

## **Committee Report**

**Item No:** 8A

**Reference:** DC/23/01002

**Case Officer:** Harry Goodrich

**Ward:** Ganges.

**Ward Member/s:** Cllr Derek Davis.

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Planning Application. Change of Use from Public House (Sui Generis) to Residential (C3)

### **Location**

The Queens Head, Queens Road, Erwarton, IP9 1LN

**Expiry Date:** 30/06/2023

**Application Type:** FUL - Full Planning Application

**Development Type:** Minor Dwellings

**Applicant:** Mrs Claire Niewiarowski

**Agent:**

**Parish:** Erwarton

**Site Area:** 0.12ha

**Details of Previous Committee / Resolutions and any member site visit:** None

**Has a Committee Call In request been received from a Council Member:** No

**Has the application been subject to Pre-Application Advice:** No

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

The Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the extent and planning substance of comments received from third parties.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF - National Planning Policy Framework

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS02 - Settlement Pattern Policy

CS03 - Strategy for Growth and Development

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CLASSIFICATION: Official

CS15 - Implementing Sustainable Development  
CS17 - The Rural Economy  
EM24 - Retention of Existing Employment Sites  
CN01 - Design Standards  
TP15 - Parking Standards - New Development  
CS21 - Infrastructure Provision  
SP03 - The sustainable location of new development  
LP01 - Windfall infill development outside settlement boundaries  
LP09 - Supporting a Prosperous Economy  
LP10 - Change from Employment Uses

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at: -

Stage 1: Designated Neighbourhood Area

Accordingly, the Neighbourhood Plan has no weight.

### **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

#### **A: Summary of Consultations**

##### **Town/Parish Council**

###### **Erwarton Parish Council**

Erwarton Parish Meeting strongly objects to this application.

As a Parish we remain overwhelmingly in support of retaining the public house as a community asset, with the majority of residents supporting the action group 'Friends of the Erwarton Queen's Head' in their campaign to secure a community purchase of the pub.

As a community this is (or would be) the only public space available to us; we are trying to become a more active community, having grown in number over the last couple of years and the lack of a community space within our village is hampering this.

We objected to the previous application for change of use on similar grounds and have since proven that the need for a community space is greater now than it was then.

###### **Shotley Parish Council**

The Shotley Parish Council recommends the approval of this planning application.

Following considerable debate on the matter, members agreed that retaining the property as a public house no longer appeared to be a financially viable option, and that it would be better if the property was occupied as a dwelling instead of being allowed to fall into further disrepair.

### **National Consultee**

None Received

### **County Council Responses**

#### **SCC – Highway Authority**

The proposal for this development is deemed generally acceptable although there are a couple of points that will need to be addressed prior to a position of being able to recommend approval.

It is known that the first and second-floor accommodation at the property already has C3 residential use, therefore the change of use to residential only relates to the ground floor area which was previously used as a restaurant / public house. However, floor plans for the proposed change of use (ground floor) and the existing residential use (first and second floors) will be required in order to determine the parking requirements.

In addition, it has been made known that parking is available for a maximum of 20 cars. A plan showing the spaces to be assigned to the proposed development and the existing residential use will be required. Each bay size should be at least 5 metres x 2.5 metres in accordance with Suffolk Guidance for Parking (2019).

### **Internal Consultee Responses**

#### **Economic Development & Tourism**

This property was the subject of an agreed marketing campaign for 12 months as requested from March 21 - 22, during this period there were no firm offers for the property as the interest that did come forward was subsequently withdrawn, the agent also maintained an open dialogue with the community group, however there was no offer made by that group either verbally or in writing during that period.

Whilst Economic development would prefer that marketing campaigns are relevant and timely and are concerned that the relevance of this campaign has been diminished by the time that has elapsed being a full 12 months since the property was marketed, making it 24 months since the marketing was agreed, the original campaign met the requirements of policy EM24. Therefore, whilst we remain against the loss, we would have no grounds to object.

We would welcome a further period of marketing should that be considered appropriate.

#### **Heritage Team**

I consider that the proposal would cause no harm to the significance of a designated heritage assets.

However, it is noted that subsequent amendments to the interior and exterior of the listed building, made necessary by the change of use, may not be considered appropriate.

## **B: Representations**

At the time of writing this report at least 58 letters/emails/online comments have been received. It is the officer opinion that this represents 56 objections, 2 in support.. A verbal update shall be provided as necessary.

