

Development Control Committee 4 October 2023

Planning Application DC/23/0719/FUL - Chels, 51A Bury Road, Newmarket

Date registered:	5 May 2023	Expiry date:	6 October 2023
Case officer:	Adam Yancy	Recommendation:	Approve application
Parish:	Newmarket Town Council	Ward:	Newmarket East
Proposal:	Planning application - change of use of existing residential swimming pool to be used by swim school (sui generis)		
Site:	Chels, 51A Bury Road, Newmarket		
Applicant:	Mr Daniel Nicholls		

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

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Background:

This application is before Development Control Committee following referral from the Delegation Panel on 1 August 2023. It was then presented before the Development Control Committee on 6 September 2023. The Committee resolved to defer the matter for a site visit.

This site visit is scheduled for 2 October 2023.

The application is recommended for APPROVAL and Newmarket Town Council object based on its suggested conditions not being applied to the application.

Proposal:

1. The proposal is for the change of use of the existing residential swimming pool to be used as a swim school. The proposed change of use would not result in the creation of additional floor space nor any external alterations to facilitate the change of use.
2. The proposal has been submitted retrospectively following investigations by the Enforcement team. Consideration of retrospective applications must be made in the same way as any other application.

Application supporting material:

- Application Form
- Site Location Plan
- Existing Floor Plan
- Proposed Floor Plan
- Proposed Block Plan (amendment received on 15th June 2023)
- Supporting Statement

Site details:

3. The site consists of a detached single storey dwelling located in the Newmarket settlement boundary and the Newmarket Conservation Area.
4. The site benefits from a generous curtilage with the dwelling being set back from Bury Road. In addition, the site is accessed from a private road off Bury Road, which is shared with the adjacent neighbouring dwellings.

Planning history:

5.

Reference	Proposal	Status	Decision date
DC/16/1989/FUL	Planning Application - 2no. detached dwellings with 1no. vehicular access onto Bury Road as amended by drawing no. 20 Rev A received 21st December 2017 reducing accesses from 2no. to 1no.	Application Refused	7 March 2017

DC/17/0731/TCA	Tree in a Conservation Area Notification - Fell 1no Pine Tree (T1 on plan)	No Objection	4 May 2017
DC/18/0274/FUL	Planning Application - 2no. detached dwellings with 1no. vehicular access onto Bury Road as amended by drawing nos. 20A, 21A and 23 received 6th April 2018 removing garages	Application Refused	6 June 2018
DC/18/0276/TCA	Trees in a Conservation Area Notification - 1no. Crab apple (2 on plan), 2no. Sycamore (7 and 10 on plan), 1no. Cypress (11 on plan) Fell	Application Withdrawn	21 March 2018
DC/18/1352/TCA	Trees in a Conservation Area Notification - 1no. White Poplar - fell	No Objection	16 August 2018
DC/19/1091/TCA	Trees in a conservation area notification - (i) 2 no Poplar fell and (ii) 1 no Sycamore fell	No Objection	2 July 2019
DC/19/2055/FUL	Planning Application - (i) 2no. dwellings (ii) vehicular access	Application Refused	20 January 2022
DC/22/1048/TCA	Trees in a conservation area notification - four conifers and two Ash (indicated on plan) fell	No Objection	12 July 2022
DC/23/0423/HH	Householder planning application - a. single storey front extensions b. render to all elevations c. replacement and alterations to windows c. roof light to kitchen c. one detached summer house d. widening of existing entrance and installation of gates	Application Granted	16 May 2023

Consultations:

6. Public Health and House and Housing

12th May 2023 - I have considered the application and have no objection. I also have no comment as there are no significant matters that would fall within my remit.

