



Committee Report

Planning Committee North – 12 December 2023

Application no DC/23/0297/FUL

Location

17 Market Place
Southwold
Suffolk
IP18 6EB

Expiry date 2 April 2023

Application type Full Application

Applicant Howard Market Place Ltd

Parish Southwold

Proposal Change of use of ground floor from former bank (Class E) to 1 no. dwelling (C3)

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1. Summary

- 1.1 The proposed development seeks permission to convert the ground floor from a bank (use class E) to a (class C3) residential use providing open market accommodation.
- 1.2 The application has been referred direct to the Planning Committee (North) by the Head of Planning and Coastal Management, as it is considered the application holds significant public interest and raises detailed matters around the re-use of the building that warrants committee debate.
- 1.3 Whilst the re-purposing of the building to a residential use would not strictly accord with those Development Plan policies related to town centre and commercial uses, in this case there are material planning considerations that indicate in favour of approval. The site would be better served as a residential dwelling as it would deliver significant heritage benefits to the site which have previously been lost. The National Planning Policy Framework (NPPF) states that the more important the asset the greater the weight should

be. In this case the Grade II* listed building is highly significant and therefore the heritage benefits arising should be given considerable weight.

- 1.4 On balance, the development would deliver clear heritage benefit, enhancing the historic interest of the building and resultantly enhancing the Conservation Area. Despite its last commercial use, the building does not present clearly as a commercial premises - and this proposal would see it revert back to its original residential use, prior to being a bank. Although the site is limited to providing only a single parking space, this is considered acceptable in the context of the sustainable town centre location.
- 1.5 The proposal is therefore considered to be acceptable and, despite some policy conflict, in other areas there are significant benefits/positives which combine to indicate that planning permission be granted.

2. Consultees

Consultee	Date consulted	Date reply received
Southwold Town Council	7 February 2023	
<p><i>This response relates to the proposed change of use of the ground floor of 17 Market Place from Use Class E to C3 (residential, a principal residence) and Sui Generis (holiday let). We ask that these two applications be considered together and with the recently filed VOC in order to assess the cumulative impacts of all the proposals since they relate to the same property – the former Lloyds Bank, a Grade II listed building that is an anchoring commercial building on the Market Square in the High Street.</i></p> <p><i>The site is within the Conservation Area, an Existing Employment Area and the AONB.</i></p> <p><i>The two new full planning applications seek to create a small one bedroom flat out of a garage and other commercial space to the rear of the building but without providing any parking provision within the curtilage or on-street.</i></p> <p><i>This small flat is allocated as a principal residence per the SNP. However, this small flat does not have a good amenity standard and its sale as a principal residence would be difficult.</i></p> <p><i>The larger, spacious flat to the front of the building, which could be attractive as a principal residence, is proposed for holiday letting. (If it were not, it would have to be a principal residence under the SNP.) This proposed holiday let does not include any parking provision.</i></p> <p><i>Taking into account cumulative impacts from the previous consent, the proposed VOC and these two new planning applications, 17 Market Place would become four residential units with only two parking places provided on site.</i></p> <p><i>In a video advertisement, available on https://youtu.be/H76Nuzud0rg that appears to have been made after the developer bought the building, the developer makes clear the intention of selling the 1st floor flat (which has always been residential) and the new mews house (previously consented) to holiday let investors.</i></p>		

Although the VOC application does not specifically state that the mews house will be used for holiday letting, the plans describe it as a holiday let. Clarification should be sought from the applicant.

Our response only considers the applicable SNP policies: Policy SWD 3 – Redeveloping Existing Employment Areas for Permanently Affordable Housing; Policy SWD 5 – Holiday Letting; and Policy SWD7 – Parking.

We believe that these policies require refusal.

We have included in Appendix A an analysis of three Inspectorate decisions related to change of use to Sui Generis (holiday letting) to assist the LPA.

One of the decisions – 17 Richmond Road – was used as the basis for developing our holiday let policy.

All three decisions make clear that residential units that are NOT ‘party houses can still have unacceptable amenity impacts – both direct, indirect and cumulative – that justify refusal to grant a change of use to Sui Generis (holiday letting).

