



**WILKINSON**  
PLANNING

## Planning, Design and Access Statement

### SITE

Unicorn House, Station Road West, Stowmarket, Suffolk,  
IP14 1ES

### PROPOSAL FOR

Insertion of door, alterations to shop frontage and  
internal alterations to residential unit following the  
grant of planning permission under DC/23/02203 for;  
Full Planning Application - Change of use of first floor  
from bakery and hot food takeaway (Class E) to  
residential flat (C3)

### PROPOSAL BY

Woodridge House Property Investments Ltd

November 2023

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## 1.0 Introduction

1.1 This Planning Statement is produced for and on behalf of Woodridge House Property Investments Ltd in respect of; Insertion of door, alterations to shop frontage and internal alterations to residential unit following the grant of planning permission under DC/23/02203 for; Full Planning Application - Change of use of first floor from bakery and hot food takeaway (Class E) to residential flat (C3).

1.2 This Statement will consider the planning policy position and provide an overview of the relevant material considerations relating to the proposed development. It will be demonstrated that the proposal, which is minor in nature, would accord with the development plan when read as a whole. Accordingly, planning permission should be granted without delay.

## 2.0 Site and Surroundings

2.1 The building itself forms part of a terrace within a continuous frontage (secondary shopping frontage) within the principal shopping area of Stowmarket. The site is unlisted, however the site falls within the Stowmarket Conservation Area and is surrounded by several Grade II listed buildings. The site is not within any designated landscape area.

## 3.0 Proposal

3.1 The purpose of the development is to enable the recently approved residential unit (at first floor) to be delivered in accordance with Building Regulations. Accordingly, a new doorway opening in the front elevation, leading to a staircase is proposed, alongside shop frontage uplift, as shown on the accompanying plans.

## 4.0 Planning Policy

4.1 The National Planning Policy Framework 2023 (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies

contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with 'the Plan' unless material considerations indicate otherwise.
- 4.3 The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers in interpretation the NPPF.
- 4.4 The site does not fall within an area with either an emerging or adopted Neighbourhood Plan.
- 4.5 In the circumstances of this application, the Development Plan for the Babergh district comprises the Core Strategy (2012) and the saved policies of the Local Plan (1998). However, on 19<sup>th</sup> September 2023 the Inspectors for the emerging Joint Local Plan concluded their examination and found that plan to be sound subject to modifications. It is understood that the modified Joint Local Plan is due to be considered for adoption in November 2023. On that basis it is the policies of that plan that have been assessed for the purposes of this application and Statement, recognising that, in all likelihood, the new plan will have been adopted before this application is determined.
- 4.6 The most relevant policies for the determination of the application, following the Joint Local Plan, are as follows:

Joint Local Plan (2023)

- SP03: The sustainable location of new development
- LP16: Biodiversity and Geodiversity
- LP19: The Historic Environment
- LP23: Sustainable Construction and Design
- LP24: Design and Residential Amenity
- LP29: Safe, Sustainable and Active Transport

Supplementary Planning Guidance

- Suffolk Adopted Parking Standards (2019)
- Suffolk Design Guide (2000)

#### National Planning Policy Framework (2023)

- Para 7: Achieving sustainable development
- Para 8: Three objectives to sustainable development
- Para 10: Presumption in favour of sustainable development
- Para 11 – 14: The presumption in favour of sustainable development
- Para 38: Decision making
- Para 47 – 50: Determination of planning applications
- Para 126 – 136: Achieving well designed places
- Paras 189 – 208: Conserving and enhancing the historic environment

4.7 This statement will consider other material planning polices in turn.

## 5.0 Planning History

5.1 The site has been subject to a recent planning permission (as expressed above), alongside an earlier approval:

DC/21/00172 | Full Planning Application - Change of Use of former Estate Agency to Bakery and hot food takeaway - Granted

## 6.0 Material Planning Considerations

### 6.1 Principle of Development

6.2 The principle of development has already been supported through planning permission DC/23/02203, therefore there is no need to re-evaluate the stance expressed by the Council.

### 6.3 Heritage

6.4 Section 66(1) of the listed buildings Act states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision taker



shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest that it possesses. A similar provision is found at s72(1) in relation to the preservation of the character and appearance of conservation areas.