These comments are summarised below;

56 Objection Comments:

- Important Community Facility
- Loss of the Public House would not support the growing community.
- Impact on Local Economy
- Community interest in purchasing the asset.
- Loss of potential employment opportunities
- Public House has been neglected.
- No attempt to operate Public House as a business.
- Incorrect Marketing.

2 Support Comments;

- Not viable as a Public House
- Best alternative use to retain the Grade II Listed Building

Objections were also received from the Campaign for Pubs. The main points raised are summarised below:

- The Queens Head is a long-standing village pub and was a thriving business for many years.
- There is clear support for the pub from the local population.
- The pub has provided an important focal point for the village.
- Paragraphs 83 and 92 of NPPF says that councils should plan positively for the provision of pubs and to resist their loss (OFFICER COMMENT – these are now paragraphs 84 and 93).
- Other pubs in similar situations have proved able to thrive.

The Friends of the Erwarton Queen's Head also objected, as summarised below:

- Asking price was excessive (£55,000 too much), failing to account for required remedial works and overage clause.
- Annual turnover is higher than claimed and a tenant could make an annual profit of £42,000
- Applicant has made no attempt to re-open the pub in 13 years.
- Applicant has ignored attempts to contact them about the community bid.
- Does not promote wellbeing of sustainable communities.
- St. Mary's Church, Erwarton does not meet community's needs (as claimed).
- Babergh Local Policy EM24 have been met – retention as a community facility, public house or other has not been explored by the applicant.
- Evidence of negligence in maintenance and of damage to the property, e.g. failure to reinstate the previously removed bakehouse chimney.
- Community interest is strong – contrary to claims by the applicant. The Committee has continued its activities and a survey showed that the community valued and would use the pub. £75,000 was pledged.
- Alleged competition – the Compasses at Holbrook and Baker's Arms in Harkstead, are now closed.

- Alleged 'constraints' ( such as parking and flexibility of the site) are disputed.
- The community had believed that the pub was going to be used as an art gallery and café.
- The length of marketing was the bare minimum.

*The full transcript of the objections from both of these organisations can be seen on our website.*

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

## **PLANNING HISTORY**

<b>REF:</b> DC/23/01002	Planning Application. Change of Use from Public House (Sui Generis) to Residential (C3)	<b>DECISION:</b> PCO
<b>REF:</b> DC/19/04823	Planning Application - Change of use from Public House class (A4) to residential class use (C3)	<b>DECISION:</b> REF 10.12.2019
<b>REF:</b> DC/19/04824	Application for Listed Building Consent - Change of use from Public House class (A4) to Residential class use (C3)	<b>DECISION:</b> CNR 15.10.2019
<b>REF:</b> B/16/00818	Removal of chimney	<b>DECISION:</b> PNR 03.10.2016
<b>REF:</b> B/16/00819	Application for Listed Building Consent - Reduce height of remnant bakehouse chimney & roof over to match existing	<b>DECISION:</b> REF 17.10.2016
<b>REF:</b> B/11/00487	Application for Listed Building Consent - Render and paint part of exterior & internal alterations, as revised by drawing no. 007S2 received 13/06/2011.	<b>DECISION:</b> GRA 29.06.2011
<b>REF:</b> B//02/01033	Removal of existing front conservatory and erection of a single storey front extension	<b>DECISION:</b> GRA 08.08.2002
<b>REF:</b> B//02/01034	Application for listed building consent - Removal of existing front conservatory and erection of a single storey front extension	<b>DECISION:</b> GRA
<b>REF:</b> B//87/01443	ERECTION OF TWO SINGLE STOREY EXTENSIONS TO PROVIDE NEW TOILET, KITCHEN, STORAGE AND DINING ROOM FACILITIES, ERECTION OF GARAGE AND CONSTRUCTION OF NEW VEHICULAR ACCESS AND REAR CAR PARK AS AMENDED BY REVISED PLAN RECEIVED	<b>DECISION:</b> GRA

