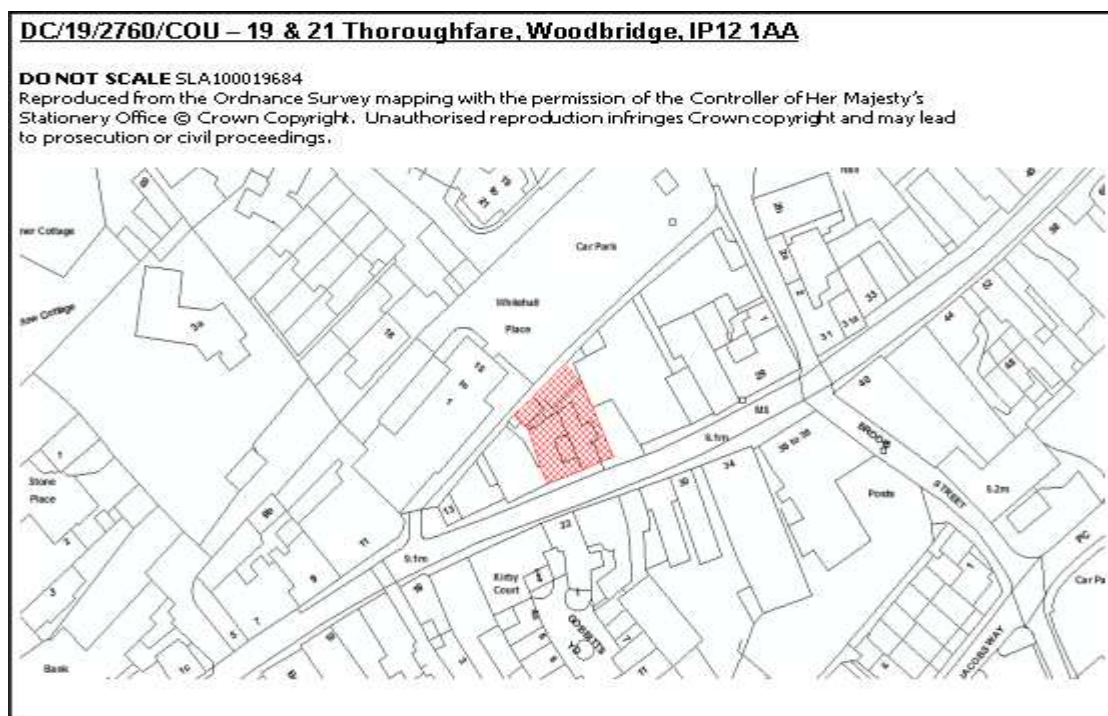


PLANNING COMMITTEE SOUTH – 24 SEPTEMBER 2019

APPLICATION	DC/19/2760/COU
EXPIRY DATE	4 October 2019
APPLICATION TYPE	Minor (Change of Use)
APPLICANT	Mr Wright
ADDRESS	19 & 21 Thoroughfare, Woodbridge, IP12 1AA
PROPOSAL	<p>Change of use for No.19 from A1 Shop to A3 Restaurants & Cafes. Internal alterations to No.19 & No.21 including:</p> <ul style="list-style-type: none">- Removal of ground floor wall between No.19 & No.21 - Creation of two new toilets for customers in No.21, including an accessible toilet - Creation of new door opening at No.19 to improve accessibility for staff;- Raise ground floor- floor level in No.21 - Creation of new steps between different floor levels in No.21;- External alterations to the shop frontage of No.21 and side window and door. New continuous signage to No.19 & No.21.
CASE OFFICER	<p>Grant Heal 01394 444779 grant.heal@eastsuffolk.gov.uk</p>



