



## Committee Report

**Planning Committee South – 23 August 2022**

**Application no** DC/22/0665/FUL

**Location**

29D Quilter Road  
Felixstowe  
Suffolk  
IP11 7JJ

**Expiry date** 17 May 2022

**Application type** Full Application

**Applicant** Mr John Clemence

**Parish** Felixstowe

**Proposal** Construction of replacement dwelling following demolition of existing.

**Case Officer** Mark Brands  
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### 1. Summary

- 1.1. Planning permission is sought for a replacement dwelling at 29D Quilter Road in Felixstowe.
- 1.2. Officers are minded to refuse the application contrary to the Town Council's recommendation of approval, and the application was therefore presented to the referral panel to confirm if the decision can remain delegated or will be determined by the Planning Committee, in accordance with the scheme of delegation.
- 1.3. Following the referral panel meeting on 19<sup>th</sup> July 2022, members considered this item should be determined by the planning committee.
- 1.4. The applicant is not an elected member or member of staff or close relative, the land is not owned by the district council and in terms of consultation responses received, the ward member has not commented and there have been no objections from statutory consultees.

## **2. Site Description**

- 2.1. 29 Quilter Road is an impressive semi-detached Victorian dwelling that has been extended to the rear and converted into flats. The building that is the subject of this application is a small detached single storey former outbuilding to no. 29 that has been converted into a standalone residential dwelling. This building is referred to as 29D Quilter Road. The site lies within the Felixstowe Conservation Area and within the physical limits boundary of Felixstowe.
- 2.2. The building is rectangular in footprint within a small rectangular plot, located adjacent to the boundary line between 29 and 27 Quilter Road. The host building itself has a front building line approximately level with the rear building line of the neighbouring property 27 Quilter Road to the south, while the existing rear building line is approximately level with the rear building line of 29 Quilter Road to the north, which as mentioned has been converted into flats.
- 2.3. The existing host detached building is 6.0 metres wide by 9.3 metres in depth, with an eaves height of 2.95 metres and a maximum height of 4.4 metres. The roof line hips in from all four directions with a small crown roof. There is an approximate distance of 2.6 metres from the side flank wall of 29 Quilter Road and the application building.
- 2.4. The site has been subject to the following previous planning applications:
- E4818/1 - Installation sanitary fittings and to provide a self-contained unit of living accommodation. Permitted.
  - E4818 - Construct additional flats. Permitted.
  - DC/17/4138/FUL - Replacement dwelling. Refused 23 November 2017.
  - DC/18/0820/FUL - Replacement Dwelling (Resubmission of DC/17/4138/FUL). Permitted 19 April 2018.
- 2.5. The principle of demolishing the property was established through the 2018 permission which was a resubmission of the previously refused 2017 scheme but with more supporting evidence. This evidence included a structural report on the state of the building that identified a number of defects and concluded that extensive repair and reconstruction was required. At that time it was concluded that given the condition of the building, its demolition and replacement with another building of an appropriate design could be supported. This justification was required to overcome a key reasoning for refusal of the previous application, as the building in question makes a positive contribution to the conservation area; its loss was considered contrary to the NPPF and Local Plan.

## **3. Proposal**

- 3.1. The proposal is for the construction of a replacement dwelling following the demolition of the existing. This would be in the form of a detached two storey dwelling, with a width of 6m, a depth of around 10.8m, and a height of 3m to the eaves and 7.2m to the ridge.

#### 4. Third Party Representations

4.1. Objections have been received from two neighbouring properties, raising the following summarised concerns (see full comments on public website):

- Negative design and detailing
- Dominating / overbearing / overdevelopment
- Inappropriate in Conservation Area
- Loss of light, privacy, view, overshadowing
- Inappropriate scale
- Land ownership / boundary concern regarding overhangs
- Property value
- Setting of precedent

#### 5. Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	30 March 2022	6 April 2022
Summary of comments: Committee recommended APPROVAL. We welcome the fact that the Design and Access Statement recognises that that property is within the Conservation Area.		

##### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	30 March 2022	11 April 2022
Summary of comments: No objections subject to conditions		

##### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	12 April 2022	No response
Summary of comments: No response received, consultation period has expired		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	30 March 2022	12 April 2022
Summary of comments: No objections subject to condition		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	30 March 2022	No response
Summary of comments: No response received, consultation period has expired		

## Publicity

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

Category	Published	Expiry	Publication
Conservation Area	31 March 2022	25 April 2022	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 11 April 2022 Expiry date: 5 May 2022
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## 6. Planning policy

National Planning Policy Framework 2021

SCLP3.1 - Strategy for Growth (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 – Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

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

## **7. Planning Considerations**

### Design and Heritage Impact

- 7.1. The property is within the Felixstowe Conservation Area. 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. 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 requires 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 (policies SCLP11.1, 11.3 and 11.5 being relevant in this case) and the Historic Environment SPD.
- 7.2. While no Conservation Officer comments have been provided on this application (partly due to staffing constraints, with consultations currently limited to responses to Listed Building Consent applications), comments were provided on the two previous applications for a replacement dwelling on the site that are of relevance. These make particular reference to the character of the area and the significance of the building in question, see excerpt from the 2017 comments below:

*"Quilter Road is characterised by predominantly semi-detached and terraced Victorian dwellings with traditional decorative architectural features and sash windows, along with some more recent infill development. No 29 is unusual in that it has a separate single storey ancillary building, which according to the Heritage Statement was formerly the billiard room to no 29. Although converted to a separate dwelling, it still retains its rather quirky, traditional external appearance, being of red brick with a truncated, pyramidal slate roof, which overhangs to form a veranda on the front elevation supported on timber posts with curved brackets and has timber sash*

*windows and front door and a brick chimney. The building therefore makes a positive contribution to the character of the Conservation Area."*

7.3. Comments from the 2018 application:

*"...as a general principle, given the current condition of the existing building, the extent of repairs and the degree of reconstruction required, as identified in the report, its demolition and replacement with another building of appropriate design could be supported. The proposed replacement dwelling has also been revised to address the concerns raised in relation to the previous design. The building is slightly smaller in scale and the palette of materials is to match the existing building including red brick and slate, but in particular white painted timber sash windows of a traditional design, rather than uPVC as previously proposed. It has also been designed to reflect the traditional character and appearance of the existing building including the veranda posts and brackets to the front (street facing) elevation."*

*Overall, subject to deletion of the roof light, my conclusion is that the development will preserve the character and appearance of the Conservation Area and I would therefore recommend approval."*

7.4. The 2018 permitted scheme largely replicated the existing building in situ with the same profile, features and design, but modestly increasing the footprint.

7.5. The site is not specifically referred to in the Felixstowe Conservation Area Appraisal, however, as confirmed by the conservation team the building makes a positive contribution to the conservation area. The loss of the building is therefore considered to result in less than substantial harm to the conservation area, and such harm to a designated heritage asset would need to be weighed against the public benefits including securing its optimum viable use (in accordance with paragraphs 202 and 207 of the NPPF).

7.6. Local policy SCLP11.5 sets out that proposals for development within a conservation area should:

- a) Demonstrate a clear understanding of the significance of the conservation area alongside an assessment of the potential impact of the proposal on that significance;
- b) Preserve or enhance the character or appearance of the conservation area;
- c) Be of an appropriate design, scale, form, height, massing and position;
- d) Retain features important to settlement form and pattern such as open spaces, plot divisions, position of dwellings, hierarchy of routes, hierarchy of buildings, and their uses, boundary treatments and gardens; and
- e) Use high quality materials and methods of construction which complement the character of the area.

7.7. Additionally, policy SCLP11.1 sets out the design criteria the council would expect proposals to adhere to including requiring development to respond to local context and the form of surrounding buildings in relation to scale and character, layout, site coverage, height and massing of existing buildings, relationships between buildings and spaces, and making use of materials and detailing appropriate to the local vernacular. The policy also looks to support innovative and distinct designs with use of high quality materials.

