



Committee Report

Planning Committee - 11 August 2020

Application no DC/20/0951/FUL

Location

JD Power Tools
Alexandra Road
Lowestoft
NR32 1PL

Expiry date 4 June 2020

Application type Full Application

Applicant Orwell Homes Ltd

Parish Lowestoft

Proposal The demolition of existing commercial buildings and the construction of a residential development of 31 - one bedroom flats over 3/4 storeys with undercroft parking and associated works.

Case Officer Joe Blackmore, Principal Planner (Development Management)
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1. Summary

- 1.1 The application seeks planning permission for 31 affordable homes on a brownfield site in Lowestoft.
- 1.2 The proposed development utilises a sustainably located site for affordable housing in a location where there is a high need for affordable homes. The level of parking provision and cycle storage is deemed to be acceptable to serve the development, and the external appearance of the building is appropriate for its context.
- 1.3 The application has been referred to the Planning Committee (North) by the Referral Panel, as members of the Panel raised concerns with the layout/design of the development in respect of bin storage and presentation areas, and therefore considered that the committee ought to determine this application.
- 1.4 The applicant has amended the proposals to try and address that feedback, and considerable improvement has been made. The additional waste storage provision, and

built enclosure of that additional provision, is a positive change. However, some areas of waste storage and presentation will be outside the main building envelope, adjacent the Alexandra Road frontage. Officers acknowledge that this is not ideal, and that this will need to be considered in the context of the whole application and all relevant matters, including the public benefits arising from the proposal.

- 1.5 Officers conclude that, on balance, the provision of 31 affordable homes is a very significant public benefit, indicating that the application can be approved.

2. Site description

- 2.1 The application site is located within the Lowestoft town settlement as defined in the Local Plan. The site lies to the east side of the A47/A1144/St Peter's Street roundabout, and to the west side of Alexandra Road (where it is accessed from). The site is brownfield (previously developed land) and falls within a mixed area of residential and commercial development.
- 2.2 The site is currently vacant as the former business (Tool Hire Centre) has moved to another location in Lowestoft. Two buildings each separated and bounded from one another occupy the site and the North Western side of the site has an entrance directly onto St. Peters Street. The building on the South Eastern part of the site is immediately adjacent to the footpath of Alexandra Road and has a gateway entrance to the yard that bounds the site to the North.
- 2.3 The site is not within a designated conservation area, nor does it fall within the setting of any designated heritage assets. It is a low risk flood area (zone 1) and there no known surface water issues in this location.

3. Proposal

- 3.1 The application seeks planning permission for the development 31 affordable homes. These would all be 1-bedroom (2-person) flats with gross internal floor areas of each unit ranging from 46.4 square metres to 55.5 square metres. Within the site a total of 15 vehicle parking spaces would be provided, along with storage provision for 28 cycles.
- 3.2 The proposal includes a disabled access lift to the North East corner. This will provide wheelchair access to 5 more flats, creating a total of 9 wheelchair accessible flats, which is approximately 30% of the development.
- 3.3 This scheme follows a previous withdrawn application (ref. DC/19/3520/FUL) where officers raised concerns over the design of development and relationship to the character and appearance. This scheme responds to those concerns and officer advice provided at pre-planning stage.
- 3.4 The proposed building is of three and four storey elements in an enclosed courtyard form. The surrounding area has similar types of domestic complexes of three storeys. The building is relatively tall, but this mass has been broken up by the stepping of blocks with the three-storey element to the west of the site. Parking is concealed within the scheme.

4. Consultations/comments

4.1 No third-party representations received.

Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	6 March 2020	26 March 2020
Summary of comments: Lowestoft Town Council Planning and Environment Committee has duly considered this application. It was unanimously agreed to recommend refusal of the application due to the density of the proposed development. Concern was expressed for the poor standard of environmental design and the environmental impact of such development, including lack of green space and bin storage provision. The lack of accessibility above the ground floor, as per the Town Council's comments when the application was first submitted (DC/19/3520/FUL), is also a factor in this recommendation to refuse the application as submitted.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	6 March 2020	12 March 2020
Summary of comments: Recommend approval with conditions.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	6 March 2020	25 March 2020
Summary of comments: Holding objection due to insufficient parking provision.		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	6 March 2020	No response
Summary of comments: No comments received.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	6 March 2020	23 March 2020
Summary of comments: Ground investigation and remediation required by condition.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Disability Forum	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Housing Development Team (Internal)	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	6 March 2020	14 April 2020
Summary of comments: Fire hydrants required by condition.		