7. Suffolk County Council Highways

13th June 2023 - Further to the County Council's 'no comment' response dated 05 June 2023, we are making further comments because there does appear to be inconsistency with regard to the volume of parking outside the development site. The site is accessed by a private road and is approximately 70 metres from A1304 Bury Road. The application has denoted that parking will occur within the red line boundary, whereas some of the objections suggest that all associated parking and turning is occurring on the private road. On the CG Swim School web site, it specifically refers to "Free off road parking just outside the entrance to the site." There is an inconsistency in these two parking positions that we recommend be clarified. The Highway Authority would be concerned if parking congestion along the private road led to vehicles needing to reverse across the horse-walk and footway back onto the A1304. The available parking on the private road is not reserved for any one specific group, and as far as we understand can be used by all visitors or residents adjacent to the private road. This matter could be clarified by an additional plan that clearly denotes parking and turning for both residents of 51a, CG Swim School staff and customers. To be robust the application should evidence on-plot parking for the maximum number of visitor vehicles to the site.

27th June 2023 - in response to amended block plan - Further to the County Council's 'no comment' response dated 05 June 2023, notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 489A-LA-02 A for the purposes of loading, unloading, manoeuvring and parking of vehicles 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 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. Note: The site is accessed by a private road and is approximately 70 metres from A1304 Bury Road.

8. The Jockey Club

19th June 2023 - I write in connection with the above application. After reading comments on the planning portal, I am concerned that the volume of traffic using the swimming pool is in excess of the "negligible" amount described in the applicant's supporting statement. The private road that leads to the site crosses the very busy Bury Road horsewalk that is used by hundreds of horses every morning on their way to/from the training grounds. Jockey Club Estates would not be in favour of any increase in vehicle movements across the horsewalk before 1pm daily. Jockey Club Estates does not object to the change of use provided that any permission is conditioned as follows:

a. swimming lessons are carried out as per the timetable in the supporting statement, which states that the only morning lessons take place on a Wednesday;

b. the number of swimmers per session is limited to 3 as per the supporting statement, which also states that "most attendees are siblings that come in one car";

c. parking for all swimmers is provided within the site, which will leave the private road clear and enable vehicles crossing the horsewalk to access the private road to do so without delay. I note that the amended block plan now on the website includes parking within the site.

9. Newmarket Town Council

8th June 2023 - The Committee voiced no objection, subject to the following conditions: Hours of use to comply with as stated in the application; No parking in residential roads and only to use on-site parking; The number of pupils per session be limited to as stated in the application and that there be a 1-year trial and be reviewed.

10. Conservation Officer (verbal response)

No objection to the application based on the provided information.

Representations:

11. Six representations were received in relation to this application, the representations are summarised below. For their full representations, please see the West Suffolk Council website.

12. 51 Bury Road, Newmarket

23rd May 2023 Objection –

- Swim school has been running for months without permission, insurance can't be valid they do not have DBS clearance etc.
- The noise has increased as to the pool be located near the back of my house, the use of megaphones can be heard when my windows are open.
- Parking is mad after 3pm as parents park on the private road outside of my house, which create difficulty parking outside my house.
- The opening of the swimming pool has created problems since it has opened.

13. 53A Bury Road, Newmarket

29th May 2023 Objection –

- The pool has been rented out since September 2022 and not from April 2023 as claimed in the application.
- Volume of traffic far from negligible and certainly not a single car. There have been occasions where vehicles have parked outside my house on the private road. The proposal would continue to create a large amount of traffic on the private road.
- Vehicles in relation to the swim school have been denied access to park within the site and has caused congestion on the private road.

- Children waiting for lessons have been playing in the garden and causing noise disturbances.

14. Carburg Stables, 49 Bury Road, Newmarket

31st May 2023 Objection –

- Concerns that there is not adequate parking for the swim school users on site and the subsequent parking on the lane will cause congestion and restricted movement of vehicles to the local residents.
- Concerns are also raised about the increased volume of traffic on the lane and the increased deterioration of the road surface.

