



**WILKINSON**  
PLANNING

## Planning, Design and Access Statement

SITE

The Old Shop, Church Road, Stutton, Ipswich,  
Suffolk, IP9 2SJ

PROPOSAL FOR

Erection of weatherboard (part retention of)

PROPOSAL BY

Mr & Mrs Garrity

March 2024

## Contents

1.0	Introduction	2
2.0	Site and Surroundings	2
3.0	Proposal	3
4.0	Planning Policy	4
5.0	Planning History	6
6.0	Material Planning Considerations	7
7.0	Planning Balance	10

## 1.0 Introduction

- 1.1 This Planning Statement is produced for and on behalf of Mr & Mrs Garrity in respect of an application for planning permission for the erection and partial retention of weatherboard cladding. The application is made as a 'householder' application.
- 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.
- 1.3 The extract below shows the location of the site relative to its surroundings and other nearby development:



Figure 1.3.1 Aerial View (site starred in red)

## 2.0 Site and Surroundings

- 2.1 The site relates to an existing, mixed dwelling (C3) and guest accommodation (C1) known as

The Old Shop, a two-storey development in the village of Stutton, Suffolk. The site is within the Suffolk Coast and Heaths AONB, situated on its northernmost boundary. The site extends along the west side of the junction between Church Road, which continues south and west, and Holbrook Road, which continues east. The site is bound by residential properties to the south, west and north, with Stutton Primary School immediately east.

- 2.2 The site is considered by some to be a non-designated heritage asset (a 'NDHA') within the settlement boundary. The site is in Flood Zone 1 (very low fluvial flooding) and is also at a very low risk of pluvial flooding. There are no protected trees on site that would be affected by the development. The site is of low ecological value given the current residential use.
- 2.3 The property, as previously noted, is known as The Old Shop and although is not a listed building, the property is recognised within the Stutton Neighbourhood Plan as a NDHA. The local association with the property as a community shop for many years has given the property a degree of social value. The property is now a mixed-use residential dwelling and guest accommodation, following the grant of planning permission for change of use in 2014. The property was first partially converted from a shop to a residential dwelling in 1989, with the ground floor further converted to C3 in 2006. The site is not within a conservation area. Relevant considerations are dealt with in this Statement, in turn.

### 3.0 Proposal

- 3.1 Planning permission is sought for the erection and partial retention of weatherboard cladding to the exterior of The Old Shop.
- 3.2 The proposal is of a high standard of design and construction to complement the host dwelling, sharing the same character and appearance of the surrounding residential properties. The Eurocell Coastline cladding, with its soft green colour, will extend up to the roof edge therefore ensuring the property will continue to integrate well with the surrounding developments in the area. A similar building exterior can be found northeast of the Church Road junction with Holbrook Road, along with many other examples found locally. Weatherboard is an entirely acceptable material in this part of Stutton, as evidenced by other dwellings which have been uplifted by the use of this material.

3.3 The following plan provides context:

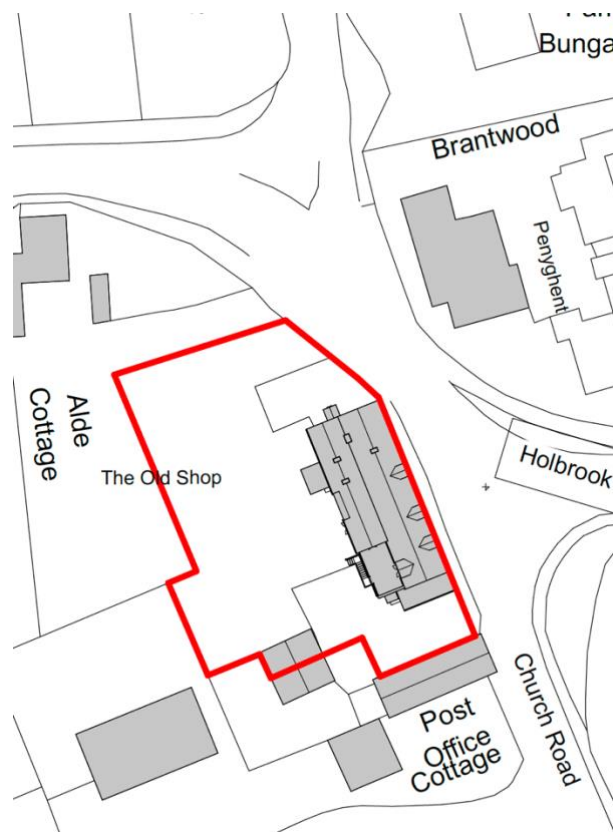


Figure 3.3.1 Site Location Plan

#### 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 falls within the Stutton Neighbourhood Plan, adopted July 2023. The Plan holds statutory status and carries weight in decision making, as part of the Development Plan.
- 4.5 The Development Plan for the Babergh consists of:

