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Mid Suffolk District Council
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PLANNING PERMISSION

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

Correspondence Address:

Mid Suffolk District Council
Babergh District Council
8 Russell Road
Ipswich
IP1 2BX

Applicant:

Mid Suffolk District Council
Babergh District Council
8 Russell Road
Ipswich
IP1 2BX

Date Application Received: 26-Jul-18

Application Reference: DC/18/03381

Date Registered: 27-Jul-18

Proposal & Location of Development:

Planning Application. Change of Use from A2 (Professional and Financial Services) to Mixed Uses (incorporating A3 (Food and Drink), A4 (Drinking establishment) and D2 (Assembly and Leisure)).

11 Market Place, Stowmarket, Suffolk, IP14 1YY

Section A – Plans & Documents:

This decision refers to drawing no./entitled Former Nat West Bank Premises received 26/07/2018 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:

Defined Red Line Plan Former Nat West Bank Premises - Received 26/07/2018
Floor Plan - Existing 0300 P01 - Received 26/07/2018

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. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE:
COMMENCEMENT TIME LIMIT

The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. 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.

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

3. ON GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON OPERATION TIMES

Prior to the first use of the building details of the opening hours shall be submitted to and approved in writing. Such details as may be agreed shall be adhered to unless otherwise agreed in writing by the Local Planning Authority. There shall be no deliveries to the development/use arranged for outside of these hours.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

4. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: SUBMISSION OF DETAILS OF USES.

Prior to the first use of the building details of the areas each change will be applied to. Such details as may be agreed shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain control over the development.

5. ON GOING REQUIREMENT OF DEVELOPMENT/USE: RESTRICTION ON HOURS OF MUSIC PLAYING

Prior to the first use of the building details of the hours requested for the playing of music shall be submitted to and approved in writing. Such details as may be agreed shall be adhered to unless otherwise agreed in writing by the Local Planning Authority.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

6. ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: DETAILS OF EXTRACT VENTILATION SYSTEM

No extract ventilation system (e.g. kitchen extraction fan) shall be installed without full details, including details of method of installation including section drawings, details of odour abatement system and full acoustic specification, to be submitted to and approved in writing by Local Planning Authority.

Reason: In the interests of protection of historic fabric and of amenity

7. SPECIFIC RESTRICTION OF DEVELOPMENT: SOUND PROOFING

Prior to the use of the site a document detailing the details of any sound proofing methods to be used shall be submitted to and approved in writing by the Local Planning Authority. Any approved works shall be carried out in their entirety and retained thereafter prior to any music is first played.

Reason - In the interests of the amenity of the area.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

HB01 - Protection of historic buildings
HB03 - Conversions and alterations to historic buildings
HB05 - Preserving historic buildings through alternative uses
HB08 - Safeguarding the character of conservation areas
PR10 - Principal shopping areas for Stowmarket, Eye, Needham Market and Debenham
S07 - Provision of local shops
CS12 - Retail Provision
SAAP - Stowmarket Area Action Plan
SP5_01 - SAAP - General Retail Policies For All Of The Stowmarket Area Action Plan
SP5_02 - SAAP - Principal Shopping Area (Primary And Secondary Shopping Frontages)
SP5_04 - SAAP - Complementary Uses
SP5_07 - SAAP - The Station Quarter Guidelines
SB02 - Development appropriate to its setting
SDA04 - Sustainable development
NPPF - National Planning Policy Framework

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/18/03381

Signed: Philip Isbell

Dated: 27th September 2018

**Corporate Manager
Growth & Sustainable Planning**

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.