15.43 Bury Road, Newmarket

31st May 2023 Objection –

- Noise – Swim school has been in use since last summer. There has been noise from traffic and from Velux windows which are open. Causing impacts to the residential amenity surrounding the site.
- Opening Hours – The supporting statement suggest that the majority of the lessons are in un-social hours which is unacceptable in a residential area. The website also suggests that there can be pool parties at this location which can be any time of the day.
- Other - The Supporting Statement states that a reason for the swim school is for SEN and autistic children; however, the CG Swim School website does not make any reference to this at all. The Newmarket Leisure Centre has an excellent pool with teachers trained to help SEN and autistic children. This is already an excellent facility for the town. Building Regulations and Health & Safety - does this residential swimming pool have the correct building regulations and health & safety requirements to comply with a public swimming pool facility? CG Swim School have been using a flag sign at the entrance to the lane showing the location, effecting visibility onto Bury Road.
- Parking Issues - The Supporting Statement suggests that there will be adequate parking within the applicant's site and that 'no vehicles will be parked outside the perimeter of the site' causing 'negligible impact to neighbouring residents'. Experience to date shows this is not the case. The CG Swim School website states that 'off road parking just outside the entrance to the site' is to be used. The Statement says that there is a set limit of five swimmers at one time. This maybe up to five cars, but this excludes the two swim teachers and the applicants' own cars. This may therefore be up to ten cars within the site boundary whilst one lesson is underway, but makes no allowance for overlap, between lessons, which may mean another five cars arriving for the next lesson with nowhere to park. Currently, users of the swimming pool park in the lane which is becomes completely congested, making no allowance for other residents visitors or indeed, their own parking. No.51 Bury Road has had to put up 'Private Parking' signs just so they can park outside their house.
- Plan Queries – The proposed block plan does not show the proposed parking for the site.
- Residential Amenity - We have illustrated above how this proposal will affect the residential properties in this location. The site is enclosed and surrounded by houses; there are no other commercial uses in this

location. This is a quiet residential area and this use has already created distress for many of the residents.

- Traffic/Highways - This private lane is the principal access for eleven houses, serving currently 26 cars, all exiting onto the Bury Road. This excludes access for emergency, delivery, refuse collection and visitors also needing to use the lane, together with the additional traffic which would be caused by this application. This lane is at saturation point, to the extent that at times, vehicles are having to hold on Bury Road, waiting to turn in, whilst others are waiting to get out. This will be exacerbated if this application is granted. The current swim school traffic relies on using the private driveways at the end of the lane for turning (outside the applicant's site) in order to exit the lane in forward gear.
- Horse Walk - The horse walk across the lane is used extensively by the local stables. The visibility onto the walk is not good from cars which cannot see over the fences.

16. Redwood House, 55 Bury Road, Newmarket and Clarehaven Stables, 57 Bury Road, Newmarket

10th July 2023 and 11th July 2023 Objection -

- We object to this application and support and reiterate all the grounds which have been stated in the objections lodged against this application already, in particular, specifically the objections from 43 Bury Road – noise, opening hours, residential amenity, parking, traffic/highways, and the unsubstantiated claim that this activity is somehow limited for SEND/autistic children and except for Wednesday, never takes place in the mornings.
- The increase in traffic of the important Bury Road horse walk prior to 1pm is unacceptable dangerous. There must be no use of the pool, with increased traffic over the horse walk on any morning before 1pm, as this is dangerous to riders, horses and potentially other pedestrian users. The applicant has put up a sign on Bury Road causing the horses to be frightened and is dangerous to the highway.
- This is a residential neighbourhood and a conservation area. The commercial application is inconsistent with a residential neighbourhood. The neighbours have had their rights to quiet enjoyment of their homes taken away by this inappropriate application. The residents have been upset and inconvenienced by the large numbers of noisy, commercial visitors to this satellite 'swim school' which actually is a residential pool being used for commercial purposes in a residential area. Minibuses attend; mega phones are used; up to 40 cars a day have been coming and going to this residential swimming pool without any concern for the noise/disruption to the neighbouring properties and residents.
- As this is a residential pool: has anyone checked whether the pool complies with H&S regulations for a commercial activity? As it is merely a residential pool why would it? Have Building Regulations been checked? Surely, as an old (over 50 years) pool built in the 1970s is unlikely to conform to current regulations?
- The CG Swim School does not limit itself to SEND/differently abled/neuro-diverse children and appears to be available to all comers, including schools from Soham and Kentford. The website makes this

crystal clear. In fact, there is no specific reference to SEND swimming lessons at all.

