



Committee Report

Planning Committee North – 12 December 2023

Application no DC/23/2317/FUL

Location

47A Marlborough Road
Southwold
Suffolk
IP18 6LS

Expiry date 7 August 2023

Application type Full Application

Applicant Mr & Reverend Alan & Lesley Crawley

Parish Southwold

Proposal Conversion of the existing garage into an office for home use, and for the re-ordering of the rear access staircase and rear gardens of No 47 & 47A and the provision of a PV array on the rear extension roof.

Case Officer Katherine Rawlins
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1. Summary

- 1.1 Permission is sought for the conversion of the existing garage into an office for home use, and for the re-ordering of the rear access staircase and rear gardens of No's 47 & 47A and the provision of a PV array on the rear extension roof.
- 1.2 The application has been referred to the Planning Committee (North) by the Referral Panel as it is considered that the views of the Town Council, should be further discussed. The Officer recommendation of approval is contrary to the views of Southwold Town Council as follows:
- 1.3 "Southwold Town Council would ask ESC TO REFUSE permission for this application.

Loss of parking

The loss of parking by applying to convert the existing garage into an office would be against Southwold Neighbourhood Plan policies SWD7 and SWD12. The application would not be compliant with the SCC onsite residential parking Policy.

Request to convert garage

The request for an office within an exterior garage space would not be compliant with the Southwold Neighbourhood Plan policies SWD7 and SWD12.

The application can therefore be refused on the above planning policies.

Should ESC choose to ignore these material planning policies then The Southwold Neighbourhood Plan policy SWD12 would still apply to the application – and any permission to convert should be conditioned with a statement that the building containing the office space must always be for a use which is ancillary to the main residence and not permitted to be used as an additional room or property in its own right."

- 1.4 The existing garage is too small to be considered a usable parking space according to SCC guidelines. The proposal would therefore not result in the loss of a useable parking space and while the proposal would result in only one parking space for a three-bedroom property, it is in a sustainable location and the parking provision would not be reduced.

2. Site Description

- 2.1 The application property is a non-listed, two storey terraced property, forming two maisonettes (no's 47 and 47A) located on Marlborough Road, within the settlement boundary of Southwold. The property is located outside the boundary of Southwold Conservation Area but is located within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. The property has 3 bedrooms, including the extant permission for the rear dormer in the roof space.
- 2.2 Permission was granted in 2022 for front and rear dormers, and conversion of attic space to living accommodation (DC/22/1066/FUL).

3. Proposal

- 3.1 Permission is sought to convert a single garage at the rear to a home office, containing shower room/tea and coffee making space, to re-order the rear staircase with a spiral staircase and rear balcony, and the installation of solar PV on the rear roof slope of No. 47A which occupies the first and second floors of the building.
- 3.2 Certificate B has been completed by the applicant and the relevant notice served on no. 47 Marlborough Road (ground floor maisonette).

4. Consultees/comments

4.1 1 Third Party Representation

- Property is being altered by stealth;
- Use of garage is being changed to a residence and will be living accommodation;
- Sewage and waste will add to drains;
- New balcony to staircase will overlook my garden and be intrusive;
- How will it affect my party wall;
- Bricking up garage out of character and will lead to parking problems.

Comment: Matters in relation to foul drainage and party wall are not material planning considerations but are addressed by separate legislation.

The loss of parking, design and amenity issues are addressed below.

Planning conditions are necessary to ensure that the accommodation is ancillary to the host property, and not severed and used as independent, self-contained living accommodation.

Parish/Town Council

Consultee	Date consulted	Date reply received
Southwold Town Council	22 June 2023	13 July 2023
<p>Summary of comments: Southwold Town Council would ask ESC TO REFUSE permission for this application.</p> <p>Loss of parking The loss of parking by applying to convert the existing garage into an office would be against Southwold Neighbourhood Plan policies SWD7 and SWD12. The application would not be compliant with the SCC onsite residential parking Policy.</p> <p>Request to convert garage The request for an office within an exterior garage space would not be compliant with the Southwold Neighbourhood Plan policies SWD7 and SWD12 .</p> <p>The application can therefore be refused on the above planning policies.</p>		