1. EXECUTIVE SUMMARY

- 1.1. Planning permission is sought for the change of use from A1 (Retail) to A3 (Restaurant), along with external alterations and new signage at 19 and 21 Thoroughfare, Woodbridge. Other internal alterations are also proposed; albeit, these elements will be considered as part of an associated application for Listed Building Consent, as do not specifically require planning permission. An associated application for advertisement consent has also been received and consented in relation to proposed signage (reference DC/19/2808/AND).
- 1.2. The application is at committee as contrary to 'saved' Policy AP257 (Woodbridge Town Centre: Prime shopping area); which seeks to resist the change of use from retail to other non-retail uses at ground floor level within the high street. Notwithstanding, this policy is considered both out of date and out of touch with the current NPPF and other policies of the adopted and emerging local plan, in-light of the evolving function of town centres.
- 1.3. Officers therefore conclude the application would result in the enhancement of Woodbridge town centre, towards prolonging its vitality and long-term viability. It would also increase the number of full time employees towards providing additional support to the wider community and local economy.
- 1.4. Proposed physical changes are also found to both protect and enhance the special interest of the listed building and Conservation Area. The nature of the site's existing use, including the preparation and sale of hot food, and the existing café use presently operating within no.21, also means it would be unlikely that any adverse impact would result on neighbouring residents.
- 1.5. The application is therefore recommended for approval, subject to appropriate conditions, as set out below.

2. SITE DESCRIPTION

- 2.1. The application site is a Grade II listed three-storey end-terrace block containing The Cake Shop Bakery and Fire Station Coffee Shop; positioned in a side-by-side arrangement behind a modern shopfront at ground floor level.
- 2.2. The above storeys currently comprise floor space associated with the Cake Shop (above no.19) and a residential dwelling above no.21 (The Fire Station). The building is early C19th in origin and retains a reasonable degree of integrity with original red brick and sash windows visible on the principle and side elevation above first floor level.
- 2.3. A gable end with arched window at ground floor level is also visible on the exposed side elevation; which is rendered white to first floor level and extends back from the host building as a more recent one-and-a-half storey extension. The proximity of built form to the rear of the property results in a narrow alleyway where at least two doors provide secondary access into the property.
- 2.4. The site fronts the Thoroughfare; Woodbridge's principal shopping street where, in a period of prosperity in the early C20th, many buildings have been rebuilt and shopfronts updated. The adopted conservation area appraisal (2011) fails to mention the application

site specifically but does refer to the street as a 'remarkable and enjoyable linear space' (p70).

3. PROPOSAL

- 3.1. The application seeks to change the property's use from A1 (Retail) to A3 (Restaurant), which would be facilitated via a number of internal and external alterations. The thrust of the proposal is the conjoining of the existing side-by-side café and bakery businesses into a 'food hub' that will create a single internal space at the ground floor front, an integrated single shopfront.
- 3.2. Externally, the proposal includes:
- the removal of existing shop door and window frontage to no.21;
 - the installation of 3 new windows into no.21 to match the style and materials at no.19 with a plinth build-up;
 - a new stall-riser to no. 21 to be clad in matching green tiles to those existing at no.19;
 - new fascia mounted signage across the façade via a new non-illuminating sign in black timber boarding with white type;
 - replacement of the ground floor flank arched window with a single pane window; and,
 - a new external door at ground floor rear for w.c. access.
- 3.3. The officer notes that proposed internal alterations do not specifically require planning permission and therefore a separate application for Listed Building Consent has been submitted for these works. An associated application for advertisement consent has also been received and consented in relation to proposed signage (reference DC/19/2808/AND).

4. CONSULTATIONS/COMMENTS

- 4.1. **Woodbridge Town Council:** *'We recommend approval'.*

Non-statutory Consultees

- 4.2. **East Suffolk Council Head of Environmental Services:** No objections subject to consideration of appropriate conditions concerning noise and odour, as set out below.

Third Party Representations

None received.

5. PLANNING POLICY

- 5.1. On 1 April 2019, East Suffolk Council was created by parliamentary order, covering the former districts of Suffolk Coastal District Council and Waveney District Council. The Local Government (Boundary Changes) Regulations 2018 (part 7) state that any plans, schemes, statements or strategies prepared by the predecessor council should be treated as if it had

been prepared and, if so required, published by the successor council - therefore any policy documents listed below referring to "Suffolk Coastal District Council" continue to apply to East Suffolk Council until such time that a new document is published.

