



## Committee Report

**Planning Committee North - 10 October 2023**

**Application no DC/23/3058/FUL**

**Location**

Former Garage Site  
Chapel Street  
Lowestoft  
Suffolk

**Expiry date** 6 October 2023

**Application type** Full Application

**Applicant** East Suffolk Council

**Parish** Lowestoft

**Proposal** Construction of 6 new build 3 person two bedroom terraced and semi detached affordable homes.

**Case Officer** Matthew Gee  
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## 1. Summary

- 1.1. Planning permission is sought for the construction of 6no. new build two bedroom terraced and semi-detached affordable homes. The site is within the settlement boundary for Lowestoft, where the principle of new residential development is acceptable. The proposed design is high quality, respects the character and appearance of the surrounding street scene, and enhances the setting of the Conservation Area. Furthermore, the proposal is not considered to adversely impact upon the amenity of neighbouring residents and would not harm highway safety. The proposal delivers the benefit of six affordable homes to meet local need.
- 1.2. Therefore, the proposal is in accordance with local and national planning policy, and as such it is recommended that planning permission be granted.
- 1.3. The applicant is East Suffolk Council, and as such the application is referred to Planning Committee (North) for consideration.

## 2. Site Description

- 2.1. The site is located within the defined settlement boundary for Lowestoft and formerly comprised a row of unused garages within an existing housing estate, which have been demolished.
- 2.2. To the east of the application site is the 16-storey St Peters Court block of flats. To the immediate south are a pair of semi-detached dwellings which were approved in 2018 (DC/17/5236/VOC), with a row of terrace dwellings approved in 2003 (DC/03/0116/FUL) to the south-east. To the west are a row of four terrace dwellings.
- 2.3. To the north of the application site is the boundary of the Conservation Area, with Crown Street Hall which is a Grade II listed building situated opposite the proposed development site. It was built in 1812 and was originally a theatre. The principal elevation fronts Crown Street West so the elevation that faces the site is the rear elevation which has a plainer, red brick finish with render at ground floor. It has two arched windows at first floor with a central oculus window. Its setting is limited to the immediate surroundings due to the tight urban grain of the surrounding area. The proposed development site is currently vacant and has a negative impact on the setting of the listed building as ad hoc car parking and rear boundary fences dominate the view.
- 2.4. The proposed development site is also adjacent to the Crown Street West character area of the North Lowestoft Conservation Area, the boundary of which runs along the northern side of Factory Street. The former Crown Brush Factory, which has a frontage along the northern side of Factory Street, is identified as a positive unlisted building. The character area is described in the Conservation Area Appraisal as follows: *'The character area is effectively one road (Crown Street West) and the structures fronting it to the north and south... Despite its diminutive size, this character area contains a diverse range of both private and secular structures, including a late fifteenth century tithe barn, a Regency former theatre and a large late nineteenth century brewery complex (now a factory). Historically, the area has mixed commercial and residential activity in close proximity, and this continues today. Such diversity has led to a varied streetscape with buildings differing in form and function.'*

### 3. Proposal

- 3.1. Planning permission is sought for the construction of 6no. new build two bedroom terraced and semi-detached affordable homes.
- 3.2. On the opposite side of Elim Terrace to the proposed dwellings will be parking for 12 vehicles (2 per dwelling).

### 4. Consultations

#### Third Party Representations

- 4.1. Two representations of objection have been received raising the following key concerns (summarised):
- Loss of privacy
  - Lack of parking in the area
  - Uncharacteristic for the area

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	14 August 2023	25 August 2023
Summary of comments: The Planning Committee of Lowestoft Town Council considered this application at a meeting on 24 August 2023. It was unanimously agreed to recommend approval of the application, subject to consultee responses from Design & Conservation confirming there is no adverse implication to the Crown Street West character area and for Suffolk Highways or Environmental Protection to confirm there are no safety implications, with a request that Planning and the applicant consider increasing cycle storage and disabled parking provision.		

#### Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	14 August 2023	5 September 2023
Summary of comments: No objections subject to conditions.		

#### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	14 August 2023	24 August 2023

Summary of comments:  
No objections; comments incorporated into officer considerations.

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	14 August 2023	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	14 August 2023	No response

Summary of comments:  
No comments received.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	14 August 2023	1 September 2023

Summary of comments:  
No objections subject to conditions.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	14 August 2023	17 August 2023

Summary of comments:  
No objections.

Consultee	Date consulted	Date reply received
East Suffolk Ecology	14 August 2023	4 September 2023

Summary of comments:  
No objections subject to conditions.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	25 August 2023

Summary of comments:  
No objections.