*Policy SWD3 - Redeveloping Existing Employment Areas for Permanently Affordable Housing
In essence, this policy permits a change of use within an Existing Employment Area from Use Class E for to market residential only after the applicant has conducted a sustained marketing campaign that complies with Local Plan Policy 8.12. (See SWD3, Paragraph D.)*

Under Paragraph A, before a change of use to market residential is permitted, this policy further requires that the marketing campaign demonstrate that there is no interest in the site for, in preferred order:

- i) solely employment use;*
- ii) a mix of employment and permanently affordable housing;*
- iii) solely permanently affordable housing; or*
- iv) affordable housing delivered by a housing association.*

Marketing for these uses can all be done at the same time but if someone comes forward with a viable preferred offer, then change of use to market residential will not be permitted.

Note that Paragraph 4.16 anticipates that the land value for a preferred use will be lower than market residential.

Paragraphs 4.1 – 4.22 explain the context of this policy and how the hierarchy of preferred uses works.

Since the marketing campaign required by this policy has not been conducted, no change of use to residential is permitted.

Policy SWD5 – Holiday Letting

This is a proposal for new C3 development for holiday letting (sui generis). Under SWD5, this proposal ‘will only be supported’ if all three of the following requirements are met:

- a) Car parking can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking);*
- b) the proposed use would not have an unacceptable impact on the amenities of houses in the immediate locality; and*

c) *the wider effect of the proposal would not be unacceptable taking account of the cumulative and indirect impacts of holiday lets in the town.*

Applying this policy to this application,

a) *these applications result in the loss of one parking space (a garage), without the provision of any other parking on the site. Alternative on-street provision is not possible because no on-street parking is allowed on Mill Lane. Moreover, this is an area of high parking stress where demand for parking in peak times exceeds provision.*

b) *In a non-exhaustive list, Paragraph 4.45 specifies the types of adverse amenity impacts on houses in the immediately locality. It mentions the impacts of visitors to the premises, the proximity to other dwellings, the number of unrelated parties that would be using the premises, etc. In this densely developed site, the impact of numerous transient visitors on a principal residence next door to a holiday let flat (not to mention the other two residential units that the owner has signalled will be sold for holiday let investment) would be unacceptable.*

See Appeal Ref: APP/X3540/W/3240658 37 Pier Avenue, Southwold IP18 6BU. In this appeal, the Inspector considered the impact on neighbours of converting a residence to a holiday let. This required the Inspector to anticipate the adverse impacts with regards only to noise and disturbance since the redevelopment had not yet begun. He concluded that these impacts would be unacceptable. Significantly, this was a much a less dense development (a detached residence backing onto the tennis courts, with garden areas separating it from residences to the east and west) than what is being proposed for 17 Market Place where a principal residence would have holiday let flats next door and potentially above and behind it. In addition, the failure to provide on site parking would have an adverse impact on the amenity of residents of Mill Lane.

c) *The context section set out in Paragraphs 4.38 – 4.46 makes clear that holiday letting in Southwold has reached such a degree that it is making the town unsustainable. Since the evidence base for the holiday let policy was finalised, there has been a further increase in the number of holiday lets stimulated by the Stamp Duty holiday during Covid-19 and the high prices commanded whilst vacationing abroad was not permitted. Any additional increase to the number of holiday lets in the town is unacceptable taking account of the cumulative and indirect impacts of holiday lets in the town.*

See Appendix A for an analysis of Inspectorate decisions relating to holiday letting, especially Appeal Ref: APP/Q0505/C/18/3193261 17 Richmond Road, Cambridge CB4 3PP, dismissed October 2018. This case was the basis for Paragraph c) of the SNP Holiday Let Policy.

Policy SWD7 – Parking

This site is located in Parking Zone 5 (See P. 40, Figure 6.1 Parking Availability and Requirement by Zone in 2016). This is one of 3 zones that are ‘at capacity, or have exceeded their capacity, to provide for the cumulative parking needs of residents, workers and visitors for on-street parking. These zones are considered to be under such parking stress that applications for development in the area of these zones which propose additional on-street car parking to satisfy the requirements of Suffolk Highway Guidance, will be refused unless the applicant can demonstrate that even in periods of peak demand additional take-up of on-street car parking spaces will not contribute to parking congestion. Peak demand is normally highest in August through the Bank Holiday weekend.’ (See paragraph 6.9).