- 5.2. Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.3. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that works effecting a listed building, including the alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, must be authorised by granted consent.
- 5.4. The Suffolk Coastal District Local Plan - Core Strategy and Development Management Development Plan Document has been adopted and forms part of the Development Plan. It was adopted in July 2013. Upon its adoption a number of the policies within the pre-existing Suffolk Coastal Local Plan were 'Saved,' and others were superseded or abandoned.
- 5.5. In addition to the NPPF, the Development Plan for the District currently consists of:
 - East Suffolk Council Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013);
 - Suffolk Coastal Local Plan 2019 (Examination in public Summer-Autumn 2019);
 - East Suffolk Council Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document (Adopted January 2017);
 - The 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.
- 5.6. The relevant policies of the Suffolk Coastal District Local Plan – Core Strategy and Development Management Development Plan Document (Adopted July 2013) are:
 - SP1 – Sustainable Development
 - SP1A – Presumption in Favour of Sustainable Development
 - SP9 - Retail Centres
 - SP15 – Landscape and Townscape
 - SP19 – Settlement Policy
 - SP26 – Woodbridge
 - DM12 – Expansion and Intensification of Employment Sites
 - DM21 – Design (Aesthetics)
 - DM23 – Residential Amenity
- 5.7. The relevant policies of the East Suffolk Council Suffolk Coastal District Local Plan – Site Allocations and Site Specific Policies Development Plan Document are:
 - SSP2 – Physical Limits Boundaries
- 5.8. The relevant policies of the 'Saved' Policies of the Suffolk Coastal Local Plan incorporating the first and second alterations.

AP56 (Town Centre)

AP257 (Woodbridge Town Centre: Prime Shopping Area)

- 5.9. The new Local Plan (covering the former Suffolk Coastal area) was submitted to the Planning Inspectorate (PINS) for examination on Friday 29 March 2019, the Examination took place between 20th August and the 20th September 2019. Full details of the submission to PINS can be found through this link: www.eastsuffolk.gov.uk/localplanexamination .

6. PLANNING CONSIDERATIONS

Principle of Development

- 6.1. The site falls within the defined physical limits (SSP2) of Woodbridge (SP26), as identified within SP19 (Settlement policy) of the Suffolk Coastal District Local Plan Core Strategy and Development Management Policies Document (July 2013).
- 6.2. It is also subject to saved policies AP56 (Town Centre) and AP257 (Woodbridge Town Centre: Prime Shopping Area) as the main focus for new shopping, commerce, entertainment, leisure, health and community uses. Notwithstanding, AP257 observes that *'changes of use of shops to non-shopping uses will not be permitted'* at ground floor level.
- 6.3. The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 3, Class C (retail, betting office or pay day loan shop or casino to restaurant or café) permits the change of use of a building from a use falling within Class A1 (Retail) to a use falling within Class A3 (Restaurant) subject to certain provisions which would otherwise preclude such rights, including where the change of use would effect land or buildings that are listed or fall within the curtilage of a listed building.
- 6.4. The Cake Shop (no.19) is a bakery selling a range of fresh baked goods, while The Fire station is a coffee house serving freshly ground coffee from an on site roastery. The Fire Station also already benefits from an A3 Use Class; following approval of application DC/14/1412/FUL for the *'Change of use of retail shop to café, and alterations to form new double door opening in side elevation'*.
- 6.5. Given the changing nature of the town centre retail areas, officers consider policy AP257, being from the early 1990s, as both out of date and at odds with the modern function of town centres, as recognised by the NPPF and trajectory of emerging policy within the new local plan, including SCLP4.9 (Development in town centres); which seeks to support non-A1 uses within primary shopping areas at ground floor where they would help to sustain A1 uses and enhance the retail offer.
- 6.6. Indeed, in the view of officers, the aim of Policy AP257 was to keep uses which do not have active ground floor frontages, such as estate agents and banks, outside the main shopping area to avoid it being over-run by such uses. Nevertheless, since the policy's adoption, the public's shopping habits have changed and continue to evolve, such that visits to cafes form part of the shopping experience and principle trade draw of town centres. Furthermore, the proposal would also still serve an A1 retail function, albeit with a proportionate restaurant concession.

- 6.7. With the above in-mind, the officer finds the proposal would accord with other more recent policies of the adopted development plan, including SP9 and SP26, and the NPPF; all of which promote the enhancement of town centres towards prolonging their vitality and long-term viability. The proposed increase in the number of full time employees from eight (current) to ten, would also help to provide additional support to the wider community and local economy.
- 6.8. Similar proposals have also been granted in prime shopping areas, including elsewhere in Woodbridge, which have generally served to increase footfall and prolong visits to the town centre. Such has been the view of many Planning Inspectors when considering appeals for similar establishments. It is therefore considered that, in principle, the proposed change of use could be found acceptable.
- 6.9. Furthermore, the officer considers that the nature of the site's existing use, including the preparation and sale of hot food, and the existing café use presently operating below no.21, it is unlikely that any adverse impact would result on neighbouring residents as required by DM12 (Expansion and Intensification of Employment Sites) and DM23 (Residential amenity).

