



Planning Department  
Mid Suffolk District Council  
Endeavour House  
Russell Rd  
Ipswich  
IP1 2BX

4<sup>th</sup> December 2023

Dear Sirs

**APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION DC/21/00973 - CHANGE OF USE OF LAND AND ERECTION OF A DETACHED HOLIDAY LET (FOLLOWING REMOVAL OF EXISTING BUILDING) AND SITING 4NO HOLIDAY PODS; ERECTION OF CARTLODGE TO SERVE PERKINS FARM AT PERKINS FARM, TAN OFFICE LANE, MENDLESHAM, STOWMARKET, SUFFOLK, IP14 5RL.**

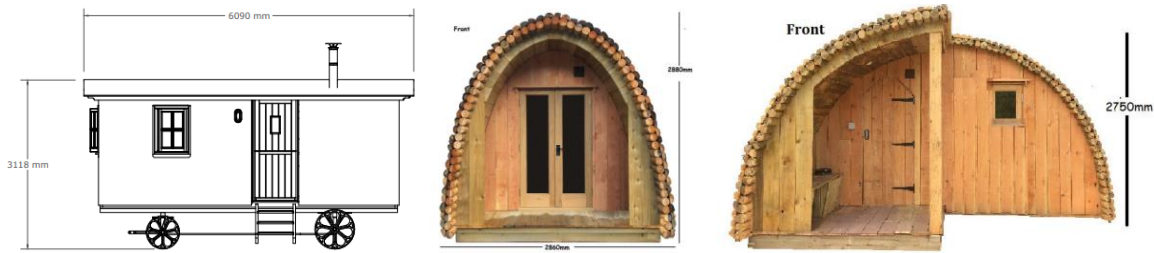
This application is made to vary condition 2 of planning permission DC/21/00973. Effectively, the application seeks to vary the approved drawings to:

- a) amend the design of the approved holiday pods, and;
- b) introduce a phasing plan.

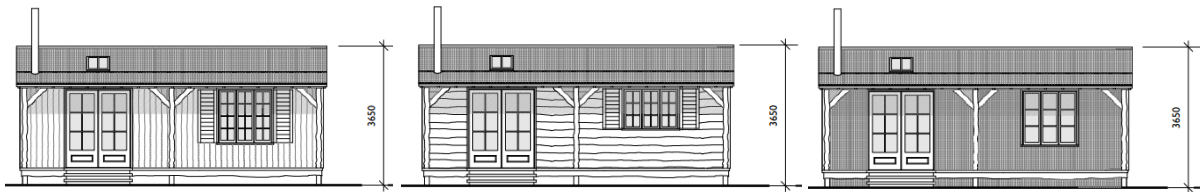
These matters are considered in turn below.

#### Amendment to the Design of the 4 No. Holiday Pods

The details approved through the application DC/21/00973 provided a combination of differing 'pods', as highlighted below.



The proposal seeks to amend these pods to provide alternative accommodation, in line with the details below.



The revised accommodation is to be sited in the same positions as the approved accommodation, and remains such that would meet the definition of a caravan where it is to be sited on the land rather than physically erected upon it. It is considered, therefore, that the proposal does not substantively change the approved development and that this change to the approved plans can be made without any additional impacts to those previously considered and found acceptable.

### Phasing Plan

The development approved through application DC/21/00973 included a number of separate elements, including:

- The erection of a holiday let;
- The siting of the aforementioned holiday pods, and;
- The erection of a detached garage.

Perkins Farm has recently been purchased by new owners. The new owners do not wish to carry out all of the approved development immediately, and are thereby seeking consent to carry out the approved elements in a phased way. Indeed, there are CIL implications in respect of these proposals, where (currently) the implementation of any part of the permission would trigger the payment of all of the requisite CIL contribution. The new owners wish, therefore, to be able to carry out the respective elements as and when they wish to/are able, and thereby trigger the respective CIL contributions at the relevant time.

For clarity, the phased arrangements are:

Phase 1 – The siting of the 4 holiday pods and works to the access;

Phase 2 – The erection of the garage;

Phase 3 – The erection of the new holiday let.

The applicants consider that the phasing proposal is logical, that each phase can be carried out independently without prejudicing the alternative phases and that the phasing enables the delivery of the element that brings most benefit as early as possible.

### Effects of the Adoption of the JLP

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise as set out in (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004).

This proposal seeks only to amend an existing permission. The Planning Practice Guidance states that:

*“In contrast to section 96A, an application made under section 73 of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. There is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission”.*

The proposal hereby submitted does not, therefore, seek to have the principle of the approved development reconsidered. It seeks only to amend the “approved plans” condition (condition 2) of the planning permission to amend the form of the pods to be sited on the land and to allow the phasing of the proposed development.

The evolved policy position would not, therefore, effect the consideration of this proposal.

## Summary

The proposal seeks to vary a condition of the planning permission DC/21/00973 to permit a variance to the form of the approved holiday pods and the introduction of a phasing plan.

This letter has identified the following key points:

- That the changes to the pods do not materially alter the permission granted;
- That the phasing plan allows the implementation of the development in a sensible manner that brings forward the primary benefits and does not trigger the full CIL contribution at the very start of the works, and;
- That the evolved planning position does not alter the consideration of this proposal.

It is thereby respectfully requested that condition 2 of D/21/00973 is amended to allow the applicants to progress with this sustainable development.

Yours faithfully

Ben Elvin MSc MRTPI

Ben Elvin Planning Consultancy Limited.