Consultee	Date consulted	Date reply received
Network Rail	6 March 2020	23 March 2020
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Suffolk County Council Section 106 Officer	6 March 2020	25 March 2020
Summary of comments: Advice given on CIL matters.		

Consultee	Date consulted	Date reply received
CIL (Internal)	6 March 2020	9 March 2020
Summary of comments: Internal; CIL advice given.		

Consultee	Date consulted	Date reply received
Police - Alan Keely Crime Reduction Beccles Police Station	6 March 2020	5 May 2020
Summary of comments: Concerns with the design of the proposals in terms of secured by design criteria.		

Consultee	Date consulted	Date reply received
Design And Conservation (Internal)	6 March 2020	27 March 2020
Summary of comments: Internal planning consultee; see report.		

Consultee	Date consulted	Date reply received
Ipswich & East Suffolk CCG & West Suffolk CCG	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
NHS England Midlands And East	6 March 2020	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
Suffolk County Archaeological Unit	6 March 2020	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
Ecology (Internal)	6 March 2020	27 March 2020
Summary of comments: No objections.		

5. Publicity

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

Category	Published	Expiry	Publication
Major Application	13 March 2020	3 April 2020	Beccles and Bungay Journal
Category	Published	Expiry	Publication
Major Application	13 March 2020	3 April 2020	Lowestoft Journal

Site notices

General Site Notice

Reason for site notice: Major Application
Date posted: 12 March 2020
Expiry date: 2 April 2020

6. Planning policy

National Planning Policy Framework

WLP1.1 - Scale and Location of Growth (East Suffolk Council - Waveney Local Plan (March 2019)

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.1 - Housing Mix (East Suffolk Council - Waveney Local Plan (March 2019)

WLP8.2 - Affordable Housing (East Suffolk Council - Waveney Local Plan (March 2019)

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

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan (March 2019)

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

7. Planning considerations

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) sets out that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."* This is reflected in paragraph 12 of the NPPF which affirms the statutory status of the development plan as the starting point for decision-making.
- 7.2 The development plan comprises the East Suffolk Council - Waveney Local Plan ("The Local Plan") and any adopted Neighbourhood Plans. The relevant policies of the Local Plan are listed in the section above and will be considered in the assessment to follow. It is important to also note that NPPF paragraph 11 requires that planning decisions apply a presumption in favour of sustainable development and that means, for decision-taking, approving development proposals that accord with an up-to-date development plan without delay.

Principle of Development

- 7.3 The application site is located within Lowestoft Town settlement as defined the Local Plan. Local Plan spatial strategy policies WLP1.1 and WLP1.2 set out, broadly, that new development should generally be directed to within the defined settlement boundaries, with the majority of development over the plan period allocated to Lowestoft as the largest town in the District. The principle of residential development, in that context, is entirely supported by the Local Plan.
- 7.4 The proposal also represents the re-use of a suitable brownfield site in the town centre, which the National Planning Policy Framework says should be given substantial weight in decision-taking.
- 7.5 The loss of the commercial premises is not objected to, as the site falls outside of a Local-Plan-defined employment area or shopping area. The Local Plan allows for re-use of such sites for residential development.

Affordable Housing and Mix

- 7.6 Most recent data suggest that there are some 3,970 people on the Housing Register for East Suffolk. Of those registered, some 869 people claim a local connection to Lowestoft and of those, 330 applicants are in Housing Need. Of those 330 applicants, the size of property they require is as follows:
- 1 bedroom - 163
 - 2 bedroom - 102
 - 3 bedroom - 40
 - 4 bedroom - 21
 - 5 bedroom - 4

- 7.7 The proposal is for 31 dwellings, of which all would be affordable homes. Orwell Housing, as applicants, are the Registered Social Landlord who will be responsible for taking on, delivering and managing the affordable homes. This would need to be secured by S106 agreement prior to any permission being granted.
- 7.8 The provision of 31 affordable (1-bedroom) homes is a highly significant public benefit and will make an important contribution to meeting the high local need for this accommodation. The provision of affordable housing, and mix of property type and size, meets the objectives of Local Plan policies WLP8.1 and WLP8.2.

