



## Committee Report

### Planning Committee North – 11 January 2022

Application no DC/21/4295/FUL

**Location**

3 Trinity Street  
Bungay  
NR35 1EQ

**Expiry date** 21 November 2021

**Application type** Full Application

**Applicant** c/o Suffolk Life

**Parish** Bungay

**Proposal** Change of use from offices B1 to residential C3 and removal of commercial advertising sign from frontage

**Case Officer** Iain Robertson  
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#### 1. Summary

- 1.1. Planning permission is sought for the Change of use from offices to residential (use class C3).
- 1.2. This application is accompanied by an application for Listed Building Consent DC/21/4296/LBC for the alterations specified, of which is being determined under delegated powers.
- 1.3. The application is presented to members following referral by the Referral Panel in order that the objection from Suffolk County Council Highways Authority can be discussed in further detail.
- 1.4. It is recommended that planning permission is granted.

## 2. Site description

2.1. The building is situated within the Bungay Conservation Area and is a Grade II listed building. The site is within the defined settlement limits and Town Centre Boundary for Bungay.

2.2. The building is described as follows by Historic England:

*"18th century, 2 storeys and attic, 1 dormer, red brick, 5 windows and 2 painted dummies. Parapet with rendered cope, plinth, pantiles. Sash windows with glazing bars and flush frames, flat arches. Lead rainwater heads. No. 1, 6-panel door in wood Doric case. No. 3, 6-panel door, panelled reveals, fluted pilasters, frieze with swag enrichment and centre medallion head. Nos. 1 to 19 (odd) form a group".*

2.3. The building was previously occupied as a solicitor's office since planning permission was granted for the change of use from residential in 1988 Ref: W7442/3.

2.4. The site is outside the Primary Shopping Area and the Primary and Secondary shopping frontages as defined on the Local Plan policies maps.

## 3. Proposal

3.1. Planning permission is sought for the Change of use from offices B1 to residential C3.

3.2. The proposal includes no demolition or changes to the historic fabric of the building and utilises all elements of the existing building for the change of use. It is intended to simply re-use all existing rooms and allow for a 4-bedroom dwelling in place of what was office space.

3.3. To the rear is an area of outside space which would be utilised as a courtyard garden area, where there is space for cycle storage utilising a shared access route.

## 4. Consultations/comments

4.1. No third-party representation received.

### Consultees

#### Parish/Town Council

| Consultee                            | Date consulted    | Date reply received |
|--------------------------------------|-------------------|---------------------|
| Bungay Town Council                  | 29 September 2021 | 18 October 2021     |
| Summary of comments:<br>No comments. |                   |                     |

## Statutory consultees

| Consultee  | Date consulted | Date reply received |
|--|----------------|---------------------|
| SCC Highways Department  | 8 October 2021 | 10 November 2021    |
| Summary of comments:<br><br><i>Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:</i><br><br><i>The proposal would see an increase on parking demand in an area where such demand cannot be safely accommodated on the public highway. This could therefore result in unsafe and inappropriate parking on the public highway. This would be in contradiction to NPPF paras. 108, 111, 112c, 112d &amp; 112e.</i><br><br><i>For a 4+ bedroom dwelling, Suffolk Guidance for Parking (2019) states that at least 3 car parking spaces should be provided along with 2 secure, covered cycle spaces. In some locations, a slight reduction in parking requirements can be considered based on the relative sustainability of the location.</i><br><br><i>This includes factors such as proximity to local shops, services, public car parks and regular local transport links.</i> |                |                     |

## Non statutory consultees

| Consultee                             | Date consulted | Date reply received |
|---------------------------------------|----------------|---------------------|
| East Suffolk Environmental Protection | 8 October 2021 | 26 October 2021     |
| Summary of comments:<br>No comment    |                |                     |

| Consultee  | Date consulted    | Date reply received |
|--|-------------------|---------------------|
| East Suffolk Design and Conservation                           | 29 September 2021 | 19 October 2021     |
| Summary of comments:<br>Internal - Comments included in report |                   |                     |

## 5. Publicity

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

| Category          | Published      | Expiry          | Publication                |
|-------------------|----------------|-----------------|----------------------------|
| Conservation Area | 8 October 2021 | 29 October 2021 | Beccles and Bungay Journal |

| <b>Category</b>   | <b>Published</b> | <b>Expiry</b>   | <b>Publication</b> |
|-------------------|------------------|-----------------|--------------------|
| Conservation Area | 8 October 2021   | 29 October 2021 | Lowestoft Journal  |

## Site notices

General Site Notice

Reason for site notice:

Conservation Area

Listed Building

Date posted: 7 October 2021

Expiry date: 28 October 2021

## 6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 6.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
  - WLP1.1 - Scale and Location of Growth
  - WLP1.2 - Settlement Boundaries
  - WLP8.18 - New Town Centre Use Development
  - WLP8.21 - Sustainable Transport
  - WLP8.29 - Design
  - WLP8.37 - Historic Environment
  - WLP8.39 - Conservation Areas

## 7. Planning considerations

### Principle:

- 7.1. Policy WLP1.2 highlights that settlement boundaries define the built-up area of settlements, and subject to the other policies of this Local Plan, indicate where development for housing, employment and town centre development would be suitable.
- 7.2. Policy WLP8.18 - "New Town Centre Use Development" should be read in conjunction with the policies maps which highlight the Town Centre Boundaries and Primary Shopping Areas. This policy highlights where town centre uses (falling within use classes A1, A2, A3, A4, A5, C1, D2 and B1a) should be focused.