UNDER COVER OF LETTER DATED  
01/03/88

<b>REF:</b> B/LB/89/01567	APPLICATION FOR LISTED BUILDING CONSENT - ERECTION OF FRONT PORCH AND SINGLE-STOREY REAR EXTENSIONS TO PROVIDE STORES, UTILITY ROOM AND GARAGE TOGETHER WITH INTERNAL ALTERATIONS AND INSERTION OF ROOF LIGHTS ON REAR ROOF SLOPE. AS AMENDED BY REVISED DRAWINGS RECEIVED 01.12.89 AND 02.01.90	<b>DECISION:</b> GRA
<b>REF:</b> B//89/01568	ERECTION OF FRONT PORCH AND SINGLE-STOREY REAR EXTENSIONS TO PROVIDE STORES, UTILITY ROOM AND GARAGE INSERTION OF ROOF LIGHTS ON REAR ROOF SLOPE. AS AMENDED BY REIVSED DRAWINGS RECEIVED 01.12.89 AND 02.01.90	<b>DECISION:</b> GRA
<b>REF:</b> B/LB/90/00217	APPLICATION FOR LISTED BUILDING CONSENT - REMOVAL OF EXISTING TIMBER SPIRAL STAIRCASE	<b>DECISION:</b> REF
<b>REF:</b> B/LB/88/80224	APPLICATION FOR LISTED BUILDING CONSENT - ALTERATIONS TO ELEVATIONS AND ERECTION OF TWO SINGLE STOREY EXTENSIONS	<b>DECISION:</b> GRA
<b>REF:</b> B//88/01075	ALTERATIONS TO ELEVATIONS & ERECTION OF TWO SINGLE STOREY EXTENSIONS AND GARAGE IN REAR CAR PARK (AMENDMENT TO P/P B/1443/87) (AS AMENDED BY REVISED DRAWINGS RECEIVED 16/09/88)	<b>DECISION:</b> GRA

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1. The site consists of a three-storey public house and associated accommodation over, with hardstanding car parking provision to the front and rear of the property. The site is located within the countryside (not within a built-up area boundary).
- 1.2. On the other side of the road from the site is the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty.

- 1.3. The property is Grade II listed and extends over three floors. The area is predominantly rural in character with agricultural field patterns apparent to the North and West, as well as beyond the highway to the South.

## **2.0 The Proposal**

- 2.1. The proposal involves the change of use of the existing Public House (Sui Generis) to 1No Residential Unit (C3)
- 2.2. The existing parking area to serve the public house is to be retained to be used by the residential unit.
- 2.3. The proposal is to involve the change of use of the existing public house and does not involve any extension to the building to facilitate the change of use.
- 2.4. The site is approximately 0.12ha.

## **3.0 The Principle of Development**

- 3.1. The key documents to consider are the National Planning Policy Framework (NPPF) 2021 and Babergh's Local Plan (in the form of Local Plan policies and Core Strategy policies).
- 3.2. Paragraph 84 of the NPPF states that decisions should enable "the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."
- 3.3. Paragraph 93 adds that: "decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments..... c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs..."
- 3.4. Babergh Core Strategy Policy CS17 (The Rural Economy) states: "The economy in the rural area will be supported through a number of measures including: a) through the encouragement of: ..... iii) sustainable tourism and leisure based businesses (including those offering a diverse range of visitor accommodation, activities or experiences)..... b) support for / promotion of rural businesses."
- 3.5. Policy CS15 (Implementing Sustainable Development in Babergh) revisits this and seeks to protect or create jobs and sites to strengthen or diversify the local economy.
- 3.6. Policy CS21 (Infrastructure Provision) seeks to protect, safeguard, and enhance existing services, facilities and amenities that are important to the sustainability of local communities.
- 3.7. There is, therefore, a body of guidance and policy which speaks in favour of the retention of such facilities as public houses in rural areas. However, The Council recognises that there will be cases where this is not possible, where viability is an issue and, regrettably, a mechanism for changing from an employment use is necessary. Note – this relates to employment generally.

3.8. Policy EM24 spells this out plainly: “Planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored. This may be undertaken in one of the two following ways:

1. by an agreed and sustained marketing campaign, undertaken at a realistic asking price; or
2. where agreed in advance, the applicant can demonstrate that the land, site or premises are inherently unsuitable or not viable for all forms of employment related use.”

3.9. A previous application was refused and dismissed at appeal (our reference DC/19/04823 appeal reference AP/20/00027). The application was refused due to the proposal failing to agree and undertake a marketing strategy that explored alternative employment and community uses and therefore failed to demonstrate the building was not suitable for any other use. The application was then appealed and dismissed by the Planning Inspectorate for the same reason, stating:

*‘I conclude that it has not been demonstrated that securing employment use of the building has been explored fully through the viability assessment. Therefore, insufficient justification has been provided to allow conversion of the public house, and the proposal is contrary to policy EM24 of the Local Plan as a result.’*

3.5. The applicant has since agreed a marketing strategy with Economic Development during 2021 which took into account the public house being marketed in its current use and also marketed it for alternative employment or community uses. This was carried out for a year, concluding in February 2022. The application was submitted a year after this marketing concluded; however, the information submitted does meet the requirements of EM24.