Highways and Sustainable Transport

- 7.9 Local Plan policy WLP8.21 relates to sustainable transport and seeks, amongst other things, to locate and design development so it can be accessed via multiple modes of transportation, and with safe and suitable access for all. NPPF paragraph 109 gives clear guidance that:

"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

- 7.10 The site is located within walking distance of shops and services to meet everyday needs. Public transport in the form of bus and rail is readily accessible. The development will provide secure cycle storage for 28 cycles which will encourage the use of that transport mode. Fifteen parking spaces would be provided which is a reasonable provision (approx. 50% of the number of units).
- 7.11 The County Highways Authority has objected to the application on the grounds that there is a lack of parking and cycle storage. They would expect to see at least 31no parking spaces; and storage for 62 cycles.
- 7.12 Whilst the concerns of the Highways Authority are noted, this is a very sustainable location. It is not unreasonable to assume residents moving to these properties would perhaps not own private vehicles, or not require one given all day-to-day needs can be met via other modes of transportation. Near the application site parking is controlled, so the development proposal would not likely lead to unsafe parking on the highway. Officers consider that the proposal strikes the right balance between providing some vehicle parking, some provision of secure cycle storage, and relying on the sustainable location of the site and good pedestrian and public transport links. The site access utilises the existing Alexandra Road access and will stop up the other vehicle access onto St Peter's Street that is unsafe; the proposal could arguably be said to offer highways safety benefit, in that regard.
- 7.13 Accordingly, there is no reason to refuse permission on highways grounds, and the proposal accords with the sustainable transport objectives of WLP8.21.

Design of Development

- 7.14 The design has been driven by accommodating the number of flats and parking required, therefore it is of three and four storey elements in an enclosed courtyard form. The

surrounding area has similar types of domestic complexes of three storeys. The building is relatively tall, but this mass has been broken up by the stepping of blocks with the tree storey element to the west of the site. Parking is concealed within the scheme. Therefore, the development will relate to the surrounding area. The choice of brick would need to be carefully controlled by planning condition to ensure a good finish and appearance, should permission be granted.

- 7.15 In terms of functional design, the scheme originally provided bin storage areas for 6no. 1100L waste bins; however, members of the Referral Panel raised concerns with this in terms of under provision and also that areas of waste storage would be outside the main building envelope, and fronting onto Alexandra Road. This feedback was relayed to the applicant who has since liaised with East Suffolk Norse to clarify the waste provision required to serve the development. The Design and Access Statement has been updated, in this regard, with the following information provided:

“After further consultation with Kirk Robinson from Norse it was confirmed that additional bins would need to be added to the proposed scheme to meet the requirement of 120Ltr per one bedroom flat. So, the following was calculated: 120Ltr x 31 = 3,720 Ltr, so with three 1,100Ltr Euro bins = 3,300Ltr + two 240Ltr Wheelie bins a total of 3,780Ltr would be provided for each of the general and recycling waste. A total 7,440Ltr of waste collection requirements has now been met in the provision of six 1,100Ltr Euro bins and four 240Ltr Wheelie bins.

To reduce the impact on the Bins on the street scene the switch room has been relocated and split between each of the entrance lobbies. Each lobby will house individual meters under the stairs. The switch room has been re-allocated as a bin store accommodating 4-euro bins. The Bin store will have a personnel door into the outer lobby and also a collection door as can be seen on the revised plans...

The two Euro bins that were located on the Southern boundary have been moved between the personnel and the vehicular entrances...

The design of this bin store has been altered with a brick outer wall to match the main building and a hipped roof...

This bin store now has less mass as it is half the size of the previous bin store and it will be planted out to help it blend in with the main building. The extra four 240Ltr wheelie bins have been placed on the southern boundary in the location of the previous 2 euro-bin store, however these are very small wheelie bin stores that will be placed against the boundary and will also have planting to disguise them from the roadside.

The position of all bins is within easy access of a kerbside collection and splitting them as has been done will provide an additional closer location for the flats on the North-Eastern side of the block. Looking back at the previous use of this site it has been established that this is a historical location for the bin collection of the waste from the offices that currently occupy this side of the site, whilst the Southern bin collection points are roughly in the same position as the historical collection point for the yard and workshop location on the South Eastern side of the site.

With timber panelling to matches the other bin store already proposed. As the position of the new bin store is within the building itself, it will have little impact on the street scene and the proposed planting to front boundary will shield the view of the doors and access path.”

