

**Mid Suffolk District Council Planning Control Department
131 High Street Needham Market IP6 8DL**

PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

Date of Application: January 18, 2010
Date Registered: February 1, 2010

REFERENCE: 0016 / 10
FORM P2

Documents to which this decision relates: South-west, north-west, south-east and north-east elevation of office received 01/02/2010. Floorplan of office received 18/12/2009. Cross section of manege and fencing details received 01/02/2010. Dutch Barn 2 floor plan, Dutch Barn 1, Tack rooms and Main Stables plan received 01/02/2010. As proposed Block plan (Drawing No 0100) received 01/02/2010. As existing block plan 1:1250 and 1:500 received 01/02/2010. Red lined Site plan (1:1250) received 01/02/2010. Design and Access Statement received 18/12/2009.

CORRESPONDENCE ADDRESS:

Lacy Scott and Knight
Market Place
Stowmarket
Suffolk
IP14 1DN

NAME AND ADDRESS OF APPLICANT:

The Trustees of the White House Farm
Trust
White House Farm
Moats Tye
Combs
Stowmarket
IP14 2EY

PROPOSED DEVELOPMENT AND LOCATION OF THE LAND:

Change of use and alterations of land and buildings to form commercial livery and stables. Siting of caravan for use as office/ w.c. mess room. Demolition of 2 no. nissen huts and construction of manege - Buildings adj White House Farm, Moats Tye, Combs

The Council, as local planning authority, hereby gives notice that **PLANNING PERMISSION HAS BEEN GRANTED** in accordance with the application particulars and plans submitted subject to the following conditions:

1. TIME LIMIT FOR COMMENCEMENT

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. ACTION REQUIRED PRIOR TO COMMENCEMENT OF ANY WORKS

Notwithstanding details submitted no development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels, surface materials for the car park and access routes and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2005 - Trees in Relation to Construction."

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

3. TIMESCALE FOR LANDSCAPING

All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 5 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

4. ACTION REQUIRED PRIOR TO COMMENCEMENT OF ANY WORKS

No development shall take place until precise details of the provision, siting, design and materials of any proposed walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved walls and fences shall be erected prior to the hereby permitted use being first commenced and thereafter be retained in the approved form unless otherwise agreed in writing by the local planning authority. Notwithstanding The Town and Country Planning (General Permitted Development) Order 1995 (or as may be subsequently amended/replaced), no walls or fences other than those approved pursuant to this condition shall be erected; excepting any temporary moveable fencing that may be required for the management of grazing animals.

Reason - In order to protect the countryside character and appearance of the area.

5. ACTION REQUIRED PRIOR TO COMMENCEMENT OF ANY WORKS

Notwithstanding details submitted, no development shall take place until precise details of the proposed interim storage, location, management timetable and disposal arrangements of manure from the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details as approved and there shall be no change to the agreed arrangements nor different procedure employed for manure waste disposal unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interests of the amenities of the locality and to accord with policy CL21 of the local plan.

6. PRIOR TO ANY WORKS COMMENCING: SURFACE WATER DRAINAGE DETAILS REQUIRED

No development shall take place until full details of drainage and disposal of foul water from the stable block have been submitted to and agreed, in writing, by the Local Planning Authority. No part of the development shall be brought into use until the agreed method of drainage has been fully installed and is available for use.

Reason - To safeguard the ground water environment, minimise the risk of flooding and to accord to policy CL21 of the Local Plan 1998

7. RESTRICTION ON RETAIL SALES

No retail sales shall be conducted at/from the premises without the prior grant of planning permission on an application made in that regard.

Reason - The site is outside any area where, in accordance with the development plan, planning permission would normally be forthcoming for retail development.

8. PRIOR TO FIRST OCCUPATION - DETAIL OF MAXIMUM NUMBER OF HORSES TO BE AGREED

Details of the proposed maximum number of horses to be accommodated at the livery/stables enterprise shall be submitted to and approved in writing by the Local Planning Authority prior to the hereby permitted use being first commenced. Thereafter, there shall be no more than the approved maximum number of horses on the site at any time except by and with the prior written agreement of the Local Planning Authority. Details of the name, permanent home address and vehicle registration number of the owner(s) of each of the horses on the site shall be kept in a register held at the premises and copy of which shall be made available to the Local Planning Authority for inspection at any time.

Reason - To place a restriction on the level of use of the site; to safeguard neighbouring amenity from excessive noise and disturbance; and to accord with policy CL21 of the Local Plan 1998.

