption in Favour of Sustainable Development

Development Management Policy DM2 Creating Places Development Principles and Local Distinctiveness

Development Management Policy DM5 Development in the Countryside

Development Management Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Development Management Policy DM46 Parking Standards

Development Management Policy DM33 Re-Use or Replacement of Buildings in the Countryside

Development Management Policy DM34 Tourism Development

Informatives:

- 1 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.
- 2 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.
- 3 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.

- 4 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.
- 5 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 application could be approved without negotiation or amendment so there was no need to work with the applicant.

David Collinson

David Collinson
Assistant Director - Planning & Regulatory Services

Date: 22 August 2019

West Suffolk 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 <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 (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

*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.