

Forest Heath District Council

**TOWN AND COUNTRY PLANNING ACT, 1990
THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2010**

**Planning Permission
Register Index No:
F/2011/0341/FUL**

Addressee :

Mr Trevor Buckley
Cobblestones
74 Upper Green
Higham
Suffolk
IP28 6PA

Applicant :

Mr Trevor Buckley
Cobblestones
74 Upper Green
Higham
Suffolk
IP28 6PA

Permission is hereby **GRANTED** by the Forest Heath District Council as Local Planning Authority for the purposes of the above Act and Orders for development in accordance with the application dated 01 June 2011 and the plans and drawings attached thereto.

DESCRIPTION OF DEVELOPMENT: Change of use of land to paddocks including the erection of a stable block with hard standing and access track

LOCATION: Cobblestones 74 Upper Green Higham

Subject to compliance with the following **CONDITIONS:**

Decision Date
27th September 2011



Nicola Baker – Head of Planning

Forest Heath District Council

1	<p>The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission</p> <p>Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning & Compulsory Purchase Act 2004)</p>
2	<p>The stables hereby permitted shall be used only for purposes ancillary to the enjoyment of the associated dwelling, known as Cobblestones, and not as a riding school, livery stables or for any other business or commercial use.</p> <p>Reason: In order that the Local Planning Authority may retain control over the use of the premises.</p>
3	<p>No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that visually the development accords with the character of the rural area.</p>
4	<p>No development shall take place until details of the materials to be used for the hard standing to the front of the stable block have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out with the approved details.</p> <p>Reason: To safeguard the character of the area and to help to assimilate the development into its surroundings.</p>
5	<p>No development shall commence until a scheme for additional planting along the western boundary of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a schedule of plants, including species, sizes and numbers/densities and an implementation programme.</p> <p>Reason: In the interests of visual amenity and the character and appearance of the rural area.</p>
6	<p>The additional planting along the western boundary shall be carried out in accordance with the approved details. The works shall be carried out prior to the construction of the stable block or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of planting, any trees or plants or any replacement planting is removed, uprooted, destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective) replacement trees and plants of the same species and size as that originally planted shall be planted in the new planting season, in the same place, unless the Local Planning Authority gives its written consent to any variation.</p> <p>Reason: To ensure a suitable scheme of implementation is agreed for the planting.</p>
7	<p>No development shall commence until details of the proposed doors and windows, including the materials and colour, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure appropriate detailing and to enhance the development within the conservation area.</p>



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8	<p>No development shall commence until a full management scheme, with regards to the secure storage and disposal of stable waste and provision for drainage of run-off from the stables, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To protect the amenities of nearby residential properties.</p>
9	<p>No other part of the development hereby permitted shall be commenced until the existing vehicular access has been improved, laid out and completed in all respects in accordance with drawing no. DC101 (amended to 7 metres). Thereafter the access shall be retained in the specified form.</p> <p>Reason: In the interests of highway safety to ensure that the layout of the access is properly designed, constructed and provided before the development is commenced.</p>
10	<p>The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the adjacent metalled carriageway.</p> <p>Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.</p>
11	<p>The access driveway shall be constructed at a gradient not steeper than 1 in 8.</p> <p>Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.</p>
12	<p>Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.</p> <p>Reason: To prevent hazards caused by flowing water or ice on the highway.</p>
13	<p>The use of the stable block shall not commence until the area(s) within the site shown on the submitted site plan for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.</p> <p>Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.</p>
14	<p>The construction works hereby approved shall be carried out between the hours of 08:00 and 18:00 Monday to Friday and between the hours of 08:00 and 13:30 Saturdays and at no time on Sundays or Bank Holidays.</p> <p>Reason: To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.</p>
15	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any other Order revoking and re-enacting that Order), no fences, gates or walls shall be erected within the application site</p>



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	<p>unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application made in that behalf. Reason: To retain the open nature of the site in the interests of the character of the conservation area.</p>
16	<p>The development hereby permitted shall be carried out in accordance with the location and site plans each received on 2nd June 2011 and amended drawing no. PL201124044/2/B received on 1st September 2011. Reason: For the avoidance of doubt and in the interests of proper planning.</p>

Informatives:

Any failure to adhere to the approved plans or to comply with the conditions attached to this permission/consent may lead to enforcement action being taken.

This permission refers only to the provisions of Part III of the Town and Country Planning Act, 1990 and attention is drawn to the necessity (where applicable) for obtaining consent under the Building Regulations to the proposed development.

1	<p>Reasons for grant of planning permission The application accords with the provisions of the development plan and does not give rise to demonstrable harm to interests of acknowledged importance.</p>
2	<p>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.</p> <p>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.</p> <p>The County Council's West Area Manager must be contacted at West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU. Telephone 01284 352000. 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.</p>

The following key policies are relevant to the determination of the application and /or the imposition of the conditions listed above:

- Core Strategy Policy CS3 - Landscape character and the historic environment
- PPS5 Planning for the Historic Environment (2010)
- PPS7 Sustainable Development in Rural Areas (2004)
- Forest Heath Local Plan 1995 - RAP 9.1 The rural area and new development
- Forest Heath Local Plan 1995 - RAP 9.2 The rural area and new development



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NOTES

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 1992

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice, 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. 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 practise 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

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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.