

Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Mr M Curtis
Mayhews
Upper Street
Baylham
Suffolk
IP6 8JR

Applicant:

Mr M Curtis
Mayhews
Upper Street
Baylham
Suffolk
IP6 8JR

Date Application Received: 11-Nov-20

Application Reference: DC/20/05114

Date Registered: 10-Dec-20

Proposal & Location of Development:

Planning Application - Change of use of agricultural land to equine use. Retention of erection of shelter/hay store.

Mayhews, Upper Street, Baylham, Ipswich Suffolk IP6 8JR

Section A – Plans & Documents:

This decision refers to drawing no./entitled Site Location Plan received 11/11/2020 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Planning Statement - Received 10/12/2020
Defined Red Line Plan Site Location Plan - Received 11/11/2020
Highway Access Plan - Received 11/11/2020
Elevations - Proposed Side Elevation - Received 11/11/2020
Elevations - Proposed Front Elevation - Received 11/11/2020
Elevations - Proposed Rear Elevation - Received 10/12/2020
Elevations - Proposed Side Elevation - Received 14/12/2020
Floor Plan - Proposed - Received 11/11/2020

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans listed in section A subject to the following conditions:

1. APPROVED PLANS & DOCUMENTS

The development hereby permitted shall be carried out in accordance with the drawings/documents listed under Section A above and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard. Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved under Section A, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Reason - For the avoidance of doubt and in the interests of proper phased planning of the development.

2. ACTION REQUIRED PRIOR TO SLAB LEVEL: LANDSCAPING SCHEME

Within 28 days from the date of this permission, a scheme of all proposed hard, soft and boundary treatment landscaping works for the site (including location, species and girth) and accurately identify existing spread, girth and species of all existing trees, shrubs, hedgerows and turf on the site and indicate those to be retained, shall be submitted to and approved in writing by the Local Planning Authority.

The soft landscaping scheme of both existing and proposed measures as approved by the Local Planning Authority shall then be implemented as approved within the first full planting and seeding season available (October- March inclusive). Any trees, hedges, shrubs or turf within the approved landscaping details (both proposed and existing planting) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the date of this permission, shall be replaced in the next planting season with others of similar size and species.

Reason - In the interests of visual amenity and the character and appearance of the area.

3. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: LIGHTING

No floodlighting or other external form of external illumination of the site shall be installed until plans, details of the lighting intended to be used and confirmation of orientation and angling of luminaries has been submitted to and approved in writing by the Local Planning Authority. All lighting shall then be installed in accordance with the details as approved.

Reason: To protect nearby residential amenity and reduce unnecessary glare, light spill and light pollution.

4. SPECIFIC RESTRICTION ON DEVELOPMENT: HAY STORE/ SHELTER

The hay store/ shelter hereby approved shall be used solely in conjunction with private equine use of the land and no business or commercial use including for the purposes of livery or any riding school activity shall take place on site at any time.

Reason: For the avoidance of doubt as to the scope of the hereby approved permission and to ensure the Local Planning Authority retain control having adequately assessed the impact of the specific use on site.

5. SPECIFIC RESTRICTION ON DEVELOPMENT: NO BURNING OF WASTE

There shall be no burning of animal or associated wastes anywhere on the site as shown within the Site Location Plan detailed within Section A of this decision.

Reason: To protect residential amenity and reduce pollution on site.

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: HORSE BOX

The parking and storage of horse boxes is not permitted on site unless a scheme for their parking and storage has been submitted to and approved in writing by the Local Planning Authority. Any parking and storage of horse boxes shall then be in accordance with the approved scheme.

Reason: To reduce visual impact and proliferation of equine paraphernalia.

7. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: WASTE DISPOSAL

Within 28 days of the hereby approved permission, a scheme for the storage and removal of all waste shall be submitted to and approved in writing by the Local Planning Authority. All storage and removal of waste shall then be carried out in accordance with the approved scheme.

Reason: In the interests of protecting residential amenity and preventing odour.

8. SPECIFIC RESTRICTION ON DEVELOPMENT: JUMPS

In the event jumps are used on site, they shall be temporary and moveable structures and shall not be fixed to the ground. After each and every use they shall be removed from the site and appropriately stored. A plan for their storage shall be submitted to and approved in writing by the Local Planning Authority. The jumps shall then be stored in accordance with the approved plan.

Reason: To reduce visual impact and proliferation of equine paraphernalia.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS05 - Mid Suffolk's Environment
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
CL02 - Development within special landscape areas

CL21 - Facilities for Horse Riding
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance

NOTES:

1. **Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.

2. If the method of keeping the horses on the land changes and/or horse bedding is going to be used in the future, increasing the likely hood of odours etc. Effluent originating from the shelter floor must be considered foul water and thus conveyed and disposed of in the same manner as domestic foul water.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/20/05114

Signed: Philip Isbell

Dated: 4th February 2021

**Chief Planning Officer
Sustainable Communities**

Important Notes to be read in conjunction with your Decision Notice

Please read carefully

This decision notice refers only to the decision made by the Local Planning Authority under the Town and Country Planning Acts and DOES NOT include any other consent or approval required under enactment, bylaw, order or regulation.

Please note: depending upon what conditions have been attached to the decision, action may be required on your part before you can begin your development. Planning conditions usually require that you write to the Local Planning Authority and obtain confirmation that you have discharged your obligations. You should read your decision notice in detail and make a note of the requirements placed on you by any conditions. **If you proceed with your development without complying with these conditions you may invalidate your permission and put your development at risk.**

Discharging your obligations under a condition:

You should formally apply to discharge your conditions and the relevant application forms are available on the Council's website. The Local Planning Authority has 8 weeks to write to you after you submit the details to discharge your conditions. You should always account for this time in your schedule as the Local Planning Authority cannot guarantee that conditions can be discharged quicker than this. A fee is applicable for the discharge of planning conditions.

Building Control:

You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control Section of Babergh and Mid Suffolk District Councils.

Appeals to the Secretary of State

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/modelnotification-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.

*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.