- 6.5 The effect of those statutory provisions is that the desirability of preserving the setting of a listed building (or character/appearance of a conservation area) must be treated as a matter of ‘considerable importance and weight’, with such duties regarded as presenting a ‘strong presumption’ against a grant of planning permission where harm to a designated heritage asset is identified<sup>1</sup>. In decision-making, the ‘great weight’ to be afforded to the conservation of heritage assets described in the NPPF is synonymous with the ‘considerable importance and weight’ of the s.66 duty.<sup>2</sup> Policy LP19 of the JLP largely replicates and is consistent with the various policy paragraphs comprising chapter 16 of the NPPF.
- 6.6 In this case there are one designated heritage asset that warrant consideration: the Conservation Area.
- 6.7 The application proposal would provide for a subtle shop frontage change ,to enable the mixed use of the building (as permitted) to be delivered. The existing shop frontage requires uplift, and the application presented offers the opportunity to enhance the character of the area.
- 6.8 The proposal would not diminish or compete with the physicality and overall dominance of the street scene. The architectural language and materials palette both replicate and reinforce the coherency of the facades which line the street – which is an entirely expected form of development within the heart of Stowmarket – would not appear jarring or unduly conspicuous.
- 6.9 It follows that the development would not erode the significance of the Conservation Area by any degree and thus it is not harmful. Likewise, the scale, form, and detailed design would ensure that the character and appearance of the Conservation Area would be preserved.

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<sup>1</sup> *South Lakeland District Council v Secretary of State for the Environment and Another* [1992] 2 AC 141; *R (Barnwell Manor Wind Energy Ltd) v East Northamptonshire DC* [2014] EWCA Civ 137.

<sup>2</sup> *Jones v Mordue* [2015] EWCA Civ 1243.

Overall, no harm is posed to any heritage asset and therefore the duties of the listed buildings Act and the policies of the JLP and NPPF would be complied with.

6.10 Design and Layout

6.11 Policy LP24 and paragraph 130 of the NPPF seek to ensure that development achieves a high-quality design, which is responsive and sympathetic to its surroundings.

6.12 For reasons similar to those above, the proposed building is sensitively designed to preserve the existing character and appearance of the site and wider area, particularly having regard to the historic environs thereabouts. To that extent the building will be of a high standard and would in any event be largely imperceptible from the public realm recognising its modest scale and street scene presence . The overall effect on the visual amenity of the area would be nugatory and certainly not harmful.

6.13 The proposal is therefore acceptable in this regard.

6.14 Highways

6.15 The highways performance of the site (inclusive of bins, cycles and access) would be unaltered and would be provided in accordance with SCC Parking Guidance (2019). The proposal would not in any event frustrate the more than adequate turning and manoeuvring space within the rest of the plot, off the highway. Pedestrian usage would be unchanged. No other impacts arise recognising the existing lawful use of the site; no amendments to the existing access are proposed.

6.16 The application therefore accords with the policies of the JLP (notably LP29) and the NPPF, including paragraphs 110 and 111.

6.17 Delivery

6.18 Bearing in mind the Government's objective of significantly boosting the supply of homes and the desire that land with planning permission should be developed without unnecessary delay, as per paragraph 60 of the NPPF, and the direction for decision-takers to consider

shortened implementation timescales in order to expedite delivery, the LPA should consider it a material consideration as to whether a site proposed for development can be brought forward quickly.

6.19 The deliverability of a development is an important factor in an assessment as to its sustainability (in terms of its benefits) and in terms of its contribution to the supply of housing in the Borough.

6.20 The NPPF defines deliverable:

*“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years” and; “Sites with outline planning permission... should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

6.21 The NPPG gives further guidance on those considerations under the chapter heading ‘*Housing and economic land availability assessment*’ and includes three, important concepts; suitability, availability, and achievability. Whilst primarily aimed at aiding the plan-making process, the principles are no less useful when considering the deliverability of this development. The NPPG also identifies information relating to site viability, ownership constraints or infrastructure provision, and a statement of common ground between the LPA and the developer confirming the anticipated build-out rates.

6.22 The site is considered to be suitable for development, providing significant benefits underpinned by the robust reasons set out by this statement. There is a reasoned expectation that the development would make a contribution to the 5YHLS period in the short term and at an expeditious rate.

## 7.0 Planning Balance

7.1 The development finds in-principle favour with the development plan (taken to be the JLP in light of its imminent adoption) and accords with it when viewed as a whole; it should be permitted without delay. Furthermore, the development would comply with the policies of



the NPPF taken as a whole and this reinforces the direction of the development plan to grant planning permission.

7.2 It is therefore respectfully requested that planning permission be granted.