## 5. Publicity

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

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Affects Setting of Listed Building	25 August 2023	18 September 2023	Beccles and Bungay Journal

<b>Category</b>	<b>Published</b>	<b>Expiry</b>	<b>Publication</b>
Affects Setting of Listed Building	25 August 2023	18 September 2023	Lowestoft Journal

## 6. Site notices

General Site Notice	Reason for site notice: Affects Setting of Listed Building; Conservation Area Date posted: 18 August 2023 Expiry date: 11 September 2023
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## 7. Planning policy

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

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

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

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2023 (NPPF)

## 8. Planning Considerations

### Principle

8.1. The application site is within the defined settlement boundary where new residential development is deemed sustainable. Therefore, subject to the compliance of the scheme with more detailed planning policy requirements, the principle of new residential development on the site is considered acceptable.

## Design

- 8.2. Policy WLP8.29 sets out that proposed development should be a high quality design which reflects local distinctiveness. WLP8.33 similarly supports high quality urban infill. The design of the proposed new dwellings would be contemporary which, in this instance, is deemed an entirely appropriate solution given the mixed character of the area. There is no need for a pastiche of traditional buildings on sites such as these that are surrounded by 20th century development, and therefore officer's welcome opportunities that provide high quality contemporary design in this location. Reintroducing built form to this site would infill an unattractive gap site and bringing more definition to Factory Street. The area had tightly packed residential terraces prior to clearance in the 20th century so the proposal is reinstating a similar grain of development. The scale would be in keeping with the existing residential development surrounding the site and would be subservient to the historic buildings on the northern side of Factory Street ensuring that they remain the key feature of the area.
- 8.3. The dwellings would have flat roofs behind taller front parapets. The parapets would then reduce on the flanks creating interest to the top of the end elevations and reducing impact on neighbouring properties. The front elevation of each dwelling would be slightly canted and the large first floor windows would have tapered surrounds; this improves privacy and breaks up the massing of the front elevation. The tapered window surrounds also take into consideration local issues with birds which is good foresight. Having the parking separate from the dwelling is not ideal but, given the constraints of the site, it allows a better layout of the dwellings allowing a tighter, more urban grain.
- 8.4. The finish would be white render at first floor and stone finished render at ground floor. This change in materials helps break up massing and adds interest, flint would be used in the ground floor render mix which reflects the local vernacular in contemporary way. The grey engineering brick proposed for the boundary walls is acceptable in the context of the overall contemporary design. The landscape buffer to Elim Terrace is important in softening the end wall of the terrace in views down the street. The front gardens have also been designed to provide privacy and a designated area for bin storage to reduce clutter.
- 8.5. The houses have been designed to take advantage of Passivhaus techniques. The main houses have been oriented north south with large glazing to the living rooms to take advantage of the warmth of the low winter sun to heat the house but shade the high summer sun. Furthermore, the following features are also present:
- The houses will be constructed in FSC rated timber to minimise the carbon footprint and embodied energy of the materials.
  - The detailing will be robust timber details with high levels of insulation to minimise the energy required to heat the houses.
  - The minimal heating required will be generated with Air Source Heat Pump located in the rear gardens which will also provide hot water.
  - A heat recovery ventilation system provides the heating and air changes required to meet building regulations (and beyond). Warm air is extracted through the central bathroom and kitchen. The heat is transferred back to the fresh incoming air through the heat recovery unit almost removing the need for heating.
  - Photovoltaic cells will be used on the flat roofs at optimal angles to generate electricity for the house.

- The sanitaryware will be WRAS certified to minimise water usage in each house.
- 8.6. Overall, the design is deemed to be high quality, which takes inspiration from the area whilst providing a contemporary design solution. The Councils Design and Conservation Officer has raised no objection to the application, contending it to be high quality design and respects the character of the area.

### Heritage

- 8.7. The application site is situated adjacent to but outside of the North Lowestoft Conservation Area located on the opposite side of Factory Street to the application site, as is the Grade II Listed Crown Street Hall. Policy WLP8.37 sets out that proposals for development should seek to conserve or enhance Heritage Assets and their settings. The Councils Design and Conservation Officer has reviewed the proposal and deemed that it would have a positive impact upon the setting of Crown Street Hall and the North Lowestoft Conservation Area. The current vacant site makes a negative contribution to the character of the area with views dominated by ad hoc car parking and rear garden fences, and the introduction of new dwellings of high design quality would be a significant improvement to setting of both these heritage assets.
- 8.8. This proposal will preserve the setting of Crown Street Hall and the North Lowestoft Conservation Area. There would be no harm to these designated heritage assets, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990. As such the relevant tests of the NPPF at paragraphs 201 and 202 are not applicable in this instance.