The applicant has not demonstrated this and would not be able to do so given the lack of on street parking in the immediate and surrounding area. See Policy SWD7, Paragraphs A, C and D.

Note that even if the LPA were to consider that there is a public benefit because the proposal helps to preserve a heritage asset, the applicant would still have to comply with Paragraph C, which the applicant cannot do, and also with Paragraph D. Paragraph D requires that if off-street parking (a garage in this application) is eliminated by a proposal, then the applicant must provide a new parking space in Zone 5 to replace what has been lost. This is not possible.

In conclusion, based on the above SNP policies, consent to this application could not be justified.
Appendix A: Analysis of Inspectorate Decisions Relating to Holiday Letting

Note that this analysis is based on research conducted in 2021 at the time of the appeal on 37 Pier Avenue and does not reflect decisions made since then.

Three appeals in Cambridge and Bristol show how Inspectors are implementing Moore's "fact and degree"-based approach. The following key themes emerge:

- House size is not dispositive. The appeals include 13 one-bedroom flats in two modern apartment blocks; a 3-bedroom house in the middle of a terrace; and a 7-bedroom house, one of a pair of Victorian villas.*
- The extent to which an owner occupied the property is significant.*
- Frequency of lettings (transient use) is important. This ranged from 60 short stay holiday lets during a year; 40 days, mostly weekends, during a year; 13 flats in two modern apartment blocks that were being used 80% of the time for short-stay serviced accommodation.*
- Potential impact on amenity was as important as evidence of actual impact – the Inspectors assumed that holiday makers would behave differently than a full-time neighbour because they were on holiday and their occupation of the property was transient.*
- Cumulative impacts were taken into account.*
- The indirect impact on the quality of community was considered important in 17 Richmond Road.*

Appeal Ref: APP/Q0505/C/18/3193261 17 Richmond Road, Cambridge CB4 3PP, dismissed October 2018

The appeal site comprised a three-bedroom house, the middle in a terrace of three houses in a residential neighbourhood in Cambridge. It was let out to a maximum of five guests, not necessarily members of the same family. Its annual occupancy rate for holiday letting was 45%. There were 60 separate stays (mostly of less than five nights) during a 12-month period. The Inspector found that the very frequent turnover of occupants, and the markedly transient pattern of occupancy, were circumstances not normally associated with a dwelling house or even a house in multiple occupation. As a matter of fact and degree, this amounted to a material change of use.

In considering whether the change of use should be granted, the Inspector considered direct and indirect impacts, cumulative impacts and actual and potential impacts. Despite limited evidence of actual amenity complaints -- evidence submitted by a local resident's association only referenced late night 'revelries' during a particular weekend and instances of loud voices and car doors slamming – the Inspector noted that he was required to look to the future and, with a different owner or more lettings, amenity complaints could potentially increase from the comings and goings of guests "at times very different from the lifestyles pursued by the more settled populace and when most residents ought reasonably to be able to expect periods of relative peace and quiet." "[Good] neighbourliness is an important yardstick for assessing a use such as this. Even though there is no evidence of a statutory nuisance, activity associated with people entering or leaving the accommodation, even if this amounted to no more than good natured conversation, together with

vehicles stopping and starting, and the closing of car doors, could well be disturbing to the neighbours whose living conditions would be adversely affected to a significant degree."

The indirect and cumulative impacts resulted from the property's transient users not supporting community facilities and amenities, in particular the local Community Centre, which was likely to extend to other community institutions such as libraries, schools and the like. "The consequences attributable to one property in this respect would probably not amount to much. But, were this to be repeated elsewhere, far from helping to create a sustainable community, the cohesion of the local community could well be eroded. This, in turn, could well make the area a less pleasant place in which to live and would be at odds with the social objective to support strong vibrant and healthy communities contained in The [National Planning Policy] Framework. Nor would it be consistent with the promotion of social interaction advocated in The Framework." (Paras 30-31.) Appeal Ref: APP/F0114/C/18/3217514 – 3 Greenaway Lane, Lyncombe Bath BA2 4LJ, dismissed June 2019