- 7.3. To help support the vitality and viability of town centres the National Planning Policy Framework states that local plans should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations. Town Centre Boundaries and Primary Shopping Areas are defined by Policy WLP8.18. Primary frontages are where most shops are concentrated. Secondary frontages have a greater mix of uses including banks, building societies, estate agents, pre-schools, restaurants and cafés. The Framework also promotes town centres which provide customer choice and a diverse offer of retail and services.
- 7.4. Policy WLP8.19 "Vitality and Viability of Town Centres" seeks to control changes of use within town centres and sets out the uses which are appropriate within primary shopping frontages and secondary frontages to maintain the vitality and viability of town centres. In primary shopping frontages the policy aims to ensure a dominant retail appearance which supports high levels of footfall.
- 7.5. There is therefore no control over the use of buildings outside of Primary and Secondary areas, therefore the principle of residential use in such areas is acceptable, being in the town centre and sustainably located. There is no Local Plan policy protection to retain the office use.
- 7.6. This is an historic former residential property and it was used for residential purposes until the late 1980's. In terms of its historic purpose and integrity this is a positive future use and it is in the building's interest to see it occupied with a use which will invest in its preservation.

Transport:

- 7.7. Policy WLP8.21 - "Sustainable Transport" highlights that development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities.
- 7.8. There is no allocated off-street parking associated with this property. The agent has highlighted that *"the land to the rear of hardstanding is owned privately by a landowner of Trinity Court, Trinity Street and is not highways owned. Our client has the right to pass both on foot and vehicles over the land to essentially access the rear, this is also said vehicles can stand on the land for a reasonable time and of that not to impact the landowner"*.
- 7.9. The occupants would be reliant on the use of the limited-on street parking available on Trinity Street which is available on a first come first served basis. The Highways Authority have recommended refusal of this application suggesting that the proposal would see an increase in parking demand in an area where such demand cannot be safely accommodated on the public highway and have suggested that the proposal could therefore result in unsafe and inappropriate parking on the public highway.
- 7.10. There are double yellow lines in place outside of the property to prevent parking on the highway in this location, safe loading and unloading could take place in the bay opposite or the area to the rear of the property.

- 7.11. The demand for parking from the previous use as an office building would have been significantly greater; it has been suggested that the previous tenant had 10 staff. Although it is appreciated that the parking requirements of an office to a residential property are different as they would not be required over a 24-hour period, the lack of off-street parking would be evident to future purchasers or occupiers.
- 7.12. Although the property was built before cars existed it would appear that it was occupied as a residential dwelling until the late 1980's and for many decades it is likely that it would have included residential car ownership. However, since then ownerships of land to the rear may have changed and a one way system has been introduced in the town causing all south bound traffic to pass this property.
- 7.13. Other similar properties in the vicinity such as the properties either side at Nos. 1 and 5 and those nearby such as 13, 15 and 17, similarly have no off-street parking and no doubt there are other examples within and around the Town Centre.
- 7.14. In the view of officers, the lack of parking, in a relatively sustainable market town location, would not in itself result in an unacceptable impact on highway safety which is the test required by Paragraph 111 of the NPPF to refuse on highways grounds.
- 7.15. As previously mentioned, covered and secure cycle storage will be provided to ensure that other more sustainable transport options are available to occupiers as is encouraged by Policy WLP8.21.
- 7.16. Furthermore, details of bin storage will also be required by condition to ensure that there is no conflict with users of the highways.
- 7.17. With these conditions the development proposal is acceptable in highways and sustainable transport terms.

Heritage:

- 7.18. The proposed change of use would have no impact on the significance of the Bungay Conservation Area. Matters relating to minor alterations to the Listed Building itself are dealt with by the accompanying application for Listed Building Consent Ref: DC/21/4296/LBC, of which a decision is pending awaiting the outcome of this application.
- 7.19. The re-use of this building will bring the building into a viable new use which will safeguard this heritage asset for the future. The proposal therefore accords with Local Plan Policy WLP8.37 "Historic Environment and WLP8.39 " Conservation Areas".

Amenity of occupiers:

- 7.20. Policy WLP8.29 requires that proposals provide a good standard of amenity for future occupiers of the proposed development. Historically this building would have been used for residential purposes, the site provides a courtyard style garden, although small for the size of the property it is not unusual for a town centre location. It is considered that the standard of amenity for future occupiers would be acceptable.