### Amenity

- 8.9. Policies WLP8.29 and WLP8.33 set out that development proposals should provide attractive, useable and proportionately sized amenity spaces, as well as ensuring the living conditions of proposed and existing properties are not unacceptably harmed through means such as overlooking, loss of light, or overbearing forms of development. It is considered that the separation distance between dwellings is sufficient that no adverse losses of light would occur. The closest back to back distance of the proposed dwelling to those on Thurston Road (at first floor level) is approximately 16.5m. A degree of overlooking between properties already exists and, given the openness of the site, overlooking is achievable. It is also relevant that adjacent development has a tight urban grain, and clearly the tall St Peter's Court building permits extensive overlooking of these properties (albeit from a greater distance). Furthermore, whilst the back to back distance is limited, it is not an uncommon distance within urban area and more importantly in the immediate context. Therefore, in this instance, whilst a degree of overlooking would occur, the windows on the rear of the proposed dwellings are for a single bedroom, and as such it is not considered that permission could be refused on the basis of amenity impacts.
- 8.10. The proposed dwellings will be two bedroom and are considered to provide an attractive, useable and proportionately sized amenity space for their residents. Living conditions will be good for future occupiers.
- 8.11. The Environmental Protection Team have raised concerns regarding the potential noise impacts from the proposed Air Source Heat Pumps; therefore a condition is proposed

requiring a noise assessment to be provided provide their installation, to ensure the units are not overly noisy.

### Highways

- 8.12. Whilst a level of ad hoc parking is currently in place, the former garages on the site were not conditionally linked to any parking requirements for surrounding properties. The parking requirement for two bedroom dwellings is 2 parking spaces per dwelling; the application proposes 12 parking spaces on the opposite site of Elim Terrace, therefore the parking provided conforms to the Parking Guidelines. Suffolk County Council Highways Department have noted that parking has been provided for this proposal and that the development is generally acceptable, however, they have recommended that a minimum of 2 visitor parking spaces are proposed and included as part of this proposal. The application proposal provides two spaces per dwelling, which officers considered to be acceptable, and in this instance, there would not be room to accommodate an additional two visitor spaces within the development area. It is considered that, given the conformity to parking guidelines of two spaces per dwelling, the provision of cycle storage space within the site, and the proximity of the site to the high street and town centre, that the parking provision provided would be acceptable and would not harm highway safety. A condition is proposed for details of EV charging points.

### Ecology

- 8.13. The site is situated within the zone of Influence (ZOI) of European protected sites. In this area increased residential development will result in likely significant effects. As set out in the RAMS strategy, evidence shows that there is a 13 km Zone of Influence (ZOI) around the relevant Habitat Sites in the Suffolk Coast area (this includes East Suffolk, Ipswich Borough and Babergh and Mid Suffolk Council areas).
- 8.14. The appropriate contribution to the Suffolk (Coast) RAMS project has been agreed and, subject to this being paid, the impact is considered to be appropriately mitigated in accordance with the Local Plan.

## **9. Conclusion**

- 9.1. In conclusion, the application forms part of East Suffolk Council's drive to improve affordable housing stock on council owned land to providing well designed, affordable, energy efficient homes. The site is situated on under-used brownfield land, in a sustainable location which is well connected and within walking distance of the town centre and other facilities. The scheme also is considered to provide new sustainable affordable dwellings which responds to the existing estate and adjacent conservation area, using a high quality attractive design approach.
- 9.2. Therefore, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.



## **10. Recommendation**

- 10.1. It is recommended that planning permission be granted subject to conditions and the RAMS contribution being secured.

## **11. 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:
- Site Location and Block Plan, P201 Rev B, received 11/08/2023,
  - Proposed Ground Floor Plan, P202, received 28/07/2023,
  - Proposed First Floor Plan, P203, received 28/07/2023,
  - Proposed Floor Plans, P210, received 28/07/2023,
  - Proposed Roof Plan, P204, received 28/07/2023,
  - Proposed Elevations, P221, received 28/07/2023,
  - Proposed Elevations, P220, received 28/07/2023,
  - Proposed Sections, P221, received 28/07/2023,
- 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. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles including electric vehicle charging point(s) and visitor spaces, 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 the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading, and manoeuvring would be detrimental to highway safety. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

5. The use shall not commence until the area(s) within the site shown on Drawing No. P202 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel.