9. RESTRICTION ON USE: USE TO BE LIVERY AND STABLES ONLY

This permission shall only authorise the use of the subject site (excluding buildings shown in yellow on the "as proposed" Drawing 0100, [MSDC labelled], received 01/02/2010) for commercial livery and stables. There shall be no holding of equestrian or other events for either private or public attendance, nor shall there be any horse riding lessons and/or riding school operation(s) held on site without the prior grant of specific planning permission on an application made in that behalf.

Reason - In the interests of avoiding detriment to neighbouring residential amenity and highway safety.

10. ILLUMINATION RESTRICTION

Notwithstanding details submitted there shall be no means of external illumination installed and/or operated at the site except pursuant to the grant of planning permission on a application made in that behalf.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area.

11. USE AND ACTION REQUIRED FOLLOWING THE CESSATION OF USE

The hereby permitted caravan shall be used solely for office purposes ancillary to the hereby permitted commercial livery and stables use. Moreover, the said use of the caravan shall cease (and the caravan shall be removed from site) within two months following any one year period in which the site fails to be used for the livery/stabling of horses.

Reason: To ensure that the caravan is removed if the primary use ceases and to ensure that the development is reversible and sustainable having regard to the long term safeguarding of the amenities of the locality.

12. NO EXTERNAL STORAGE

No goods, products or materials of any sort shall be stored in the open, outside the confines of the buildings, except pursuant to the grant of planning permission on an application made in that regard.

Reason – To enable the Local Planning Authority to retain control over the development in the interests of amenity.

13. **LISTING OF APPROVED PLANS**

The development hereby permitted shall be carried out in accordance with the following approved plans :

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

REASONS FOR APPROVAL:

1. This permission has been granted having regard to policy(ies)

Cor5 - CS5 Mid Suffolks Environment

of the Mid Suffolk Core Strategy Document, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

2. This permission has been granted having regard to policy(ies)

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
CL21 - FACILITIES FOR HORSE RIDING
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY

of the Mid Suffolk Local Plan, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

3. This permission has been granted having regard to policy(ies)

PPS23 - PLANNING AND POLLUTION CONTROL
PPS1 - DELIVERING SUSTAINABLE DEVELOPMENT
PPS7 - SUSTAINABLE DEVELOPMENT IN RURAL AREAS
PPS5 - Planning for the Historic Environment

of the Planning Policy Statement, and to all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and in the opinion of the Local Planning Authority there are no circumstances which otherwise would justify the refusal of permission.

NOTES:

1. Summary Reason(s) for Approval

Alternative uses for this large farm complex are limited and equestrian use is considered to be one of the few such uses that would have either the same or reduced impact on the surrounding area. Subject to appropriate conditions it is considered that the proposed development would not cause any significant harm to residential amenity, the environment and/or highway safety such as would justify the refusal of permission. As such, the proposals are acceptable and are considered to accord with the development plan.

2. This permission includes a condition precedent. Your development is potentially at risk of enforcement if you do not comply with the terms of any condition which requires you to do something before you commence development. Development which is commenced in breach of a condition is normally unlawful and may not constitute a valid implementation of the permission.

3. The applicant/developer is advised that the application site is, or appears to be, affected by the existence of a public right of way. It should be noted that:-

- (i) it is an offence to obstruct or divert a public right of way (or otherwise prevent free passage on it) without the proper authority having been first obtained. In the first instance contact should be made with Sharon Berry Public Rights of Way Officer, Mid Suffolk District Council, 131 High Street, Needham Market, Suffolk IP6 8DL. The telephone number is 01449 724634. (email sharon.berry@midsuffolk.gov.uk)
- (ii) The granting of planning permission does not authorise the undertaking of any work on a public right of way. Where it is necessary for a right of way to be stopped-up or diverted in order that development may take place, no work may take place upon the line of the right of way until an appropriate order has been made and confirmed (see (i) above). The applicant/developer should note that there is a charge for making a change to the rights of way network.
- (iii) Where a private means of access coincides with a public right of way, the granting of planning permission cannot authorise the erection of gates across the line or the carrying out of any works on the surface of the right of way and that permission for any changes to the surface must be sought from the highway authority (Suffolk County Council).

4. This permission does not authorise the rebuilding, replacement change to the external appearance or extension of any of the building subject to this permission. Should such works be required further planning permission may be required and you are advised to contact the Local Planning Authority.

This permission relates only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment or under the Building Regulations. Any other consent or approval which is necessary must be obtained from the appropriate authority.

This relates to document reference: 0016 / 10

Signed: Philip Isbell

Dated: April 15, 2010

**Professional Lead Officer
Planning Services**

MID SUFFOLK DISTRICT COUNCIL, 131 HIGH STREET, NEEDHAM MARKET, IPSWICH IP6 8DL