Should ESC choose to ignore these material planning policies then The Southwold Neighbourhood Plan policy SWD12 would still apply to the application – and any permission to convert should be conditioned with a statement that the building containing the office space must always be for a use which is ancillary to the main residence and not permitted to be used as an additional room or property in its own right.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Rights Of Way	22 June 2023	30 June 2023

Summary of comments: We accept this proposal but ask that the following is taken into account:

1. PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).

Consultee	Date consulted	Date reply received
SCC Highways Department	27 July 2023	4 August 2023

Summary of comments:

The existing garage is not deemed a sufficient area to park a vehicle. As a result of this development 47A Marlborough Road would have 1 vehicle parking space in tandem to the garage. Whilst this would not accord with Suffolk Guidance for Parking (2019), we recommend the below condition where the loss of the garage removes any existing provision for secure cycle storage. Secure and covered storage for 2 cycles should be provided per Class C3 dwelling and consideration should be given to exceptional standards of sustainable transport where a reduction in vehicle parking standards has been allowed.

Non statutory consultees

Consultee	Date consulted	Date reply received
Southwold And Reydon Society	N/A	17 July 2023

Summary of comments:

Having discussed this application, the Executive Committee think that there may be issues regarding disruption to the public right of way in the garden and fully support the conditions requested by GHI PROW Planning that the PROW is maintained during construction.

We also think there may be a problem regarding loss of amenity in terms of privacy, as the balcony of the proposed spiral staircase will overlook the garden of a neighbour.

We recommend approval of this application, providing the LPA work with the applicant regarding the above issues.

Consultee	Date consulted	Date reply received
SCC Coasts And Heaths Project	22 June 2023	No response
Summary of comments:		

5. Publicity

5.1 This application has been subject to the following press advertisement:

Category	Published	Expiry	Publication
Category	Published	Expiry	Publication

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 26 June 2023

Expiry date: 17 July 2023

6. Planning policy

6.1 Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the East Suffolk (Waveney) Local Plan and the Southwold Neighbourhood Plan.

6.2 National Planning Policy Framework (2023)

6.3 The following policies are considered relevant:

- WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)
- SWD6 - Design (Southwold Neighbourhood Plan, 'Made' February 2022)
- SWD7 - Parking (Southwold Neighbourhood Plan, 'Made' February 2022)

- SWD12 – Loss of Private Garden Space (Southwold Neighbourhood Plan, 'Made' February 2022)
- National Planning Policy Framework 2023

7. Planning Considerations

Principle of Development

- 7.1 The site is located within the settlement boundary of Southwold, wherein the principle of new development comprising extensions and alterations to existing dwellings is acceptable, in accordance with policies WLP1.2 and WLP8.12 of the Adopted Waveney Local Plan.

Design and Streetscene

- 7.2 The building comprising nos. 47 and 47A has a large, mono pitch roof rear addition, faced in cream render, in contrast to the plain red brick and pitch roof design of the immediate terrace. No. 49 is a more modest, two storey property with hipped roof constructed from red brick. There is a Public Right of Way that runs parallel with Marlborough Road at the rear of the application site and the terrace – Southwold Public Footpath 20 – from which the single storey garage block serving the terrace is visible.
- 7.3 The site is located outside the Southwold Conservation Area – the boundary abuts PROW 20 at the rear of the terrace.
- 7.4 The proposed conversion of the rear single garage would alter the character and appearance of what is currently a fairly uniform block of single storey flat roof garages, sited to the rear of the terrace. No alterations are proposed to the footprint or height of the garage, and there would be no discernible impact on the streetscene along Marlborough Road and Field Stile Road, as the proposed alterations would be entirely to the rear of the property. The up and over metal garage door would be replaced with a white painted timber door in a herringbone pattern with fixed fanlights.
- 7.5 Similarly, the introduction of a balcony and staircase would alter this rear elevation, but any visual impact would be very limited from the wider streetscene along Marlborough Road and Field Stile Road, being positioned entirely at the rear of the property, and only visible from the PROW 20 and immediate vicinity. The proposed alterations are considered to have a neutral impact on the neighbouring Conservation Area.
- 7.6 The installation of 14no. solar PV on a domestic dwelling/block of flats on the rear mono pitch roof would be permitted development in the majority of cases, falling under Part 14, Class A of the Town and Country Planning (General Permitted Development) (England) Order (2015) (as amended), subject to a number of limitations. The position of the solar PV on the roof plane to the rear mono pitch wing, raises no design or wider landscape issues, and would have a neutral impact on the neighbouring Conservation Area.

