
Parish: BILDESTON

Location: Christmas Hall, Market Place

Proposal: Change of use from dwelling to dwelling with private functions

Applicant: Ms Christina Hawkins

Case Officer: Chris Tivey

Date for Determination:26.12.2007

SITE

1. The application site comprises a 19th Century gault brick building, which is Grade II listed and situated to the west of the junction of Duke Street and Bildeston High Street. The north eastern boundary of the site runs along the High Street and is demarcated by a high brick wall. To the north west of the application site is a stable building which has been converted to ancillary residential accommodation and to the south west is the side boundary to the rear garden of No. 1 Duke Street. The Market Place and Clock Tower is opposite the main front entrance to Christmas Hall.

PROPOSAL

2. Planning permission is sought to regularise the change of use of Christmas Hall to a dwelling with a limited number of private functions. The applicant has intimated that they propose to limit the number of functions to 20 per year. The building has previously been let out for parties, weddings and corporate functions.
3. There are no physical alterations proposed to the building.

Subsequent to the submission of the application amended plans have been received to show nine off-street parking spaces.

RELEVANT HISTORY

4. B/06/02085/CEU – application for a Certificate of Lawfulness for an existing use – additional use of dwelling for short term lets, Granted 08 August 2007.

NATIONAL GUIDANCE

5. **PPG15:** Planning and the Historic Environment

PLANNING POLICIES

6. The following Development Plan Policies are applicable to this proposal:

Babergh Local Plan Alteration No. 2 (2006)

- EN25 - Noise Generating Developments
- EM01 – General Employment
- CN06 – Listed Buildings
- CN08 – Development in or near Conservation Areas
- TP12 – Car Parking

This report only includes policy references. For further details please see Page 4.

OBSERVATIONS

7. PC – No objection but have concerns that parking should be addressed.
8. LHA – No objections to the proposed development as amended.
9. Environmental Health – No objection subject to the imposition of conditions that control the number of events that take place each calendar year; restrictions on the use of the curtilage for outdoor gatherings; prohibition of electronically amplified music outside of the building; restrictions on the hours that live performances can take place; and prohibition on the use of fireworks.

REPRESENTATIONS

10. Five letters of representation have been received including one from the Suffolk Preservation Society, the comments are summarised as follows:
 - Inappropriate site for functions.
 - Lack of on-site parking.
 - Guests arriving/departing cause noise nuisance to neighbours.
 - There are weddings and other parties almost every weekend.

PLANNING CONSIDERATIONS

11. The main issue in the consideration of this application is the impact that the change of use would have upon the general amenities of the area in terms of noise generation and parking provision.
12. Policy EM01 of the Babergh Local Plan states that employment related development proposals which are not covered by other policies will be judged in particular against the expected job creation, the potential effect on residential amenity, environmental quality, traffic generation and road safety and site accessibility by a range of transport modes.
13. The change of use does not involve any alterations to the external appearance of the building, according to the supporting letter submitted with the planning application. When the building is not used for events or functions it returns to be the primary residence of the applicant.
14. The applicant acknowledges that the proposal if operated on a very regular basis would have the potential to affect residential amenity. On this basis the applicant would accept a conditional grant of planning permission whereby the number of functions per year is limited to no more than 20. Furthermore, the applicant would accept conditions to control amplified music and the hours of outdoor entertainment.
15. In support of the proposal the applicant has submitted a copy of booking conditions, for house parties and weddings which are as follows:
 - Music only indoors.
 - No music outdoors.
 - Barbecue area courtyard only.
 - Decking not to be used for dancing.
 - No extra guests unless by arrangement.
 - Pool table for adult use only.
 - Noise reduced in the garden areas by 9pm.

- Any outside supplier booked to work at Christmas Hall to be agreed first with House Manager.

Furthermore, there are additional booking conditions for weddings as follows:

- Weddings can only be catered on the day of the wedding by recommended caterers unless by prior agreement.
 - One or two Christmas Hall staff must be on duty on the day of the wedding.
 - Live music only by agreement with Christmas Hall.
 - Any outside suppliers required must be agreed with Christmas Hall.
 - Additional guests must be agreed at least six weeks prior to the wedding.
16. Since the original submission, the applicant's agent has provided an amended site layout plan which identifies nine off-street parking spaces to the front of Christmas Hall, in addition to identifying a designated outdoor garden area for function purposes. This runs adjacent to the High Street and is bounded to the west by another high wall which runs from the western corner of the building and therefore separates the curtilage of Christmas Hall into two.
 17. The Local Highway Authority has removed its objection following the submission of the car parking details. As a result no obvious conflict has been identified with the provision of Local Plan Policy EM01. Bildeston is accessible by public transport and it is highly probable that visitors to the premises will share vehicles.
 18. Environmental Health also have no objection subject to the imposition of conditions to control potentially noisy activities at the premises.
 19. In conclusion by virtue of the limited number of functions proposed by the applicant and the imposition of appropriate planning conditions it would be difficult to sustain an objection to the proposed development. The proposal would not therefore have materially detrimental impact upon either the residential amenities of the area or the character of the Conservation Area.

REASON FOR APPROVAL

20. The proposed use of Christmas Hall as a dwelling with a limited number of private functions is in accordance with the general employment policy EM01 of the Babergh Local Plan Alteration No. 2 and would provide sufficient off road parking to the satisfaction of the Local Highway Authority. In addition to the aforementioned policy the proposal would also be compliant with Policies EN25, CN06, CN08 and TP12 of the Babergh Local Plan Alteration Number 2 (2006).

RECOMMENDATION

21. (1) That planning permission be granted, subject to the following conditions:
 - Parking area to be laid out within three months of the date of permission.
 - Number of functions/bookings to be restricted to no more than 20 per year and no more than 2 per calendar month.
 - Outdoor gatherings to be restricted to the hatched area on the plan received 07.02.08.
 - No electronically amplified live or recorded music to be played outside.
 - Regulation of volume of electronically amplified music so that inaudible from the property boundaries.
 - Use of fireworks at any function be prohibited.