#### Babergh and Mid Suffolk Joint Local Plan (2023)

- SP03: The sustainable location of new development
- LP16: Biodiversity and Geodiversity
- LP18: Area of Outstanding Natural Beauty
- LP19: The Historic Environment
- LP23: Sustainable Construction and Design
- LP24: Design and Residential Amenity
- LP29: Safe, Sustainable and Active Transport

#### Stutton Neighbourhood Plan (2023)

- SN9: Stutton Landscape and Settlement Character
- SN13: Conserving and enhancing the Suffolk Coast and Heaths AONB
- SN16: Non-designated heritage sites

#### 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 131 – 141: Achieving well designed places



- Paras 195 – 214: Conserving and enhancing the historic environment

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

## 5.0 Planning History

5.1 Relevant planning history has been alluded to above but the detailed references relevant to this application are summarised below (most recent first):

- B/13/01132: Change of use from dwelling (Class C3) to mixed use as dwelling (C3) and guest accommodation (Class C1), and construction of new hardstanding/turning/parking area in rear garden, as amended by applicant's letter dated 8th January 2014 and attached revised block plan. Granted February 2014.
- B/07/00865: Change of use of land to garden. Permission not required August 2007.
- B/06/00297: Change of use of part ground floor from Class A1 (retail) to Class C3 (residential) to provide additional living accommodation in connection with existing dwellinghouse. Granted May 2006.
- B/04/01169: Change of use of part ground floor from shop to additional living accommodation. Granted August 2004.
- B//01/00747: Construction of vehicular access as amplified by letter dated 14/06/2001. Refused July 2001.
- B//91/00403: outline - erection of single dwelling and construction of new vehicular access to serve Alde cottage as amended by drawing no. 1533/01a received on 03.05.91. Refused May 1991.
- B//90/01599: erection of single-storey rear extension and removal of roof structure over yard area (existing store shed to be demolished). Granted January 1991.
- B//89/00017: alterations to and conversion of existing two storey store to form a residential unit and erection of double garage. Granted March 1989.

## 6.0 Material Planning Considerations

### 6.1 Principle of Development

6.2 The site is within the defined settlement boundary for Stutton and therefore is acceptable in principle, having regard to policy SP03. The proposed development involves a material change to the exterior of a NDHA. On that basis, Point 4 of Policy LP19 applies:

*“4. In order to safeguard and enhance the historic environment, the Councils will have regard (or special regard consistent with the Councils’ statutory duties) where appropriate to the historic environment and take account of the contribution any designated or non-designated heritage assets make to the character of the area and its sense of place. All designated and non-designated heritage assets must be preserved, enhanced or conserved in accordance with statutory tests<sup>31</sup> and their significance, including consideration of any contribution made to that significance by their setting.”*

6.3 At a national level, Paragraph 10 of the NPPF states:

*“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”.*

6.4 The proposal ensures that the NDHA can continue to be used as a high-quality guest accommodation, thus contributing to the local economy, whilst integrating with its surroundings. The proposal ensures that the building is protected and preserved from a maintenance perspective first and foremost, but also visually. The applicant – and local residents and evidenced by the appended letters of support – endorse the works, and it is widely considered to be an enhancement to the village.

6.5 For the reasons set out above, the proposal fully accords with the relevant Local Plan policies and the NPPF. The principle of development is therefore robustly supported at a local and national level. The principle of the proposal is acceptable in this respect, and there is nothing before the LPA to suggest otherwise.

6.6 Heritage

6.7 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. Although the property is not a listed heritage asset, paragraph 209 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

- 6.8 The effect of those statutory provisions is that the desirability of preserving a non-designated heritage asset must be treated as a matter of considerable importance and weight. 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>1</sup>. Policy LP19 of the JLP largely replicates and is consistent with the various policy paragraphs comprising chapter 16 of the NPPF. Policy SN16 of the Stutton Neighbourhood Plan further focuses on how development proposals affecting non-designated heritage assets should be supported by 'an appropriate analysis to enable a balanced judgement to be made on how the proposal seeks to conserve those assets in a manner appropriate to their significance'.
- 6.9 In this case the NDHA that warrants consideration is the property itself; The Old Shop, recognised in Appendix 8 for its historic interest and social and communal value.
- 6.10 The application proposal would provide for the erection of weatherboard cladding to the exterior of the existing property. As such, the physical form of the building in terms of size and scale will not change.
- 6.11 The building is of a simple scale and form and has had significant value within the settlement for a number of years, through its use, rather than its architectural quality. The architectural language and materials palette will continue to replicate and reinforce the coherency of built form in the surrounding area, as it has done for many years. The building has always blended within the locality, and the proposal will continue to retain the streetscene presence which it is considered to hold.
- 6.12 Accordingly, the development would preserve and conserve the built form of the building and therefore the proposal ensures that this historic asset will continue to contribute to the

---

<sup>1</sup> *Jones v Mordue* [2015] EWCA Civ 1243.

character of the area and its sense of place without any harm. The works to the exterior of the property seeks to conserve this NDHA in accordance with Chapter 16 of the NPPF, Policy LP19 of the Joint Local Plan and Policy SN16 of the Stutton Neighbourhood Plan.