- 7.7 Subject to the use of the garage being used as ancillary office space to the host property, no objection is raised to the application on design grounds, in accordance with NP policy SWD06 and WLP8.29 of the Waveney Local Plan (2019).

Residential Amenity

- 7.8 An objection has been received from the neighbouring property at no. 49 regarding potential for overlooking and loss of privacy from the proposed rear balcony/spiral staircase. Policy WLP8.29 of the Adopted Waveney Local Plan requires development to protect the amenity of the wider environment and neighbouring uses.
- 7.9 There is a rear external staircase that would be enlarged to provide a balcony at first floor level, measuring 1 x 2.8 metres, beneath which an external store is proposed. The position, depth and height of the rear balcony is such, that this would allow for oblique overlooking towards the closest first floor rear windows of the neighbouring property at no. 49 and potential loss of privacy, contrary to policy WLP8.29. The applicant has provided a privacy screen, shown on drawing no. 008 E to mitigate overlooking and any loss of privacy to the immediate neighbour.
- 7.10 The proposed conversion of the single garage raises no wider amenity issues, subject to its use being ancillary to the host property and to ensure that the home office contains no sleeping accommodation. This is to prevent the formation of a separate unit of residential accommodation, in the interests of amenity, parking and access.
- 7.11 In regard to private external amenity space, this is currently demarcated between the two maisonettes by a close boarded timber fence. The block plan indicates that the fence line would be re-positioned to increase the private amenity space to the ground floor maisonette at no.47, resulting in a reduction to the external amenity space to no. 47A.
- 7.12 NP Policy SWD12 (Loss of Private Garden Space) requires development proposals in courtyards and gardens to be of a size that is generally consistent with the prevailing pattern of garden spaces in the surrounding area; the scale, design, and siting not to detract from the visual amenity of the streetscene; and re-greening of the site where vegetation is removed.
- 7.13 The rear courtyards to the maisonettes comprise of a concrete hardstanding at the rear, behind the garage block, with no vegetation or wider visual impact on the streetscene. The resultant private amenity space to each property would be comparable to neighbouring properties in the immediate terrace.

Parking

- 7.14 NP Policy SWD7 (Parking) states that development proposals that create a demand for parking should meet the requirements of the Suffolk Highways Guidance 2019. In this instance, the development proposal would create an ancillary residential room that would not require an additional parking space.
- 7.15 The property would retain one off-street parking space on a hardstanding to the rear of the garage. This falls short of the Adopted Parking Standards (2019) that requires two off-street parking spaces for a three bedroom dwelling. This application is technically contrary

to NP policy SWD7, which requires the same number of new parking spaces in the Parking Zone in which the proposed development is located.

- 7.16 The Suffolk County Council guidance for a garage/carport space is 3m x 6m with a minimum entrance width of 2.4m. The existing garage door width is approximately 2.14m and the internal space is 2.6m by 5.51m. Therefore, the existing internal garage space is not considered a useable size for a car parking space as it falls noticeably short of the required parking standard. There are no parking restrictions along Marlborough Road either; therefore, a refusal based on lack of parking provision would be difficult to sustain in this instance.
- 7.17 SCC Highways has been consulted on this application and states that the garage is not deemed a sufficient area to park a vehicle. As a result of this development, there would be 1 vehicle parking space in tandem to the garage. Whilst this would not accord with Adopted Parking Standards (2019) the Highways Authority does not raise an objection to the application, subject to the provision of secured covered cycle storage for 2 cycles, as shown on amended drawing no. 007 E. The application site is sustainably located within walking distance of all amenities, Southwold Town Centre and the seafront; therefore, the loss of parking is offset by the provision of secure covered cycle storage.
- 7.18 SCC Public Rights of Way Officer raises no objection to the application, subject to informatives to advise the applicant that the public right of way at the rear shall remain open, free of obstruction at all times.