- If this application is granted it means that anyone with a pool in any residential neighbourhood can embark on the commercial activity of running a swim school business, open to all comers, in a quiet residential area, depriving the residents of their right to quiet enjoyment of their homes, increasing the volume of traffic exponentially, causing noise, fumes and disturbance to residents, preventing normal parking and diminishing residents amenity.
- The CG Swimschool website advertises Pool Parties (£150 per hour) currently only at the Thetford pool on Sundays. How long before pool parties may be advertised for the Applicant's pool and how could the residents be able to protect themselves from such activity should it occur?

Policy:

17. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

18. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM17 Conservation Areas

Policy DM46 Parking Standards

Policy DM48 Development Affecting the Horse Racing Industry

Core Strategy Policy CS5 - Design quality and local distinctiveness

Newmarket Neighbourhood Plan 2020 Policy NKT5 – Provision for New and Growing Business

Other planning policy:

19. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due

weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

20. The issues to be considered in the determination of the application are:
- i. Principle of Development
 - ii. Impact on Character and Appearance Surrounding Conservation Area
 - iii. Impact on Amenity
 - iv. Impact on Highway Safety
 - v. Impact on Existing Horse walk
 - vi. Response to Comments

Principle of Development

21. In accordance with Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications must be determined in accordance with the development plan unless there are material considerations that indicate otherwise. The development plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Newmarket Neighbourhood Plan. National planning policies set out in the NPPF 2021 are also a key material consideration.
22. Paragraph 11 of the NPPF (2021) (as well as policy DM1) states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.
23. Policies CS5 and DM2 require development to conserve the character and quality of local landscapes and respect the scale and character of neighbouring development. Policy DM2 also states that all development should respect neighbouring amenity.
24. The application seeks retrospective consent for the change of use of the existing swimming pool to be used as a swim school within the Newmarket settlement boundary. Policy NKT5 offers support for the development of starter businesses, including proposals for working at home. The proposal has a modest economic benefit associated with its use which weighs in favour of the proposal.

Impact on Character and Appearance of Surrounding Conservation Area

25. Policy DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area.

26. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
27. The site consists of a detached dwelling located in the Newmarket Conservation Area which is accessed by a private drive off Bury Road. The dwelling is set back from the main road by a notable distance with a tall boundary wall which is positioned adjacent with Bury Road. As such, wider views of the existing dwelling from the Conservation Area are limited to viewpoints through the existing access to the dwelling and would be extremely limited from Bury Road.
28. The retrospective change of use involves the existing swimming pool area which is located to the front of the dwelling. The use does not result in the extension of the dwelling nor any external alterations. As such, the external appearance of the dwelling remains unchanged. In addition, vehicles visiting the site make use of the provided parking spaces as shown on the proposed block plan, limiting the impact of parked vehicles on the Conservation Area as well.
29. Therefore, given the use does not result in external works and given the limited views of the dwelling from the wider Conservation Area, it is considered that the development does not result in an adverse impact on the Conservation Area and complies with policy DM17 and Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and this position has been confirmed in consultation with the Senior Conservation Officer.