3.6. During the marketing period it is stated that one offer was brought forward to acquire the public house; however due to an overage clause on the sale, this offer was withdrawn and no further interest was shown on the building during the remainder of the marketing.

3.7. It has been noted that there is significant community interest in acquiring the public house, however up to now approximately £75,000 in pledges have been made, far short of even the reduced asking price for the public house. As such it can be seen that the community are not in a position to acquire the public house at this current time and delaying any alternative use now could result in further deterioration to the Grade II Listed Public House.

3.8. The public house has been proven to not be viable when marketed as a Public House or for any other use (subject to planning permission) and as such to secure its viable use for the future, the change of use to Residential (C3) is considered appropriate.

3.9. The loss of the asset, whilst unfortunate has been accepted in this instance due to the marketing that has been undertaken.

#### **4.0 Nearby Services and Connections Assessment of Proposal**

4.1. The site is closely related to a bus stop providing a school service with one stop at approximately 8am in the morning and a returning bus at 4pm. The closest location for regular services is likely to be that of Shotley, some 1.4 miles away to the centre of the village.

4.2. The connections between the site and the services available within Shotley are near enough non-existent, with no footpaths joining the site to the services in Norton, and only one bus service a day



being provided. Due to the limited services available in Norton Little Green, it is considered that some reliance on the private vehicle is to be expected to access wider services.

- 4.3. Paragraph 105 of the NPPF states that '*opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making*'. In this instance the proposal is to make use of a currently redundant building and is to be brought back into an optimum viable use. The proposal is therefore deemed acceptable in this regard.

#### **5.0 Site Access, Parking and Highway Safety Considerations**

- 5.1. The proposal is to use the existing Public House access and parking area. This area is suitable to accommodate the parking requirements of the dwelling.
- 5.2. The Highway Authority considers that no unacceptable level of harm will arise following this development, subject to conditions to control the manoeuvring and parking of vehicle and refuse/recycling details.

#### **6.0 Design and Layout [Impact On Street Scene]**

- 6.1. The proposal does not involve any internal or external changes as the proposal is solely for the change of use of the Public House (Sui Generis) to a residential unit (C3). As such any design and layout changes would be subject to a separate application in its own right to ensure they do not impact the Grade II Listed nature of the Public House.
- 6.2. The only likely alterations to the street scene would be the introduction of residential paraphernalia within the side amenity space of the proposed site. This is likely to be expected in a residential dwelling and would not have undue impacts on the character of the area as a whole.

#### **7.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 7.1. The application site does not form part of the nearby Suffolk Coasts and Heaths Area of Outstanding Natural Beauty.
- 7.2. The predominant character of the surrounding area is strongly rural and in particular, agricultural. This character aspect is formed by the large field patterns visible through aerial photography.
- 7.3. The proposal involves the change of use of the building into a residential unit. There are no internal or external changes proposed in this instance and these would be subject to a separate application in its own right. Therefore, any impact on the landscape and matters of ecological interest would have to be assessed under a separate application.

#### **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1. The site is located within Flood Zone 1, such that specific consideration as to the impacts of river and surface water flooding are not required. It is considered that due to large areas of soft land surrounding the site, any issues relating to surface water drainage are unlikely to result in significant levels of flooding within the locality.

#### **9.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]**

- 9.1. The Public House is Grade II Listed and, as such, consideration of paragraph 199 of the NPPF is required. Paragraph 199 states that “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance*”.
- 9.2. In this case the proposal has been assessed by the Authorities’ Heritage Officer as resulting in no harm to the designated heritage asset due to the fact the proposal does not involve any internal or external alterations and solely relates to the change of use.
- 9.3. Any internal or external alterations would be subject to a separate planning application/listed building application in its own right and would be assessed at that time. The proposal retains living accommodation at first floor level, meaning a residential (C3) use exists on the site and would not necessarily require immediate works to be used in its proposed use.