8. Recommendation

- 8.1 That planning permission is APPROVED subject to the following conditions:

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 Plan, Proposed Block Plan, drawing no. 1021 MR 013 Garage Elevations and PV array, received by the Local Planning Authority 12 June 2023, and drawing no's 1021 MR 007 E Proposed Plans, 1021 MR 008 E Proposed Elevations, received by the Local Planning Authority 21 August 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. The conversion of the garage to a home office hereby permitted, shall be used only for purposes incidental to the enjoyment of the dwellinghouse as such and shall not be used for any business, commercial or industrial purposes whatsoever, and shall at no time be used as or contain sleeping accommodation.

Reason: In the interests of the amenity of the area, access and parking, and to prevent the formation of a separate unit of accommodation.

5. The privacy screen shown on drawing no. 008 E, shall be installed prior to the first use of the access platform/rear staircase, and retained as such thereafter.

Reason: In the interests of the amenity of the area.

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.
2. The applicant is advised that the PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).
3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface, or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
 - To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071. PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not

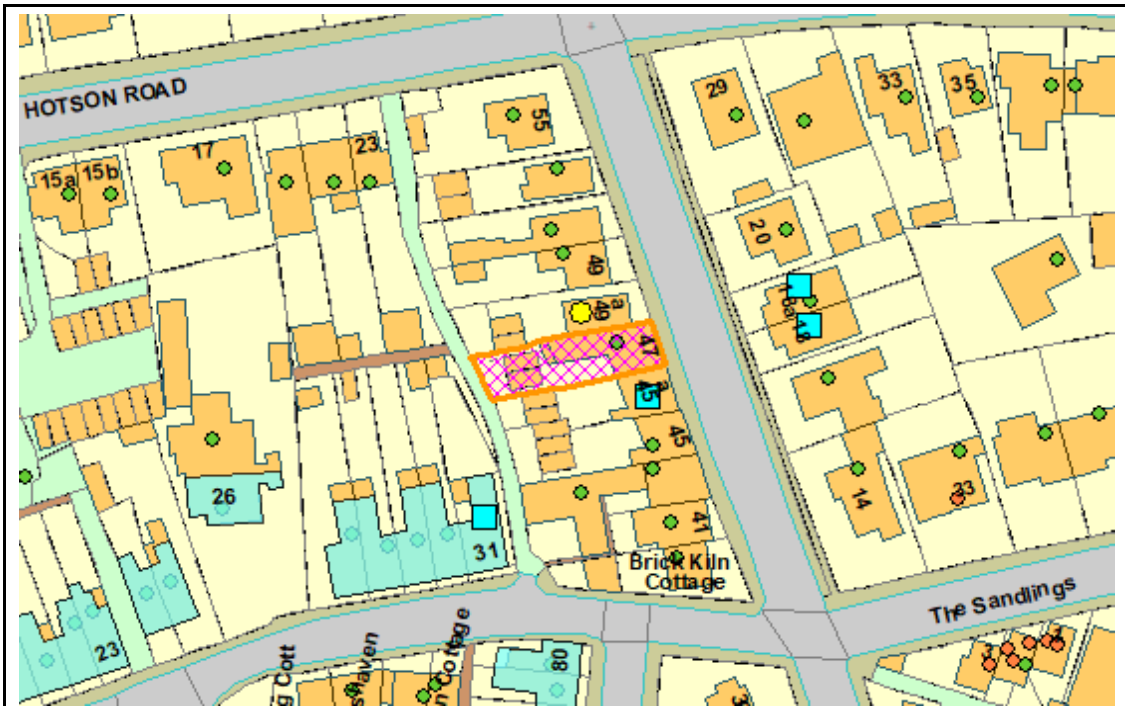
responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.

- To apply for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - contact the relevant Area Rights of Way Team <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> or telephone 0345 606 6071.
 - To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible to discuss the making of an order under s257 of the Town and Country Planning Act 1990 - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
5. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
6. Any hedges adjacent to PROW must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path and should not be allowed to obstruct the PROW.

Background information

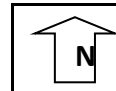
See application reference DC/23/2317/FUL on [Public Access](#)

Map



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Key



Notified, no comments received



Objection



Representation



Support