The property was one of a pair of Victorian villas, with 7 bedrooms, used for holiday letting to as many as 17 people. The property had no on-site parking although located in an area where on-street parking was difficult. There was evidence of regular weekly visits by laundry lorries and commercial waste vans to a greater extent than would be expected from a family dwelling. Although the owner claimed to reside in the property when it was not let out, the evidence only supported the suggestion that he occasionally stayed there. The property was advertised as available year-round on a weekly or weekend basis. It was, in fact, let for 40 days in the year, mostly on weekends. There were neighbour complaints over a period of three years of people arriving back from the city centre in taxis late at night and hanging around in the garden chatting in the early hours. The landlord's efforts to control this were not effective, and with more lettings, there was potential for this to become worse. The Inspector wrote: "In my view even a family of only 4 or 5 people are more likely to occupy a dwelling in a different manner when they are on holiday than when they are at home, with a greater potential for comings and goings at anti-social hours, BBQing and eating out in the garden and so on. This impact is made all the greater and the more likely by large groups such as are accommodated here."

The Local Plan's Core Strategy supported facilitating visitor accommodation and resisting loss of dwellings unless the benefit of providing tourism accommodation outweighed the harm of loss of a family dwelling. The Inspector concluded that the actual and potential adverse impacts on amenity, including increased parking pressure, outweighed the tourism benefits.

Appeal A - Ref: APP/Q0505/C/18/3196460 - Notice 1 Flat 3, Roman House (Marino House), Severn Place, Cambridge CB1 1AL, dismissed March 2019 (Appendix 7)

This case involves 13 flats in two modern apartment blocks that were being used 80% of the time for short-stay serviced accommodation. Each flat was occupied by a single person or a couple. The flats were typically let from 3-4 nights per week (as a minimum) up to approximately 10 nights or longer. 77% of the lets were for one to two nights. There were over a thousand different bookings for the 13 appeals flats over an 11-month period from March 2017 to January 2018. Applying Moore, The Inspector concluded that: "Although the uses at Roman House and Florian House cannot be compared exactly with the situation in the 'Moore' case, I consider that the potential for similar impacts on amenity remain the same."

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	7 February 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	7 February 2023	17 March 2023
Summary of comments: Comments included within officers' considerations.		

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	7 February 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	7 February 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	7 February 2023	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	7 February 2023	27 February 2023
Summary of comments: Comments included within officers' considerations.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	7 February 2023	9 March 2023
Summary of comments: Comments included within officers' considerations.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	17 February 2023
Summary of comments: Standard advice provided.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	7 March 2023
<p>Summary of comments:</p> <p><i>"We object to the change of use of the first floor from commercial to residential/holiday let. We are strongly of the view that this should remain a commercial space to aid the re-generation of the High Street.</i></p> <p><i>We also object to the two new full applications for converting two small buildings behind No. 17, one to a holiday let and the other to a principal residence. The latter in our view seems to be of poor amenity standard for a permanent residence and will, we think, be difficult to sell.</i></p> <p><i>There is totally inadequate parking provision to service these new planning applications in an area that has very little available parking space.</i></p> <p><i>The Committee also fully support the detailed response to these applications that has been submitted by Southwold Town Council, we therefore recommend that they are all rejected."</i></p>		

Consultee	Date consulted	Date reply received
Historic England	1 November 2023	20 November 2023
Summary of comments: No objections.		

Re-consultation consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	24 August 2023	31 August 2023
Summary of comments: Comments included within officers' considerations.		

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	24 August 2023	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
Southwold Town Council	24 August 2023	8 September 2023
<p>Summary of comments:</p> <p><i>There are a number of applications for this site. All applications should be considered together - not to be considered as piecemeal applications.</i></p> <p><i>How and where has this premises been advertised as a business premises - and for how long? What enquiries have been received? Has it been realistically and widely marketed as a business premises? The Town Council would wish to see data evidence of the marketing carried out on this premises.</i></p> <p><i>Until such time as evidence of the above has been received the Town Council's original objection as attached still stands.</i></p> <p>REFUSE</p>		

3. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	10 February 2023	3 March 2023	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Conservation Area	10 February 2023	3 March 2023	Lowestoft Journal

4. Site notices

General Site Notice

Reason for site notice: Conservation Area; Listed Building
Date posted: 9 February 2023
Expiry date: 2 March 2023