6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No..P202 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway

7. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) Details on noise, dust and light control measures

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

8. A validation report must be submitted to, reviewed by and confirmed in writing by the Local Planning Authority as likely to have addressed the risks identified prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
  - results of sampling and monitoring carried out to demonstrate that all materials imported to site are suitable for residential end use with the consumption of homegrown produce in

accordance with relevant threshold values (sampling results from a UKAS accredited laboratory for the relevant analysis undertaken).

- Evidence of the depths of each/every layer of imported materials used at each residential plot.
- That works have been monitored and supervised by a competent person.
- Evidence that formation of the residential plots, including gardens, has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person (see National Planning Policy Framework) and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

Reason:

9. The hours of working (Including deliveries) during the demolition phase shall be:
  - Monday to Friday - 08:00 to 18:00 hours
  - Saturday - 08:00 to 13:00 hours
  - At no time on Sundays and Bank Holidays

Unless otherwise agreed in writing with the local planning authority.

10. Prior to the installation of any Air Source Heat Pumps, a noise assessment shall be submitted and approved in writing by the Local Planning Authority. The assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L<sub>Ar</sub>,T<sub>r</sub>) of at least 5dB below the typical background sound level (L<sub>A90,T</sub>) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. The Air Source Heat Pumps shall then be installed in accordance with the details contained within the approved noise assessment, and any mitigation measures required shall be installed prior to first use of the pumps.

Reason: To protect the existing and future residents amenity

11. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared, and is subject to the review and confirmation in writing by the Local Planning Authority as likely

to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

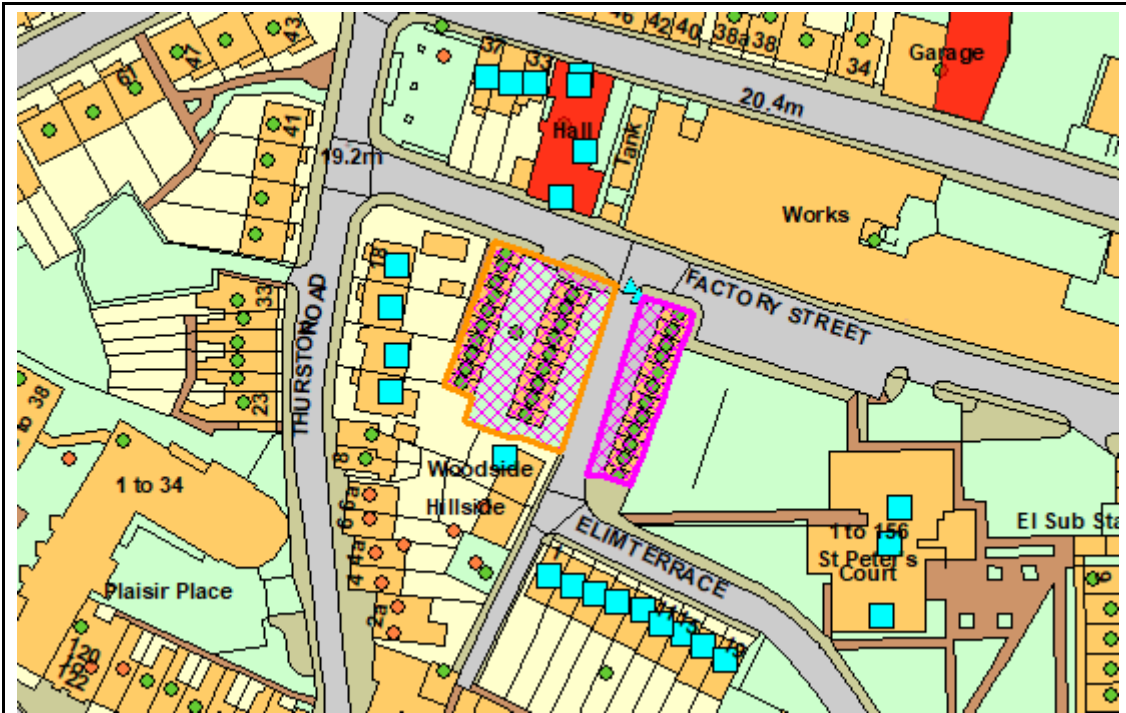
12. The bathroom window on the west (side) elevation at first floor shall be glazed with opaque glass and shall be retained in that condition, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

### **Background information**

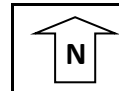
See application reference DC/23/3058/FUL on [Public Access](#)

# Map



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## Key



Notified, no comments received



Objection



Representation



Support