#### **10.0 Impact On Residential Amenity**

- 10.1. Local Plan policy CN01 and Paragraph 130 of the NPPF seek to protect the existing amenity of nearby dwellings and to avoid development impacts on the existing environment.
- 10.2. The closest neighbouring residential property to the application site is that of Broome Cott, located to the East, as well as further residential dwellings located across the highway to the South.
- 10.3. The application site is a three-storey public house, which is not to be extended in any way and does not include any internal or external alterations. As such any residential amenity impacts have been established and will not be exacerbated further by the proposal. As such it is considered that the impact of the development on the neighbouring properties would be negligible and not significant to refuse.

#### **11.0 Parish Council Comments**

- 11.1. The concern raised by the Parish Council in respect of the desire to retain the public house as a community asset is noted. The community has previously submitted the public house for designation as an Asset of Community Value (ACV); however, due to the building exceeding the operational time limit to meet the requirements of the ACV, this was subsequently refused.
- 11.2. The marketing strategy submitted with this application shows that the property has been listed for sale as both a public house and as a building with the potential for alternative uses subject to planning permission. However, during this marketing period, no viable offers were made and therefore it has been shown to be in line with Local Plan Policy EM24 that the property is not a viable public house in this instance. Therefore, whilst noting the concern about the loss of the public house, when considering this against Planning Policy the proposal is deemed as acceptable.

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## **PART FOUR – CONCLUSION**

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#### **12.0 Planning Balance and Conclusion**

- 12.1 NPPF paragraphs 84 and 93 and our policies CS15, CS17 and CS21 speak in favour of retaining a facility such as this in the interests of a strong community, tourism and a vibrant rural economy.

- 12.2 The role, and potential role of the Queen's Head in the life of the community of Erwarnton has been clearly stated by many objectors and a case put forward for its retention as a public house.
- 12.3 However, Members are directed to the above mentioned Planning application (DC/19/04823) which was refused and whose appeal was dismissed. Again, the key paragraph from the Inspector was:
- 'I conclude that it has not been demonstrated that securing employment use of the building has been explored fully through the viability assessment. Therefore, insufficient justification has been provided to allow conversion of the public house, and the proposal is contrary to policy EM24 of the Local Plan as a result.'*
- 12.3 Therefore, logically, if the applicant has satisfied this matter, then this issue can be deemed to have been overcome and, in the absence of any other outstanding matters and absent of any other material change in circumstance, approval should be granted.
- 12.4 A viability assessment and a marketing campaign as agreed by our Economic Development Officer have been undertaken and their findings have been accepted by the relevant Officers.
- 12.5 Whilst due regard has been paid to third party comments, your Officers have accepted the viability and marketing information which has been submitted with this application.
- 12.6. The proposal has been assessed against Local Plan Policy, as well as the National Planning Policy Framework and has been deemed acceptable. Whilst it is noted that there is significant local concern in respect of the loss of the public house, sufficient marketing information has been provided in this instance to show the building is not viable as a public house, nor in any other use and therefore the requirements of Policy EM24 have been met. The proposal would provide an optimum viable end use for a Grade II Listed Building which otherwise may fall into a state of disrepair.
- 12.7 Approval, with conditions, is therefore recommended.

## **RECOMMENDATION**

That the application is GRANTED planning permission and includes 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) SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS

Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Article 3, Schedule 2 Part 1 Classes A to E and H and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- - no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, - no garage, car port, fence, gate, wall or any other means of enclosure, building or structure shall be erected, 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 the amenity of the locality and to safeguard local distinctiveness.

### 4) ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: CYCLE STORAGE AND EV CHARGING

Before the development is first occupied, details of secure, lit and covered cycle storage and electric vehicle charging infrastructure 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).

### 5) ACTION REQUIRED IN ACCORDANCE WITH A SPECIFIC TIMETABLE: REFUSE/RECYCLING

Before the development is occupied 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.

## 6) ONGOING REQUIREMENT OF DEVELOPMENT: PARKING PROVISION

The use shall not commence until the area(s) within the site shown on DL/0.2889/3 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.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained 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.

### **(1) And the following informative notes as summarised and those as may be deemed necessary:**

Statement of positive and proactive working in line with the National Planning Policy Framework (NPPF)

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The NPPF encourages a positive and proactive approach to decision taking, delivery of sustainable development, achievement of high quality development and working proactively to secure developments that improve the economic, social and environmental conditions of the area. While the applicant did not take advantage of the service, the Council provides a pre-application advice service prior to the submission of any application. The opportunity to discuss a proposal prior to making an application allows potential issues to be raised and addressed pro-actively at an early stage, potentially allowing the Council to make a favourable determination for a greater proportion of applications than if no such service was available.