- 7.8. The principle for the building's demolition has been established through evidence in the previous submissions that it is beyond repair, and this is considered to remain the case based on the dilapidated appearance of the building in situ. The proposed replacement dwelling however is considered to be overdevelopment of the site and to adversely impact neighbouring amenity.
- 7.9. The current former outbuilding is incidental in form and scale to no. 29, and as set out in the supporting information was formerly a billiards room. The replacement of the dwelling was permitted under DC/18/0820/FUL, however, the replacement dwelling was a similar design and style of property and was considered appropriate given the character of the existing building, its former relationship with no.29 and also the proximity of neighbouring dwellings. The submitted Design and Access Statement suggests the dwelling now proposed has been influenced by the architecture of the existing building and that of other buildings nearby and follows a design philosophy to produce a dwelling which appears as if it may have been a converted outbuilding. This is evidently not the case.
- 7.10. While the red brick and slate are compatible materials with those in situ on the building, it is evident that the current scheme completely disregards the architecture and design of the building in situ, and will not bear any resemblance to a converted outbuilding as suggested, nor will it read as a converted outbuilding as suggested given the overdeveloped nature of the layout and the building's scale. While the principle for the loss of the building has been accepted, this was on the basis of a similar replacement that positively reflects the characteristics of the building in situ and its relationship with the former host dwelling. The proposed replacement dwelling will neither preserve or enhance the character of appearance of the conservation area, and will not be of a sympathetic form given the context of the site and characterful building in situ and its relationship with the former host dwelling.
- 7.11. Whilst the submitted Design and Access Statement acknowledges that less than substantial harm to the conservation area would result from the development, it suggests this is outweighed by the public benefits of providing a modest dwelling. This is somewhat contrived as the proposed replacement is notably larger than the building in situ and of an unsympathetic design that disregards the character of the building and relationship with the former host dwelling. It is not therefore accepted that the cited benefits of the scheme would outweigh the harm as suggested; a replacement dwelling could be provided on the site of a more appropriate scale and sympathetic design than that submitted, and this has been demonstrated by the permitted scheme in 2018. The previous scheme was of a sympathetic design, style, character, scale and form, and was considered to preserve the character and appearance of the conservation area. It would be advisable to revisit the previously approved scheme, as the principle of a two storey development, given the context and character of the site, would not be supported.

#### Amenity

- 7.12. When considering the impact of proposals on residential amenity, the council seeks to ensure developments provide for adequate living conditions for future occupiers and will not cause an unacceptable loss of amenity for existing or future occupiers of development in the vicinity under policy SCLP11.2 of the Local Plan (in accordance with

paragraph 130 of the NPPF that seeks to ensure developments result in a high standard of amenity).

- 7.13. The building is in close proximity to neighbouring properties and the addition of a first floor is not considered acceptable as it will result in significant overlooking, particularly of residential properties to the rear (with around 5.7m to the neighbouring boundary). Additionally, the increase in height, adding over 3m to the scale of the dwelling will impact light levels to the neighbouring property to the north - particularly the ground floor principal windows distanced around 2.6m from the side wall. Although the existing building will have some impact in this respect, the increased height will significantly impact lighting levels to the ground floor rooms based on the proposed building being located to the south. The dwelling will also appear overbearing to the adjacent properties, and generally appear overdeveloped given the proximity to the boundaries and limited garden space available for the property.
- 7.14. Having regard to the above considerations, the proposal would adversely impact neighbouring amenity contrary to policy SCLP11.2.

#### Highway Safety

- 7.15. The highways team have raised no objections subject to conditions that will be attached to the decision notice, with sufficient parking and manoeuvring on the site to accommodate the proposed dwelling, in accordance with SCLP7.2 and the NPPF.

### **8. Conclusion**

- 8.1. The proposed replacement dwelling is considered to result in overdevelopment of the site, and the increased scale and addition of a first floor will adversely impact the amenity of the adjacent properties through loss of privacy, reduction of lighting, and having an overbearing effect. In addition to this the existing building has many characterful features and its scale, design and form retains an associated relationship with the former host property. Its loss and replacement with a dwelling of such an unsympathetic form will erode this character, to the detriment of the site and its contribution to the conservation area.

### **9. Recommendation**

- 9.1. Refuse permission for the following reason:
1. The existing building makes a positive contribution to the Felixstowe Conservation Area. The proposed replacement dwelling would result in overdevelopment of the site and is of an unsympathetic design and scale, given the character of the building in situ and its former relationship with the neighbouring property. The proposal would harm the character and appearance of the conservation area and adversely impact neighbouring amenity due to its overbearing scale, resulting in a loss of privacy and reduction of lighting levels. The proposed development is therefore considered contrary to policies SCLP11.1, SCLP11.2 and SCLP11.5 of the Suffolk Coastal Local Plan 2020 and the relevant provisions of the National Planning Policy Framework (paragraphs 130 and 202).