Impact on Amenity

30. The application is located adjacent to three neighbouring properties which share the same private access off Bury Road. The proposal does not involve the extension of the existing dwelling to facilitate the change of use. However, the use does result in an increase of visitors to the site at any one time, plus increased comings and goings and as such, it is important to assess this and any potential impact through noise and general disturbance caused to occupiers of neighbouring properties.
31. The supporting statement advises that the use runs in 30-minute lesson slots with hours which vary each weekday between 3:15pm to 8pm and morning lessons between 9:30am to 11:00am only on Wednesdays. There are no lessons on weekends. In addition, the supporting statement also advises that there are a maximum of three people having lessons at any one time.
32. Representations were received in regard to the use and the impact it has on the amenity of the neighbouring properties. Two of the adjacent neighbouring dwellings at 51 and 53A Bury Road are positioned close the boundary with the application. With the dwelling at 51A being positioned close to these boundaries as well. Although the swim school runs up until 8pm at the latest during the week it is nonetheless considered that with a maximum of three people on site for the purposes of the swim school, that the use of the site until this time does not result in material adverse impacts to the neighbouring dwellings at a level that would warrant refusal. It is noted and acknowledged that there will be comings and goings associated with the use of the pool but that the effect of these is considered to be

appropriate, and capable of being managed through the imposition of conditions relating to the hours of use and the number of attendees on site at any one time. In addition, the swimming lessons are limited to areas indicated on the proposed floor plan, within the indoor pool. As reported by neighbours in the representations section of this report there is some noise from the swim school that can be heard through open windows, and there are some effects from activity and comings and goings, during the hours proposed. Officers have considered these comments against the scale of the use which is limited to no more than three users at a time and consider it acceptable and not to be at a level to justify refusal on grounds of adverse impact on neighbour amenity. However, such a conclusion is subject to a further condition that requires that the external windows and doors in the pool room to be kept closed at all times when a lesson is being held. The applicant has confirmed that the rooflight windows are openable but also that the pool room is mechanically ventilated, and a condition requiring the external doors and windows to remain shut is therefore considered reasonable and necessary.

33. Therefore, due to the restricted hours, the modest, and controllable, number of people having lessons at one time, and the use being indoors, it is considered that the use does not result in any sufficiently material adverse impacts on the amenity of any of the nearby dwellings in terms of noise levels or general disturbance to amenity, therefore being in accordance with Policy DM2. This conclusion is subject to the imposition of conditions relating to limiting the hours of use and the number of pupils at any one time, as well as a requirement for all external windows and doors in the pool room to remain closed when lessons are taking place, as specified below.

Impact on Highway Safety

34. Policy DM46 requires all proposals for redevelopment, including changes of use, to provide appropriately designed and sited car parking in accordance with the adopted standards current at the time of the application.

35. The change of use involves an increase to the number of people visiting the site, which in turn results in an increase in the total number of vehicle movements to and within the site. As noted above, the supporting statement advises that the lessons are limited to a maximum of three people having lessons at any one time. Representations were received in regard to visitors of the swim school parking on the existing private access. Parking outside of the site cannot be restricted through a condition on this application due to it being outside of the applicant's ownership. However, ensuring that there are a sufficient number of spaces within the site will encourage visitors to park within the site and not on the private road. The retention of these spaces can be secured through a condition. This parking should be considered on a worst-case basis, for example, on the basis that all pupils will arrive individually, in order that a robust conclusion is reached.

36. The site benefits from a generous curtilage and existing parking area which is located to the front of the dwelling. The original proposed block plan indicated this but did not show the total number of parking spaces which are available on the site. An updated block plan was submitted on 15 June 2023 which shows ten parking spaces that are achievable within the site. Given the modest number of students having lessons at any one time being three, it is considered that ten parking spaces within the site is sufficient for the use

(plus possible use by instructors, and residents of and visitors to, the residential property) and does not result in an adverse impact on highway safety thus complying with Policy DM46. In addition, the Suffolk County Council as Local Highway Authority also raises no objection subject to the parking spaces shown being conditioned to be provided.

37. Representations were received in relation to advertisement of the swim school being located adjacent to Bury Road. However, during the Officer site visit, such advertisement was not present. It should be noted that the application does not seek the consent for any advertisement, and it is an offence to display any advertisements which require consent with planning permission (as per Section 224 of the Town and Planning Country Act 1990). Any subsequent applications for advertisement consent would be subject to their own considerations and, if necessary, any unauthorised display if reported to the Council could be further investigated.

