

Application to Vary Condition 2 & 11, of:

Planning Approval B/12/01024/FUL/JD. Change of use from residential to mixed use (A1, A3 and C3) including associated alterations, and conversion of existing garage to kitchen preparation area and toilets as amended and amplified by agents letter dated 4 December 2012 amending description to change of use to mixed class A3 and class A4 use and conversion of garage to storage, plant and WC use, together with other changes to the proposals as set out in an 'Additional information' document and a revised Design and Access Statement together with amended plans numbered 915/05A, 06A, 07A, 08A, 09A, 10A and 11A.

Client: Mr R Benson & Ms J Knight.

Site Address: At Number Ten, Lady Street, Lavenham, Sudbury. Suffolk. CO10 9RA.

Date: May 2022

Reference: 915-03- VOC

Rev: A - 13-05-2022 - Document title amended.



The premises:

'At Number Ten' is a Restaurant and Bar in the heart of historic Lavenham.

The venue provides good quality food and beverages to for both the tourist and locals of the area,

Tourism is an important part of the local economy and the facilities for residents to meet up and socialise is equally valued in the community.

The business has proven itself to be viable and wanted. It opened in November 2013.

More information can be found at the website:

<https://ten-lavenham.co.uk/>

Also, one will see online, lots of high ranking and great reviews.

Ensuring the building has a viable use will also ensure the Heritage asset is accessible to the customers and future generations.

The property itself is a Grade 1, Listed, Listing number 1351532. The listing reads.

*LAVENHAM LADY STREET 1. 5377 (east side) Nos 10 and 11 (Tudor Shops) TL 9149 50/596 23.1.58 GV I
2. An outstanding C15-C16 timber-framed and plastered building carefully restored. All the timber-framing is exposed on the west front. Roof tiled, hipped at the south end. Two storeys. The upper storey is jettied on the whole front on exposed joists and an embattled bressummer supported on 14 curved brackets with finely moulded capitals and shafts. At the south end the ground storey has an original shop front with 3 four-centred arched openings the outer two of which are blocked. There is also an original doorway with carved spandrels. The upper storey has 4 window range of leaded casements and there are 2 on the ground storey. At the north end there was an outside staircase which is now enclosed. The south front (No 6, Water Street) is plastered and has 2 window range of small casements (C18 leaded casements on the upper storey).*

The current situation:

As with many hospitality businesses, 'At Number Ten' has experienced difficulties because of the restrictions and effects of Covid 19. The support from both national and local government has been invaluable.

Babergh District Council has also been extremely helpful, by allowing a 'Temporary tolerance' on the outside use of the garden at the rear of the property.

The use of this space not only meant that people were able to stay safe, by having space to socially distance, but also allowed the business to continue to trade during some of the many difficult months.

The use of the garden has been particularly successful in the summer months, both from the customers point of view, but also for the financial stability of business.

The applicant is not aware and believe the Local Authority have not received any complaints about use of the garden during these times. In fact, the contrary has been true, the ability to use the garden has encouraged more neighbours to visit the premises.

The aim and justification of this application:

The business has been trading for almost 9 years and has proved itself to be a good neighbour, sitting well amongst residential dwellings, without causing harm to those residents and the surrounding public.

The period of 'Temporary tolerance' has given everybody the opportunity to see how this would affect all, and we believe this has been done successfully and therefore see this as good grounds to allow the use of this garden on a more permanent basis.

It is particularly important to encourage these committed businesses for our communities and enable them to work their way to regain financial stability. By removing unnecessary restrictions and creating better facilities for the customers and without causing any harm to others, this can be achieved.

To be allowed to use these areas will also ensure the business remains sustainable in the long term.

The current management and controls of the business will continue and apply to this additional area, ensuring no harm is endured by the local neighbours.

We believe the best way to do this, is by simply altering conditions 2 and 11 on the original approval B/12/O1024.

Existing Conditions:

Condition 2:

The hereby permitted mixed Class A3/A4 use shall only operate between the hours of 10.00 and 23.00 hours on Mondays to Fridays, Sundays and Bank Holidays and between the hours of 10.00 and 24.00 hours (midnight) on Saturdays.

Condition 11:

The areas within the building to be used for the consumption of food and drink within the mixed class A3/A4 use hereby approved shall be limited only to those rooms labelled Public areas 1-4 and the Public area courtyard on drawing 915-05C unless otherwise agreed in writing by the local authority.

Proposed Conditions:

Condition 2:

The hereby permitted mixed Class A3/A4 use shall only operate between the hours of 10.00 and 23.00 hours (10.00 and 21.00 for the Rear Garden) on Mondays to Fridays, Sundays and Bank Holidays and between the hours of 10.00 and 24.00 hours (midnight) (10.00 and 21.00 for the Rear Garden) on Saturdays.

Condition 11:

The areas within the building to be used for the consumption of food and drink within the mixed class A3/A4 use hereby approved shall be limited only to those rooms labelled Public areas 1-4, Public area courtyard Rear garden on drawing 915-05D unless otherwise agreed in writing by the local authority.

Photographs:

Taken March 2022.



Figure 1: looking from the 'Public Area Courtyard' towards the entrance gate to the Rear Garden.



Figure 2: Rear Garden looking towards the northeast corner.



Figure 3: Rear Garden looking towards the southwest corner.



Figure 4: Rear Garden looking towards the southeast corner.



Figure 5: Rear Garden looking towards the north wall.



Figure 6: Rear Garden looking towards the east wall.



Figure 7: Rear Garden looking towards the northwest corner.