Design and Heritage

- 6.10. In consultation with the Council's Principal Design and Conservation Officer, the proposed removal of the existing shop door and window frontage to no.21 will not harm the character or historic fabric of the building since these are not historic features and their removal is therefore unobjectionable.
- 6.11. The installation of three new windows into no.21 to match the style and materials at no.19 is also judged to be acceptable, since this will visually unify the shop frontage across the full width of the building. Similarly, a new stall-riser to no. 21 will be clad in green tiles to match those existing at no.19, which will further unify the shop frontage to the benefit of the street scene and wider conservation.
- 6.12. Proposed fascia mounted signage will serve to further unify the façade with a new non-illuminating black timber board with white type. While the existing sign and shopfront arrangement are unobjectionable, the unifying effect of the new sign is viewed as an overall enhancement, subject to appropriate detailing which could be sought via an appropriately worded condition.
- 6.13. Replacement of the ground floor flank arched window with a single pane window is judged to be an unsympathetic change, given the existing window's attractive and traditional design. This proposal has therefore been omitted from the original scheme.
- 6.14. The proposed ground floor door to serve access to a new W.C would be visually contained and would not detract from the building's historic character. As such, this proposal is acceptable subject to appropriate detailing.
- 6.15. With the above in mind, the officer therefore finds the proposed physical changes would both protect and enhance the special interest of the listed building and the conservation area, as required by The Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and policies SP15 and DM21.

- 6.16. With regard potential impacts from the proposed change of use on the conservation area's character, the officer considers that the overall effect will be neutral since the building's ground floor function will be very similar to the existing arrangement.

Conclusion

- 6.17. The officer concludes that the proposed change of use and works to the external fabric of the building would both protect and enhance the special interest of effected heritage assets, including host building and Conservation Area, while diversifying the town centre's function for modern use, towards safeguarding its vitality and long-term viability.

7. RECOMMENDATION

- 7.1. **APPROVE** subject to the following 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 not be carried out other than in complete accordance with the following approved drawings:

- A02-09A (Proposed plan and elevations);
- 19/11158-03 B (Proposed ground floor plan sections and details);
- A01-01 (Location plan);
- A02-08 (Existing plans and elevations).

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

3. The working hours in connection with the use hereby permitted, shall not be other than between 7am and 6pm daily, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity and the protection of the local environment.

4. Proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation.

Reason In the interests of amenity and the protection of the local environment.

5. Prior to the installation of any plant or machinery (e.g. compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) a Noise Assessment based on BS4142:2014 shall be submitted to and approved by the Local Planning Authority.

The report should include information on all proposed plant and machinery based on a rating level (LAeq) of at least 5dB below the typical background (LA90). Where the rating

level cannot be achieved, proposed noise mitigation measures should be explained and the achievable noise level should be identified and justified.

Reason: To avoid noise nuisance in the interests of residential amenity

6. All construction activities, including demolition and deliveries/collections to and from site will only take place within the following hours unless otherwise approved by the Local Planning Authority:
- Monday - Friday: 7.30am - 18.00pm;
 - Saturday : 8:00am - 13.00pm;
 - Sundays/Bank Holidays: None.

Reason: To avoid noise nuisance in the interests of residential amenity

7. Prior to the installation of any plant or machinery (e.g. compressors, extractor systems, fans, pumps, air conditioning plant or refrigeration plant) an Odour Assessment shall be submitted to and approved by the Local Planning Authority. The report should detail proposed measures to ensure that neighbouring residential properties are not adversely affected by odour from any proposed kitchen extract system. The report shall specifically make reference to:
- i) The proposed filtration plant;
 - ii) Its ducted route through the building, and;
 - iii) Its final discharge point [1 metre above roof level].

The methods proposed should be in accordance with the latest guidance e.g. Control of Odour and Noise from Commercial Kitchen Exhaust Systems-An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be retained thereafter.

Reason: To avoid odour nuisance in the interests of residential amenity.

Background Papers: DC/19/2760/COU, DC/19/2761/LBC and DC/19/2808/AND