Impact on Existing Horse Walk

38. Policy DM48 states that any development within or around Newmarket which is likely to have a material adverse impact on the operational use of an existing site within the Horse Racing Industry or which would threaten the long-term viability of the horse racing industry as a whole, will not be permitted unless the benefits would significantly outweigh the harm to the horse racing industry.
39. An existing horse walk runs adjacent to Bury Road and crosses the private road which is used by visitors in order to access the application site. As such, consideration must be given to any impact on the horse walk and the horse racing industry. Representations were received in relation to the proposal and the impact it could have on the existing horse walk.
40. The supporting statement advises that the swim school mostly operates after 3pm on weekdays with only Wednesday having earlier operating hours between 9:30am to 11:00am. The horse walk located adjacent to Bury Road is used by the horse racing industry up until 1:00pm on a daily basis. As such, the only hours in which the swim school has any potential to cause disruptions to the existing horse walk is the three 30 minute sessions programmed between 9.30 and 11am on Wednesday mornings. The Jockey Club has commented on the proposal and raised no objection based on the provided information subject to conditions hours of operations and number of people having lessons. In addition, no concerns were raised by the Suffolk County Council Highway Authority based on the submitted information and the amended block plan. Therefore, it is considered that this use does not result in an adverse impact on the existing horse walk or the wider horse racing industry complying with Policy DM48.

Other Matters

41. Comments were received in regard to the use of the swim school for some months without planning permission. Representations state the use has been at a higher level than the proposed levels in the supporting statement in terms of hours of operation and the numbers using the pool.
42. These comments are noted, however, the application has to be considered on its own merits with the operational hours and maximum number of people

having lessons as per the supporting statement. Conditions restricting the hours of use and number of users are recommended in accordance with the submitted details.

43. Should the application be approved with these conditions attached, and the swim school thereafter be used in breach of the approved conditions enforcement action could be considered. Should the applicant subsequently wish to change the conditions relating to hours and number of students a new planning application or a variation of condition application which would be required.
44. Other comments received include the queries around whether the existing pool meets health and safety standards and appropriate licensing for the use as a swim school. It should be noted that whether the existing swimming pool meets the required health and safety or licensing standards would not be a material consideration for this planning application or something that could be required via a condition. The applicant is responsible for ensuring other regulatory regimes are satisfied.

Conclusion:

45. In conclusion, the principle and detail of this change of use is considered acceptable, subject to the imposition of planning conditions. The use complies with Policies DM1, DM2, DM17, DM46 and DM48 of the Joint Development Management Policy Document (2015), Policy NKT5 of the Newmarket Neighbourhood Plan, and Policy CS5 of the Forest Heath Core Strategy (2010).

Recommendation:

46. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

- 3 The opening hours of the premises for the purpose of swimming lessons and any other commercial pool use shall be restricted to only between the following hours and there shall be no customers on the site outside of these hours:

Monday - 3:45pm to 7:15pm

Tuesday - 3:15pm to 7:15pm

Wednesday - 9:30am to 11:00am and 3:45pm to 8:00pm

Thursday - 4:15pm to 8:00pm

Friday - 3:15pm to 7:15pm

The premises shall not be open for the purpose of swimming lessons or any other commercial pool use at any time on Saturday or Sunday.

Reason: To minimise the impact of the development on the locality in the interests of amenity in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 No more than three people shall be permitted on the site at any one time for the purpose of participating in a swimming lesson or for any other swimming related activity, excluding swim instructors and / or lifeguards.

Reason: To protect the amenity of occupiers of nearby properties from noise and disturbance, in accordance with policies DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 The use shall not commence until the area(s) within the site shown on Drawing No. 489A-LA-02 A for the purposes of loading, unloading, manoeuvring and parking of vehicles 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 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.

- 6 All external doors and external windows to the swimming pool room shall be kept closed at all times during commercial pool use, except as may be required for egress and ingress.

Reason: To protect the amenity of occupiers of nearby properties from noise and disturbance, in accordance with policies DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/0719/FUL](#)