



Appeal Decision

Site visit made on 10 September 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2026

Appeal Ref: APP/W3520/W/24/3356639

5, Station Road West, Stowmarket, Mid-Suffolk IP14 1EF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Motin Miah against the decision of Mid Suffolk District Council.
 - The application Ref is DC/24/03361.
 - The development proposed is replacement windows to front and rear of first and second floor and 1 No door to flat.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note from the appeal documentation and my site visit that the windows have been installed. I have dealt with the appeal on the basis of what I observed at my site visit. As the statutory list entries refer to Station Road, I have used this name in my decision, irrespective of the site address given on the application form. I have amended the description of development to remove extraneous wording.

Main Issue

3. The main issue is whether the development i) preserves the settings of the nearby listed buildings and ii) preserves or enhances the character or appearance of the Stowmarket Conservation Area.

Reasons

Special Interest and Significance

4. The site lies in proximity to a number of listed buildings. The Council's reason for refusal refers to the Church of St Peter and St Mary¹ (the Church), 3 Station Road² and 7, 9 and 9A, Station Road³. The site also lies within the Stowmarket Conservation Area (SCA). As required by sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest which they possess; and paid special attention to the desirability of preserving or enhancing the character or appearance of the SCA.

¹ List Entry Number: 1208624 Date first listed: 28 July 1950 Date of most recent amendment: 29 November 1993

² List Entry Number: 1297869 Date first listed: 19 April 1972

³ List Entry Number: 1195939 Date first listed: 28 July 1950

5. The Church is a Grade I Listed Building dating originally from the mid-14th century with further extensions in the mid-15th century and alterations in the 18th, 19th and 20th centuries. It is the mother church of Stowmarket, constructed in flint with ashlar dressings under slate roofs. Its significance is mainly derived from its architectural interest as an example of evolving religious architecture and its historic importance as a key focus, both physically and socially, within the settlement.
6. Pertinent to the appeal, special interest and significance are also drawn in part from the Church's setting. Its immediate setting is informed by the expansive churchyard around it. However, its wider setting comprises of the network of roads and lanes, generally enclosed by built form at the pavement edge. Much of this built form comprises of older buildings, built at a more modest scale than the Church, many of which have retained historic fabric and detailing. This enhances the appreciation of the importance and scale of the Church. The appeal site contributes to this due to its proximity to the Church and scale in comparison to many of the surrounding buildings.
7. No.3 is a Grade II* Listed Building, dating from the late 14th century, with alterations in the 15th and 20th centuries. It is attached to the appeal property, with it suggested that the properties have been in the same ownership. Through time it has been used as a shop, and a house and shop. Nos. 7, 9 and 9A are a Grade II listed building attached to the other side of the appeal property. It is a 16th century timber-framed building with a frontage rebuilt in the mid-20th century. The ground floor is in retail use, with the listing description noting that the upper floors have historically been used as offices.
8. The significance of both of these listed buildings is principally derived from their architectural and historic interest as vernacular buildings with fine detailing, which demonstrate evolving land use in Stowmarket.
9. Pertinent to this appeal, the setting of both of these listed buildings which includes the appeal site, also contributes to their heritage merit. Their setting adds to the appreciation of the buildings by defining the pattern of built form and adding to the historic context of the development of Stowmarket. The quality of materials and level of retention of historic features of the buildings within the setting also adds to the appreciation of the architectural qualities of the listed buildings.
10. The CA is extensive and covers the historic centre of Stowmarket. Its character and appearance and thus special interest and significance are derived from its historic interest in evidencing the development of Stowmarket, reflecting the different periods of development and land use in the settlement and its architectural interest from the range of building styles and quality of materials used. The Conservation Area Appraisal notes Station Road as an original road and the church as a central landmark in the town. The appeal property, occupying a mid-terrace position, is a neutral feature in the CA.

Appeal Proposal and Effects

11. No.5 is a prominent building in the street scene due to its height and position on the curve of the road. It is a brick building of nineteenth century origin. The windows in its upper floors are a key feature of the building given its largely unadorned nature. The pictures submitted with the appeal showed that previously, the building contained black, metal framed windows with irregular internal glazing

bars. While there is no evidence before me as to the dates of those windows, they had an elegance from the slender window frames and integral glazing bars. While not matching those of the adjoining listed buildings, they did complement them due to their colour treatment and form.