5. Planning policy

National Planning Policy Framework 2023 (NPPF)

WLP8.19 - Vitality and Viability of Town Centres (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

SWD4 - Principal residence requirement (Southwold Neighbourhood Plan, 'Made' February 2022)

SWD6 - Design (Southwold Neighbourhood Plan, 'Made' February 2022)

SWD7 - Parking (Southwold Neighbourhood Plan, 'Made' February 2022)

6. Site Description

6.1 The ground floor of 17 Market Place lies within the settlement boundary and Neighbourhood Plan Area of Southwold. It also falls within the AONB and the Southwold Conservation Area. At the heart of the town centre, it forms part of the primary shopping frontage which fronts onto the High Street however it does not have a traditional retail frontage. The building is Grade II* listed, once owned and occupied for much of the eighteenth and early nineteenth centuries by the powerful mercantile Robinson family. It became a bank in the mid nineteenth century and fits a pattern of the town's former banks being largely adaptations of substantial townhouses. The early eighteenth-century façade was retained unaltered after the conversion. Lloyds bank vacated the property in 2017 and the ground floor unit has been vacant since.

- 6.2 The building is a fine large merchant's house of c.1716 with a doorcase similar to those of contemporary houses in Spitalfields in London. The bulk of the surviving façades date from the period c.1750-1900 although the fabric behind them may be considerably earlier. These include a group of distinguished early to mid-eighteenth-century classical merchants' buildings which occupy prominent sites on the western side of Market Place, Queen Street, and High Street.
- 6.3 The site has recently had numerous planning applications submitted which includes the conversion of the first two floors from offices to a single residential flat and a wing to the rear also being converted into a residential dwelling under ref. DC/21/0534/FUL and DC/21/0535/LBC.
- 6.4 Originally there were two applications each proposing a single residential unit over the ground floor of the remaining commercial space of the bank with no parking provided. Since then the applicant has revised plans to cover the ground floor with just a single, two bedroom, residential unit and retaining the off road garage space within the garage.

7. Proposal

- 7.1 The proposal seeks to convert the remaining ground floor bank space (Class E) to a single residential (Class C3) permanent dwelling to be sold on the open market.

8. Third Party Representations

- 8.1 Two representations of Objection raising the following material planning considerations:
- Objection to the large car parking gates abutting the neighbouring property;
 - Over development - The overall proposal now includes four new dwellings on the site;
 - Lack of parking - The four dwellings only have two car parking spaces;
 - Disruption to the busy corner junction with Queen Street; and
 - Objection to change of use in primary shopping area to residential.

9. Planning Considerations

Principle of Development

- 9.1 The proposal lies within the primary shopping area of Southwold covered by Policy WLP8.19 - Vitality and Viability of Town Centres. Within Primary Shopping Frontages, proposals to change the use of ground floor premises from use classes A1 retail or A3 cafés and restaurants to other uses will only be permitted where:
- The proposal would not result in a concentration of non A1 or A3 uses in the immediate street frontage;
 - The proposal would not detract from the dominant retail appearance of the street frontage; and
 - The proposal does not involve ground floor C3 residential development or A5 hot food takeaways.

- 9.2 The use classes schedule has been updated since the adoption of this policy and classes A1 and A3 would now fall within class E. However, the same principles can be applied for retail and cafes and restaurants within this new class. The policy however clearly states that proposals to convert ground floor units of either retail or cafes and restaurants to a C3 residential use should not be supported, unless material considerations indicate otherwise. As a bank, the use class was previously A2 before it became class E, which is not restricted by the policy, however should be considered on a similar basis.
- 9.3 The site does not lend itself easily to a commercial use, except for its town centre location. It has no commercial frontage and being a Grade II* Listed Building, any alterations or renovations would have to go through a detailed and comprehensive analysis to ensure it preserves or enhances the heritage asset. This could be a significant financial hurdle to anyone looking for commercial space within Southwold. The premises has also been vacant for approximately six years with no definitive interest in its occupation.
- 9.4 It was raised by Southwold Town Council that a Marketing Strategy was necessary for a 12-month period, in order to determine whether any commercial occupants were willing to take on the property under Policy SWD3 - Redeveloping Existing Employment Areas For Permanently Affordable Housing. However, this requirement only covers Existing Employment Areas designated under policy WLP8.12 - Existing Employment Areas, of the East Suffolk (Waveney) Local Plan and any other extensions covered within Southwold Neighbourhood Plan (p.86). As the site does not fall within an Existing Employment Area, a Marketing Strategy is not necessary, as Policy WLP8.19 - Vitality and Viability of Town Centres does not require one and the Southwold Neighbourhood Plan has no relevant policies covering shopping areas. The Neighbourhood Plan includes additional Employment Areas beyond the Local Plan designations; however, the application site does not fall within a defined employment area. The principle of the change of use to residential is dependent on whether there are other material considerations to support the change of use, further discussed in this report.
- 9.5 The Southwold and Reydon Society initially objected to the principle of the change of use of the ground floor to two flats however later responded to the revised plans on the listed building consent application "The Executive Committee considered the above application and in principle agree to this Change of Use. However, we do question if there is adequate fire safety provision and sufficient off-road parking for this development."