## **8. Conclusion**

- 8.1. The site is situated within the settlement boundary of Bungay where housing is generally considered to be acceptable. The property is outside of the primary and secondary shopping frontages. As there are no policies specifically controlling the change of use of buildings outside of these areas it is considered that the principle of change of use to residential use would not have a detrimental impact on the vitality and viability of the town centre as required by Policy WLP8.18.
- 8.2. Given that the previous use of the building generated a greater demand for car parking than the proposed use and that the site is situated within a Town Centre location within easy reach of everyday services and facilities, the lack of off-road parking associated with this property it is not considered to result in an unacceptable impact on highway safety.
- 8.3. Furthermore, due to the Listed status of the property, there are limited other uses that this building could feasibly be put to. Given that it has historically been laid out as a residential property and used in that way until its change of uses to offices in 1988 it is considered reasonable that it should return to this use.
- 8.4. Areas for loading and unloading would be available to future occupiers of the property who would be aware of the limitations of the site for off street parking. Facilities for the storage of cycles would be provided. It is considered that the proposal would accord with Policy WLP8.21 and the NPPF.
- 8.5. The proposal would provide a long-term viable use for the building which would safeguard this heritage asset as encouraged by Policy WLP8.37 and the NPPF.

## **9. Recommendation**

- 9.1. Approve.

## **10. 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 drawing nos. 20-001, 20-004 and 20-005 received 14 September 2021, 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. Prior to the commencement of the development details of the areas to be provided for secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking 2019.

4. Prior to the commencement of the development details of the areas to be provided for the storage and presentation of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that adequate facilities for storage are provided in the interest of highway safety.

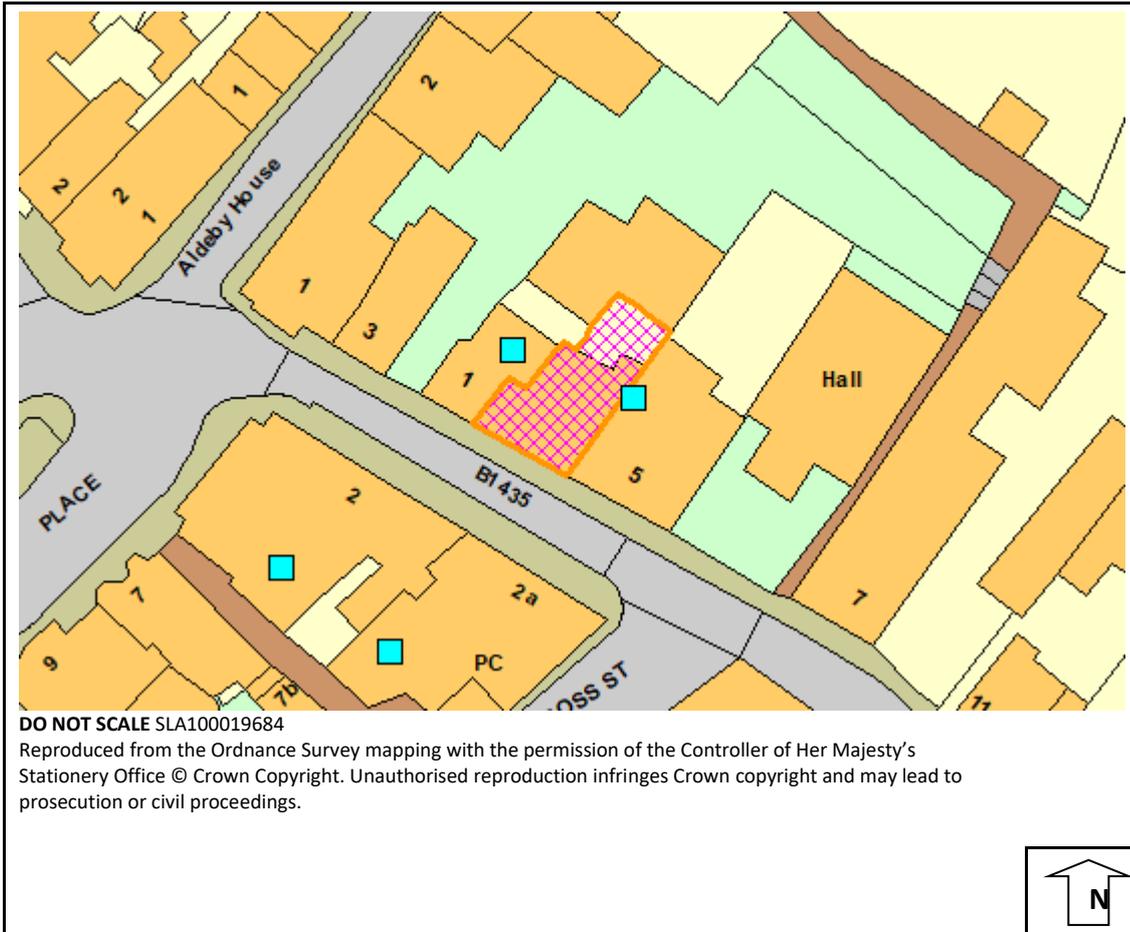
#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

#### **Background Papers**

See application reference DC/21/4295/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support