- 7.16 E-mail confirmation from East Suffolk Norse shows that they are satisfied with the provision of waste bins to meet the development. It then turns to whether the layout design, in terms of bin storage/presentation, is acceptable.
- 7.17 In the view of officers, the applicant has made significant changes to the scheme – increasing the waste storage provision, and ensuring that the main area of large waste bins is entirely enclosed within the building footprint, with a separate, clear access for both depositing and collecting. The brick-built bin store with a hipped roof, located on the Alexandra Road frontage, will be relatively modest and enclosed, ensuring that this is not unsightly in the streetscene. The provision/storage of four wheelie bins would again be outside the building envelope but located in a timber panelled store. In combination, all these changes are deemed to be acceptable and officers have no significant concerns with the waste storage/presentation areas now incorporated into the layout.
- 7.18 The undercroft parking and cycle storage is well-contained within the site and allows the external presentation to the public realm to be of built form, rather than parked vehicles.
- 7.19 The Suffolk Designing out Crime Officer has raised concerns with the scheme - particularly the undercroft parking and areas of hit-and-miss-brickwork. Officers have duly considered those concerns raised, but not consider the scheme has design flaws which will lead to future crime. The design of development is deemed to be safe and functional.
- 7.20 The density of development is very high, but that is an approach supported broadly by the Local Plan and NPPF in terms of efficient land use in urban areas.
- 7.21 The proposal brings the benefit of creating a more attractive site compared to the existing brownfield use, and for the reasons given, the design accords with the objectives of WLP8.29 and WLP8.32.
- 7.22 Policy WLP8.29 (Design) seeks, amongst other things, to protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers.

Residential Amenity

- 7.23 There are no residential properties immediately adjacent or in close proximity of the site, therefore amenity considerations relate to those of future occupiers of the flats.
- 7.24 The one bedroom flats/apartments would each have a gross internal floor area (GIA) of anywhere from 46.4 to 55.5 square metres. The Governments Technical housing standards - nationally described space standard, sets out that one bedroom (two person) flats should have 50 square metres GIA. The proposed units are generally of a size to accord with those standards, with deviations from 50 being quite minor. The flats would have large windows on multiple sides, ensuring good levels of light to each unit and the rooms within. Across the internal courtyard, there would be some overlooking between flats, but that is not

uncommon for an urban flatted scheme. In any case, the courtyard windows would be a secondary outlook, with the principal view being outward via road-facing windows.

- 7.25 Whilst there is no public open space within the development, the site is close to shops, services and a whole array of facilities within the town. The lack of open space on site is not of concern in this urban context.
- 7.26 The proposal is acceptable in terms of residential amenity in accordance with WLP8.29 (Design).

Flood Risk and Surface Water Drainage

- 7.27 The site is located in Environment Agency Flood Zone 1 - the lowest risk area - and therefore sequentially preferable for residential development. A surface water drainage strategy has been provided and is deemed acceptable by the Local Lead Flood Authority. The proposal accords with WLP8.24 (Flood Risk).

Ecology

- 7.28 From the information available the site appears to be of low value for biodiversity and therefore redevelopment is unlikely to result in any significant adverse impacts on protected species or UK Priority species or habitats (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)). However, whilst it is acknowledged that there is a small amount of landscaping planned for the front of the building, the proposed development does very little to enhance the biodiversity value of the area. The inclusion of ecological enhancements, such as integrated nesting boxes for birds (including swifts) and green walls, should form part of the design in order to deliver biodiversity net gain on the site. This could be dealt with by planning condition on any permission granted.
- 7.29 In addition to the above, the site is within the Suffolk RAMS Zone of Influence (Zone B) 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). This would be secured through the S106 legal agreement, prior to the application being determined.

Other Matters

- 7.30 The submitted ground investigation report identifies so limited ground contamination and therefore standard conditions are recommended by the Environmental Health Officer to deal with this prior to the development being occupied.

8. Conclusion

- 8.1 The proposed development utilises a sustainably located brownfield site for affordable housing in a location where there is a high need for affordable homes. The level of parking provision and cycle storage is deemed to be acceptable to serve the development, and the design of the proposal is appropriate for its context.

- 8.2 Officers consider that the proposal represents a sustainable form of development and therefore the application is recommended favourably.