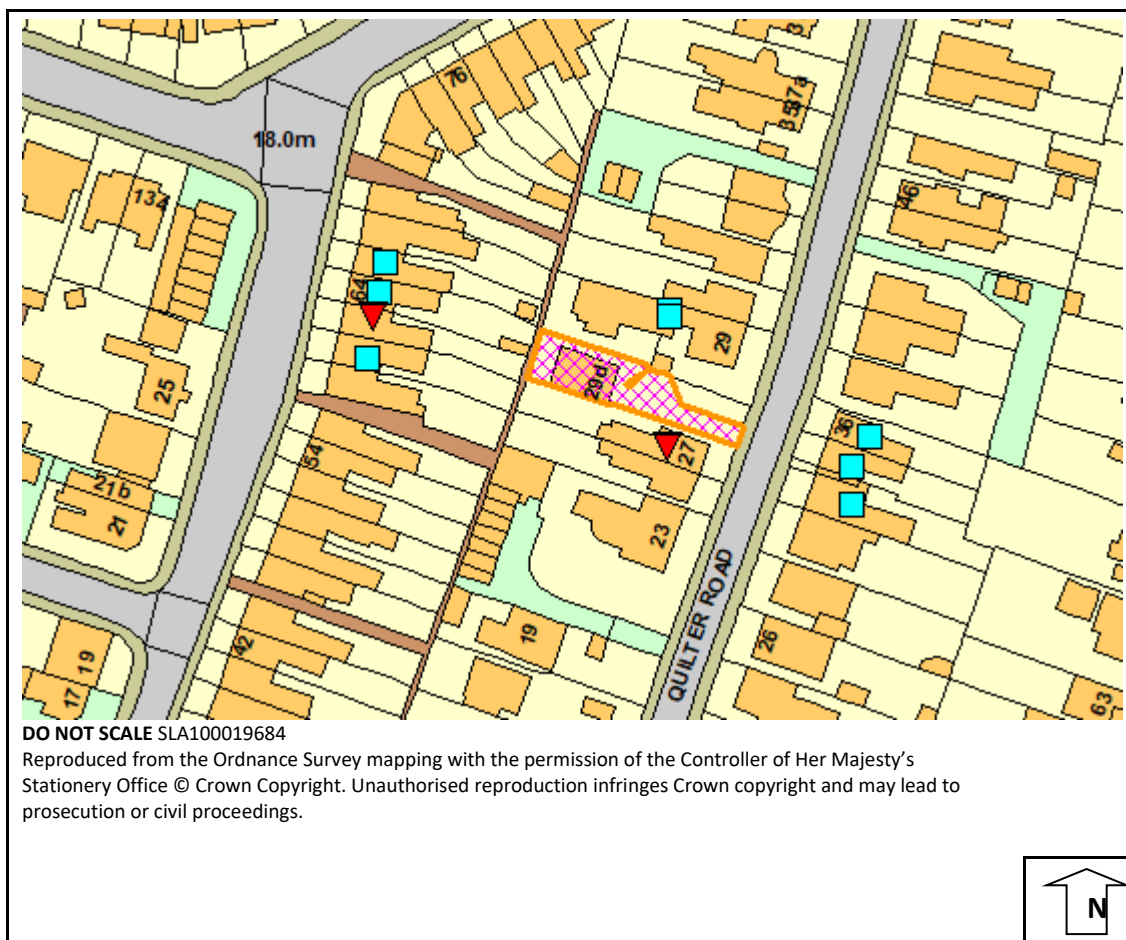
**Informatives:**

1. The Council offers a pre-application advice service to discuss development proposals and ensure that planning applications have the best chance of being approved. The applicant did not take advantage of this service. The local planning authority has identified matters of concern with the proposal and the report clearly sets out why the development fails to comply with the adopted development plan. The report also explains why the proposal is contrary to the objectives of the National Planning Policy Framework and local plan to deliver sustainable development.
2. In determining this application, the local planning authority has considered the following documentation submitted in association with the application:
  - Application form
  - Design and access and heritage statement
  - 4291-01 (site location plan)
  - 4291-02 (existing plans)
  - 4291-03 (existing elevations)
  - 4291-04 (proposed site plan)
  - 4291-05 (proposed plans and elevations)
  - land contamination report and questionnaire

**Background information**

See application reference DC/22/0665/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support