

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:

Planning Direct
The Maltings
Princes Street
Ipswich
IP1 1SB
undefined

Applicant:

Mr Kern Herskind Nightingale
Goldsmiths Barn
Thomsons Lane
Ashbocking
IP6 9JF

Date Application Received: 16-Mar-22

Application Reference: DC/22/01425

Date Registered: 23-Mar-22

Proposal & Location of Development:

Full Planning Application - Change of use from offices (Class E) to Veterinary Surgery (Sui Generis) and replacement of existing portacabin with shipping container converted for use by the surgery.

Ashleigh Farm, Helmingham Road, Ashbocking, Suffolk IP6 9JS

Section A – Plans & Documents:

This decision refers to drawing no./entitled Location Plan 0894.01.2 received 23/03/2022 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:

Management Plan - Received 16/05/2022
Proposed Site Plan 0894.03.3 Site Plan - Received 16/03/2022
Elevations - Proposed 0894.07.1 North side - Received 16/03/2022
Floor Plan - Proposed 0894.05.1 Ground floor - Received 16/03/2022
Elevations - Proposed 0894.06.1 East front - Received 16/03/2022
Elevations - Proposed 0894.08.1 West rear - Received 16/03/2022
Elevations - Proposed 0894.09.1 South side - Received 16/03/2022
Defined Red Line Plan Location Plan 0894.01.2 - Received 23/03/2022

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. 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.

3. OPERATION OF BUSINESS

- o The maximum number of inpatients on site overnight is limited to two dogs maximum.
- o The maximum number of animals on site at any time shall not exceed ten
- o Pets shall not be left in cars unattended at any time whilst waiting on site.
- o No collections or deliveries to site outside of the following hours: Mon-Fri 0800-20:00, Weekends and Public Holidays 0800-14:00

Reason: to minimise detriment to nearby residential amenity.

4. PLANT

No mechanical plant or ventilation shall be installed until full details of all plant to be installed including precise acoustic specification, as well as a noise assessment, to include details of the current existing background level, to be based on methodology as given in British Standard BS4142:2014 have been submitted to an approved by the LPA, in order to allow the likelihood of loss of amenity to be determined.

Reason: to minimise detriment to nearby residential amenity

5. LIGHTING

Prior to the installation of any external lighting, a full lighting assessment shall be provided by the applicant to the LPA for consideration. No lighting shall be installed without the written permission of the LPA . the assessment should include luminaire type, locations, heights, upward light ratio, and aiming points of luminaires as well as a polar luminance diagram based on the vertical plane, featuring 5, 1 and 0 lux isolux contours.

Reason: to minimise detriment to nearby residential amenity

6. FRONTAGE ENCLOSURE

The hedge, fence, wall or other means of frontage enclosure along the highway frontage of the site shall be reduced to 0.6 metres above the level of the adjacent carriageway before occupation of the development. Notwithstanding the provisions of the Town & Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) it shall be retained thereafter at or below that height.

Reason: In the interests of highway safety by providing and maintaining inter-visibility between highway users.

7. STORAGE AND PRESENTATION FOR COLLECTION/EMPTYING OF REFUSE AND RECYCLING BINS

Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and 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 before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway and in accordance with Suffolk Guidance for Parking 2019.

8. SECURE CYCLE STORAGE

The use shall not commence until the area within the site shown on Drawing No.0894-03-3 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel.

9. ELECTRIC VEHICLE CHARGING

Before the development is first brought into use technical details of electric vehicle charging proposed in Drawing No.0894-03-3 shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking 2019. NOTE: As per Suffolk Guidance for Parking 2019, ducting and a suitable consumer unit to allow for the installation of one wall charging unit should be provided per Class C3 dwelling.

10. LOADING UNLOADING, MANOEUVRING AND PARKING OF VEHICLES

The use shall not commence until the area(s) within the site shown on drawing no.0894-03-3 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

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
CS06 - Services and Infrastructure
GP01 - Design and layout of development
H16 - Protecting existing residential amenity
CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
E04 - Protecting existing industrial/business areas for employment generating uses
E05 - Change of Use within existing industrial/commercial areas
E09 - Location of new businesses
T09 - Parking Standards
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework

NOTES:

1. **Land Contamination Note**

The LPA must be contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken

until such time as the LPA responds to the notification. It is advised that the developer is made aware that the responsibility for the safe development of the site lies with them.

For details regarding how Babergh and Mid Suffolk District Councils approaches Land Contamination, including templates for planning submissions, please view our website at: <https://www.babergh.gov.uk/environment/contaminated-land/>

2. **Highways Note**

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council must be contacted on Tel: 0345 606 6171. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/> County Council drawings DM01 - DM14 are available from: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standard-drawings/> A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

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/22/01425

Signed: Philip Isbell

Dated: 21st June 2022

**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.