9. Recommendation

- 9.1 Authority to Approve, subject to signing of a S106 Legal Agreement to secure affordable housing provision, and per-dwelling contribution to fund the Suffolk (Coast) RAMS; and with conditions (summarised) as recommended below.

10. Conditions (summarised)

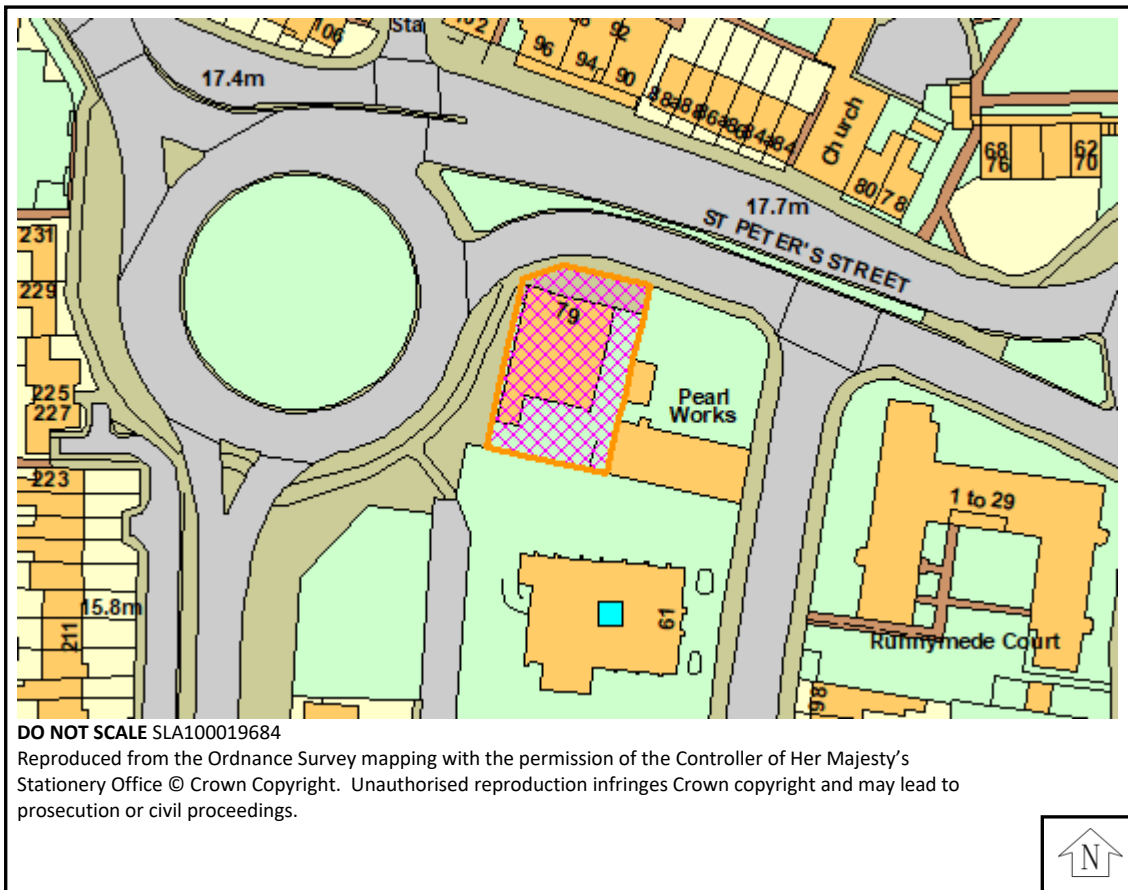
1. Three-year time limit.
2. Standard plans/drawing compliance.
3. Details of external materials to be agreed.
4. Details of landscape planting to be agreed.
5. Details of fire hydrant provision to be agreed.
6. Details of ecological enhancement measures to be agreed.
7. Ground investigation: standard conditions to secure contaminated land investigation, remediation, and validation.
8. Drainage: details of strategy (including its long-term implementation, maintenance and management) to be agreed pre-commencement of development.
9. Drainage: drainage system components and piped networks details to be submitted for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
10. Highways: standard conditions to secure parking/manoeuvring areas; cycle storage; bin storage and presentation areas etc.

Background papers





See application reference DC/20/0951/FUL at:

<https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q6IXQNQXI4A00>

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support