

ENVIRONMENT AND PLANNING

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX

Tel: (01553) 616200 Fax: (01553) 616652

DX: 57825 KING'S LYNN e-mail:

borough.planning@west-norfolk.gov.uk

NOTICE OF DECISION - GRANT OF PLANNING PERMISSION

John Dunn	Reference No: 22/00637/CU c/o Mr Michael Breen
50	Application
Grosvenor Hill	Registered: 3 May
London	2022
WIK 3QT	Parish: Middleton
undefined	

Details: Proposed Garage Conversion to create incidental utility room and part-time dog grooming salon

The Town and Country Planning Act 1990 (as amended)

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Permission is granted for the carrying out of the development referred to above in accordance with the application and plans submitted subject to compliance with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out using only the following approved plans:
 - *dwg no. P1. Location and Block Plan.
 - *dwg no. P2. Existing and Proposed Plans.
 - *dwg no. P4. Proposed Elevations.
 - *dwg no. P5. Existing and Proposed Sections.
 - *dwg no. P6. Existing and Proposed Plans.
3. The dog grooming business shall only be used and held in conjunction with the property known as Castle View, Sandy Lane, Blackborough End, and shall at no time be used as a separate business or commercial use.
4. Prior to the first use of the dog grooming room, details should be submitted to and agreed in writing by the Local Planning Authority for the facilities provided within the curtilage of the site for the storage of business recycling, refuse and waste materials.
5. The premises shall only be used between the hours of 09:30 and 16:30 Monday to Friday, and at no time on Saturdays, Sundays, Bank or Public Holidays unless otherwise approved in writing by the Local Planning Authority.
6. The entrance door shall remain closed when dogs are within the grooming room to minimise the emission of noise from the premises.
7. Only one customer, with one dog, shall be permitted to visit the site at any one time.

The Reasons being:

1. To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. The use of the business as a separate entity would be detrimental to the residential amenity of Castle View and their neighbours and to accord with the requirements of the NPPF and policy DM15 of the SADMP (2016).
4. In the interests of the amenities of the locality in accordance with the NPPF.
5. In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
6. In the interests of the amenities of the locality in accordance with the principles of the NPPF.
7. In order that the Local Planning Authority may retain control over the use of the premises in the interests of the amenities of the locality in accordance with the NPPF.



Executive Director, Environment and Planning
On behalf of the
Council 23
June 2022

1. Environmental Protection Act 1990 - Statutory Nuisance.

Under the Environmental Protection Act 1990, the Local Authority has a duty to investigate complaints of nuisance and should a complaint be received, irrespective of planning consent, the Local Authority may (on determination of a Statutory Nuisance) serve a legal notice requiring any said nuisance to be abated. Failure to comply may result in prosecution. Further advice may be sought from the Community Safety and Neighbourhood Nuisance Team on this matter where necessary

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

Section 33 and 34 for the Environmental Protection Act 1990 place a duty on developers to ensure that they manage and dispose of waste appropriately, this includes preventing the escape of waste by storing it in containers that are; clearly and correctly labeled, suitable for the waste and designed to prevent leakage or waste being wind blown off site. You should also ensure that you keep waste transfer records and only transfer waste to an authorised person.

For further information and to ensure that you have appropriate permits or exemptions in place visit:

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>
<https://www.gov.uk/government/collections/waste-exemptions-treating-waste>

In addition, further information is available on <https://www.ccscheme.org.uk/>

The case officer who dealt with this application was Helena Su, telephone number 01553 616232.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals Subject to an Enforcement 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 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Other Types of Appeal

- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against your local planning authority's decision on any other type of application then you must do so within 6 months of the date of this notice.

How to Make an Appeal

- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).