12. Other buildings further along Station Road were brought to my attention and I observed them at my site visit. Along the wider terrace, the pattern of fenestration is as varied as the appearance of the buildings. Many of these have retained historic fabric in the window frames and this adds to the understanding of the evolving form of development within Stowmarket.
13. There is no substantive evidence before me of the style of windows that would have been in place when the building was constructed. The Georgian window design chosen is not appropriate to the form, style and material of the windows they replaced. Inappropriate modern materials and additions have eroded the character and appearance of the SCA. In this case, the new windows are composed of modern materials. The imitation glazing bars appear contrived, particularly when viewed alongside the thick frames of the opening lights to the windows. The trickle vents are further uncharacteristic features of the glazing in the area. The windows would appear more incongruous when open, and any attempt to reflect the building's character and harmonize with the CA, would be undermined. Consequently, the proposal does not preserve the character and appearance of the SCA as a whole.
14. The appeal property lies within the immediate setting of both No.3 and Nos.7, 9 and 9A, and the wider setting of the Church. The windows contrast unfavourably with the generally high quality of the surrounding windows which have more refined detailing to the window frames and glazing bars. This is exacerbated by the fact the previous windows provided a level of continuity of appearance and informed the setting and so the special interest of the listed buildings. The windows as installed are prominent, incongruous features which, due to their materials and thick frames in particular, detract from the historic setting and thus significance of the surrounding listed buildings.
15. The rear of the property is not readily visible from any public vantage point. It is enclosed by buildings to the rear of the property, and there are examples of modern windows, accesses and ventilation and extraction equipment in proximity to the site. However, this does not mitigate the harms I have identified. While the proposal does not affect the fabric of the surrounding listed buildings, this is a neutral factor in my appraisal.
16. I am unaware of the heritage status of any other buildings in the area beyond those referenced above. However, the style of these buildings differs from the appeal property. The relationship of the surrounding development, and to those properties is also substantially different to that of the appeal site, which lies in close proximity to heritage assets of the highest significance. These properties would not create a precedent that would lead me to reach a different conclusion.
17. Taking the above together, I find that the proposal does not preserve the settings of the nearby listed buildings and does not preserve or enhance the character or appearance of the SCA as a whole. It harms the significance of these designated heritage assets.

Public Benefits and Heritage Balance

18. Paragraph 212 of the National Planning Policy Framework (the Framework) sets out that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether this would amount to substantial harm, total loss or less than substantial harm to significance. Paragraph 213 further advises that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
19. Given the scale of the development, I find that the harm to the significance of the SCA and No.3, Nos.7, 9 and 9A is less than substantial and at the mid-point of that category given the high grade of some of the assets affected. The harm to the significance of the Church is at the lower end of less than substantial harm. Nevertheless, these harms carry considerable importance and weight. In such circumstances, paragraph 215 of the Framework confirms that these harms should be weighed against the public benefits of the proposal.
20. There are environmental benefits from the improved energy efficiency of the new windows. However, there is no reason this could not be achieved through a form of window that would be more appropriate in material and appearance. There also would have been some economic benefits from the manufacture and installation of the windows. However this is of limited weight given the small scale of the proposal.
21. I do not doubt that there will be a cost implication for the appellant in replacing the windows again. However, the decision to carry out the development prior to securing planning permission was that of the appellant. A lack of knowledge of the need for planning permission does not affect my assessment of the development, nor does the fact it has been carried out. In any event, there is no evidence before me demonstrating the costs that would be involved in replacing the windows, or the effect that this would have on the operation of the business at ground floor level. Were this to be the case, I acknowledge it is likely there would be an adverse economic effect. However, in the absence of any detailed evidence on this point, it does not outweigh the harms I have identified. There is no evidence before me to demonstrate there is any material social benefit that would be lost from the closure of the restaurant. Overall, in giving considerable importance and weight to the identified harm to the significance of the designated heritage assets, I find that this is not outweighed by the public benefits arising from the proposal.
22. The proposal does not preserve the settings of the nearby listed buildings and does not preserve or enhance the character or appearance of the SCA. This is contrary to the requirements of sections 66(1) and 72(1) of the Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. It is also in conflict with Babergh and Mid Suffolk Joint Local Plan 2023 (LP) Policies SP09 and LP19 which taken together require the special interest of heritage assets to be safeguarded when proposals seek to enhance their environmental performance and for development to consider the historic environment.

Other Matters

23. It may have been the case that the previous windows had broken panes, were not secure and birds were entering the building. However other, temporary measures

could have addressed these concerns while a more appropriate permanent solution was obtained.

24. I acknowledge the correspondence from the Council's enforcement officer. While such advice is not binding, it is clearly unfortunate when a different decision is reached on an application. However, I have dealt with the appeal on its planning merits and based on the evidence before me. Nor does the cost and time involved in preparing the application alter my assessment of the development.

Conclusion

25. The appeal proposal conflicts with the development plan when read as a whole and the requirements of the Act. There are no material considerations of sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.

Jennifer Wallace

INSPECTOR