6.13 Design and Layout

6.14 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.

6.15 The external appearance of the proposal is intently focused upon key design policies and has regard to the principles set out through Suffolk Design, the Council's Design Supplementary Planning Documents.

6.16 For reasons similar to those above, the proposed development 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 proposal is of a high standard and would assimilate with the appearance of the nearest surrounding residential developments. The overall effect on the visual amenity of the area would be nugatory and certainly not harmful.

6.17 The proposal is therefore acceptable in this regard in accordance with Policies LP23 and LP24 on the Local Plan, paragraphs 131 and 135 of the NPPF and the NDSS. There is little before the LPA to suggest this scheme should be refused upon design and layout grounds.

6.18 Residential Amenity

6.19 Policy LP24 and paragraph 130 of the NPPF seek to protect existing residential amenity but no issues arise in this respect: by virtue of the scale, form, and detailed design, of the building and its siting, there would be no material impact on neighbouring occupiers or any constraint to the existing amenity afforded to the occupiers of the host dwelling.

6.20 Highways

6.21 No other impacts arise recognising the existing lawful use of the site; no amendments to the

existing access are proposed.

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

6.23 Sustainability

6.24 In accordance with policy LP23 and NPPF Paragraph 8, sustainable construction methods will be adopted wherever possible and this includes considerate building practices and the minimisation of waste. The Applicant has also paid regard to wider matters of sustainability and its three objectives – the benefits are modest but no less important.

6.25 Economically, the proposal would generate a benefit for local trade before, during and after construction. The development ensures that the property can continue to be used as a high-quality guest accommodation for visitors, attracting tourism to the area and thus supporting the local economy. Socially, the development will not hinder residential or visual amenity and will not detract from the enjoyment of this historic asset which holds high social and communal value in the local area. Environmentally, there would be no adverse impacts to the Suffolk Coast and Heaths AONB. natural or historic environments and net gains can be secured through the additional planting shown on the Block Plan alongside the provision of electric charging for vehicles.

6.26 The proposal reflects the essence of paragraph 8 of the NPPF, and is therefore considered economically, socially, and environmentally sustainable.

6.27 Ecology and Biodiversity Net Gain ('BNG')

6.28 The site presents no ecological concern on site, but the applicant acknowledges their duty to adhere to the Habitat Regulations 2017. The application can secure modest but positive gains to biodiversity through its planting proposals and the building can incorporate bee/bat/bird boxes within its construction. The application would accord with policy LP16 in that regard.

6.29 There should be no dispute that the application can provide for BNG and the Environment Act 2021 has made a 10% biodiversity net gain mandatory from 12<sup>th</sup> February 2024. However,

this demand for a minimum of 10% can be brought into question in this instance given that small sites are exempt (at least until April 2024). This is due to some application proposals will have very little, if any, identifiable opportunity to deliver such BNG.

6.30 This clearly poses a tension with the JLP and policy LP16. Where the legislation has only been enacted post the adoption of the JLP this surely renders the policy out of date for the purposes of this application.

6.31 Furthermore, the council has in a previous application (LPA ref: - DC/23/04370) recognised that there is no quantifiable metric to measure BNG on householder developments. Nonetheless, a simple planning condition could secure any measures deemed necessary, such as:

- Bird nesting boxes
- Hedgehog nesting boxes
- Bee Bricks

6.32 Whether up to date as a policy or not the application accords with policy LP16, and the NPPF, where BNG has been offered and can be secured.

## 7.0 Planning Balance

7.1 The development finds in-principle favour with the development plan 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 The case of *Corbett*<sup>2</sup> re-emphasised that a key part of the s38(6) statutory duty is to determine whether the development accords with the development plan when viewed as a whole. It has long been recognised by the courts that it is not unusual for development plan policies to pull in different directions and that the decision taker must therefore make a judgement as to whether a proposal is in accordance with the plan as a whole and bearing in mind the relative importance of the policies which are complied with or infringed and the

---

<sup>2</sup> R (*Corbett*) v *Cornwall Council* [2020] EWCA Civ 508

extent of the compliance or breach.

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