Visual Amenity, Street Scene and Heritage

- 9.6 The NPPF identifies the conservation and enhancement of the historic environment as an important element of sustainable development. Paragraphs 199 and 200 of the NPPF require planning authorities to place 'great weight' on the conservation of designated heritage assets, and states that the more important the asset the greater the weight should be. The statutory duties of The Act and heritage objectives of the NPPF are also reflected in the Built and Historic Environment section of the Local Plan and the Historic Environment SPD.
- 9.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty to have special regard to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of planning functions.

- 9.8 Section 16 of The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess.
- 9.9 The continued commercial use of the ground floor is likely to not have any conservation benefits to the site, as the former use of the building was residential, and the ongoing commercial use is unlikely to require the same layout and detailing as a residential property – which is where the historic interest lies. There would be no particular need, nor desire to remove the suspended ceiling and reinstate a domestic decorative scheme of repair and restoration if the building stayed in a commercial use. It is the East Suffolk Councils Principal Conservation officer's opinion that the enhancements set out in this revised proposal are only likely to be accrued through a residential conversion due to the needs of a commercial business that would not be compatible with the building alterations proposed here. There is therefore a strong conservation case in returning the site back to a residential use.
- 9.10 The likely original layout of the central hallway flanked by two principal public rooms will be reinstated and this is a significant benefit. This would unlikely be able to occur if a commercial use was retained. A commercial use would most likely retain the existing open plan layout providing no heritage benefit and perpetuate the great harm caused by later layout and fabric changes effected by the bank use of the building.
- 9.11 The proposal includes internal works such as lining out the interior face of the north wall of the kitchen/dining room, repairs and reinstatement to skirtings, architraves, reveals and panelling across this floor, remove the suspended ceiling across the entire ground floor, to infill the existing arched opening and reinstate the partition line to full enclose the entrance hall, reinstate the cornice to the full extent of the reinstated entrance hall, doors to the dining room/snug and bathroom will be replaced, as will their architraves, internal detailing of the dining room will be retained and repaired, restore the pilasters flanking the fireplace and their capitals to the kitchen/dining room and a fireplace to be reinstated.
- 9.12 All of these alterations have been assessed by the East Suffolk Conservation Team who agree subject to further details the alterations enhance the special interest of the heritage asset. Historic England were consulted and initially raised concern over the position of the new walls to the east and south of the staircase not being in an original location missing an opportunity to improve the layout of the building. However, since then after a discussion with the planning officer and Principal Conservation Officer, Historic England have withdrawn their concerns as it has been shown that these new walls have already been granted consent in previous applications and that the exact position of the original walls is difficult to determine.
- 9.13 Paragraph 197 of the NPPF requires LPAs in determining applications to take account of the desirability of enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. The scheme would substantially enhance the significance of this Grade II* listed building through a scheme of layout, decorative and detailed reinstatement consistent with its importance as a Grade II* heritage asset, being in the top eight percent of listed buildings.

- 9.14 The proposal provides a conservation-led scheme that provides substantial enhancement to the benefit of the heritage asset's conservation and that there will be no harm arising, thereby.
- 9.15 Paragraph 199 of the NPPF, states that great weight should be given to a designated heritage asset's conservation when considering proposed development that impacts it. It goes on to state that the more important the asset - as here - the greater the weight should be. Thus, very great weight should be attached to the conservation of No.17 Market Place.
- 9.16 The relevant heritage considerations are stated within the NPPF (2021), Section 16: 'Conserving and enhancing the historic environment', Paragraphs 184 - 202. The heritage statement includes all relevant information in regard to the site and satisfies the requirements of Paragraph 194 of the NPPF (July 2021). The scheme complies with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve the listed building's special interest and the Southwold Conservation Area's character and appearance free from harm. NPPF paragraphs 201 and 202 are not here engaged.

Residential Amenity

- 9.17 The proposed change of use to residential does not require significant external alterations to the building in order to be habitable. Therefore, the proposal would not lead to any significant loss of light, or sense of oppression to neighbouring properties. Due to the ground floor nature of the site, it would also not lead to any overlooking or loss of privacy to neighbours. Overall, the scheme would not cause any significant harm to the residential amenity of neighbours. Living conditions for future occupiers will be to a good standard.
- 9.18 The parking gates objected to by the neighbour have already been agreed on a previous application and the principle of them has already been established.

Landscaping/Trees

- 9.19 The scheme does not require the removal of any trees or any substantial landscaping.

Parking and Highway Safety

- 9.20 Since the original submission of this application alongside a separate application for a further dwelling, alterations have been made to cover the entire ground floor with a single residential unit and provide an off-road car parking space. Therefore, the overall scheme has changed from two new units with no parking to a single unit with one space.
- 9.21 The site currently contains a garage accessed off Mill Lane to the side of the property. This is to be retained as the only off-road car parking space for the two-bedroom property. Under Neighbourhood Plan Policy SWD7 - Parking, and Policy WLP8.21 - Sustainable Transport, of the local plan, recommends that development proposals that create a demand for vehicle parking should meet the requirements of the Suffolk Highways Guidance 2019. The Suffolk Highways Guidance 2019 recommends that a two-bedroom flat should have a minimum of two car parking spaces however a reduction in this figure may be considered with robust highway mitigation.

- 9.22 The site lies within the heart of Southwold with all the required amenities of a family within walking distance. Any person occupying the property would have to accept that there is no additional space for parking and no available on street parking and therefore would be limited to one car.
- 9.23 Due to the location of the site in a highly sustainable position within the town centre, the provision of a single space is acceptable in this case as the new residential unit could easily be occupied without the need for multiple vehicles.

Ecology

- 9.24 The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Stour and Orwell Estuaries SPA/Ramsar, Sandlings SPA, and Deben Estuary SPA/Ramsar) and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites) arising from new residential development. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above European sites from recreational disturbance, when considered 'in combination' with other development.

Principle Residency

- 9.25 Policy SWD4 - Principal Residence Requirement, states that proposals for all new housing will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a Principal Residence. Therefore, as this is a new residential dwelling, a condition will be added to any decision to restrict the habitation of the unit to be occupied as the sole or main home of its occupants.

10. Conclusion

- 10.1 In conclusion, whilst the proposal appears to be contrary to the aims and objectives of Policy WLP8.19 - Vitality and Viability of Town Centres, as it includes the change of use of a ground floor commercial unit to residential use within a primary shopping frontage. However material planning considerations indicate that the site would be better served as a residential dwelling as it would deliver significant heritage benefits to the site which have previously been lost. The NPPF states that the more important the asset the greater the weight should be. In this case the Grade II* listed building is considered very important and therefore the heritage benefits should be given considerable weight.
- 10.2 On balance the development would deliver clear heritage benefits which could not be gained from elsewhere within Southwold, enhancing the historic interest of the building and enhancing the Conservation Area. The building is not a clearly commercial building in appearance and would revert back to its original residential use prior to being a bank. Although the site is limited to a single parking space this is considered acceptable in the context of the sustainable town centre location.
- 10.3 Subject to receipt of RAMS payment, the proposal is considered to be acceptable because there are clear material considerations in favour of the proposal that outweigh the conflict with WLP8.19.

11. Recommendation

11.1 Approve, with conditions as below.

12. Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 1206-P01, 1101-P01 and 1404-P01 received 24/01/2023, 5842-1401-P02, 1402-P02 and 1403-P04 received 24/08/2023 and 5842-0100-P01 received 25/08/2023 for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

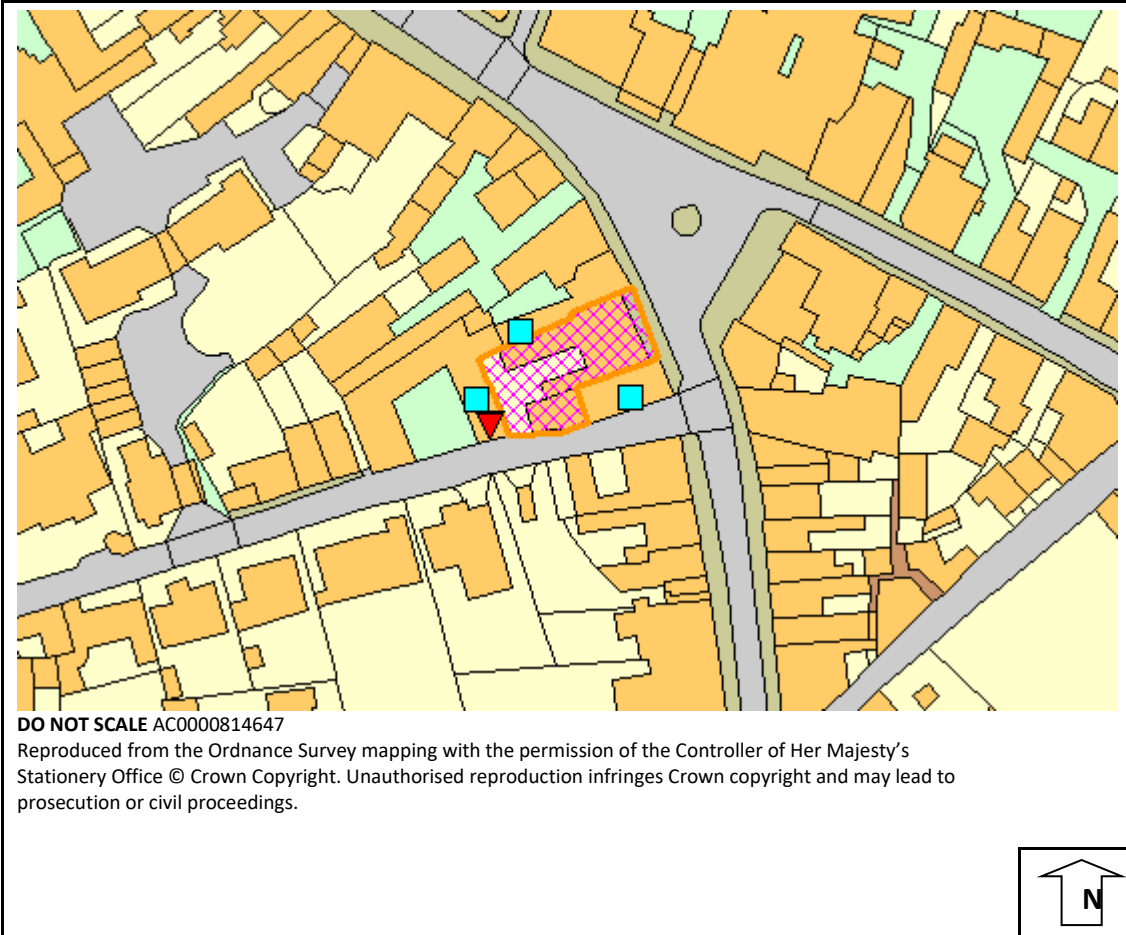
4. The ground floor flat permitted shall not be occupied otherwise than by a person as his or her only or Principal Home. For the avoidance of doubt the dwelling shall not be occupied as a second home or holiday letting accommodation. The Occupant will supply to the Local Planning Authority (within 14 days of the Local Planning Authority's written request to do so) such information as the Authority may reasonably require in order to determine whether this condition is being complied with.

Reason: To safeguard the sustainability of the settlements in the Southwold NP area, whose communities are being eroded through the amount of properties which are not occupied on a permanent basis and to ensure that the resulting accommodation is occupied by persons in compliance with policy SWD4 of the Southwold Neighbourhood Plan.

Background information

See application reference DC/23/0297/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support