



Committee Report

Planning Committee North - 14 November 2023

Application no DC/23/3635/RG3

Location

Jubilee Parade
Lowestoft
Suffolk
NR33 0DG

Expiry date 29 November 2023

Application type Deemed Council Development

Applicant Mr R Best

Parish Lowestoft

Proposal Temporary siting of WC facilities and cafe on Jubilee Parade for duration of construction works to new two storey facility. Temporary relocation of beach huts as indicated on drawings

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Temporary planning permission is sought for the siting of W.C. facilities and cafe on Jubilee Parade, along with the temporary relocation of beach huts. The proposed temporary building is required to facilitate proposed new development along Jubilee Parade, albeit this application (DC/23/3977/RG3) is still pending consideration. The proposed placement of the temporary structures for a period of approximately 18 months is not considered to cause harm to the character and appearance of the area, given their temporary nature and the clear operational necessity to do so in the event that the linked planning application is approved. The building is also located to minimise potential impediment into the main walkway area of the promenade, and it is not considered that the proposal would adversely impact upon the amenity of the area.
- 1.2. The application is therefore considered to comply with local and national planning policy, and as such it is recommended that temporary planning permission be granted, subject to conditions.

- 1.3. East Suffolk Council are the applicant and thus the application is referred direct to planning committee (North) for consideration.

2. Site Description

- 2.1. The site is located within the South Lowestoft Conservation Area. The site forms part of the lower Promenade along Lowestoft Beach.

3. Proposal

- 3.1. Temporary planning permission is sought for the siting of W.C. facilities and cafe on Jubilee Parade and the temporary relocation of beach huts.
- 3.2. The purpose of this application is to provide temporary accommodation for the existing public toilets and Zaks café. The proposed W.C. facilities will be situated to the north of the existing Jubilee Terrace building along the cliff side, requiring the temporary relocation of 5no. beach huts. The cafe will be positioned to the south of the Eastern Edge beach huts, in a projecting element of the promenade.
- 3.3. The café will be accommodated in a 20x8ft, single storey 'shipping container' or similar. The toilets will be in two 12x9ft containers providing 3 toilets each, 1 unit for male and 1 for female. The provision will match the existing toilet provision in the existing building.

Third Party Representations

- 3.4. No third-party letters of representation have been received.

4. Consultees

| Consultee | Date consulted | Date reply received |
|------------------------|----------------|---------------------|
| Lowestoft Town Council | 5 October 2023 | 24 October 2023 |

Lowestoft Town Council Planning Committee has considered this application and has agreed to make a recommendation of refusal as the application is currently presented. The Council are concerned there is currently no permission in place for the construction of the proposed new two storey building and wishes to support the response from the Environment Agency and the evaluation of the Flood Risk Assessment.

| Consultee | Date consulted | Date reply received |
|-------------------------------|----------------|---------------------|
| Environment Agency - Drainage | 5 October 2023 | 6 October 2023 |

Summary of comments:
Objection raised, as Flood Risk Assessment required.

| | | |
|--|----------------|---------------------|
| Consultee | Date consulted | Date reply received |
| East Suffolk Design And Conservation | 5 October 2023 | 10 October 2023 |
| Summary of comments: No objections. | | |

| | | |
|-------------------------------------|----------------|---------------------|
| Consultee | Date consulted | Date reply received |
| East Suffolk Private Sector Housing | 5 October 2023 | 12 October 2023 |
| Summary of comments: No comment. | | |

| | | |
|--|----------------|---------------------|
| Consultee | Date consulted | Date reply received |
| East Suffolk Economic Development | 5 October 2023 | No response |
| Summary of comments: No comments received | | |

| | | |
|--|----------------|---------------------|
| Consultee | Date consulted | Date reply received |
| East Suffolk Head Of Coastal Management | 5 October 2023 | No response |
| Officer Note: no comments received at this time, but comments will be provided to members via the update sheet the day before the committee meeting. | | |

5. Publicity

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

| | | | |
|-------------------|------------------|-----------------|----------------------------|
| Category | Published | Expiry | Publication |
| Conservation Area | 13 October 2023 | 3 November 2023 | Lowestoft Journal |
| Category | Published | Expiry | Publication |
| Conservation Area | 13 October 2023 | 3 November 2023 | Beccles and Bungay Journal |

6. Site notices

General Site Notice

Reason for site notice:
General Site Notice
Conservation Area

Date posted: 13 October 2023
Expiry date: 3 November 2023

7. Planning policy

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

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (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 of Development

- 8.1. The Local Plan notes the importance of the tourism sector to the area's economy and sets out to generally support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.2. The temporary structures are required in connection with wider works to the Jubilee Parade building, which currently includes a cafe and toilets, in addition to other facilities. These wider works, subject of planning application ref. DC/23/3977/RG3 include the demolition of the existing building, and construction of a two storey building with access to the upper promenade. The application for these works is currently under assessment; however, this application for temporary consent has been submitted as a precursor to those works. It is not considered that a decision on this application, either way, would affect any potential decision on those wider works, which will need to come before the planning committee in due course. There is operational logic in securing a temporary planning permission for these mitigatory proposals in advance. Consent for these works would allow for the temporary relocation of the facilities to take place ahead of any decision on the Jubilee Parade building which could potentially assist with allowing the construction period to begin promptly and thus reducing the duration of impact on the local area.

Design and Conservation Area

- 8.3. Policy WLP8.29 sets out the local planning authorities design aspirations for new development within the local area, including that proposals should *"demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness"*. With it going on to state that development should, respond to local context and the form of surrounding buildings in relation to:
 - the overall scale and character
 - layout
 - site coverage

- height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular;
- 8.4. The site is situated within the South Lowestoft Conservation Area, and as such policy WLP8.39 stipulates that development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. This reflects the statutory duties of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and heritage objectives of the NPPF.
- 8.5. The café building will be 6.1m by 2.4m (20x8ft) similar in scale to a single storey 'shipping container'. The toilets will be in two 3.65m by 2.75m (12x9ft) containers to match the provision within the existing building. It is proposed that both buildings will be clad to resemble the surrounding huts. This is similar to further south of the site where similar toilet facilities have been cladded to resemble beach huts. The proposed toilet block will partially blend in with its neighbouring beach huts, albeit on a slightly larger scale, and will also be positioned adjacent to the cliff side, further limiting its visual impact. The proposed cafe will be positioned on the beach side of the promenade in a projecting element adjacent to steps down onto the beach. This represents more of a departure from the existing form of development along the promenade which is along the cliff side. Therefore, this building is likely to be more visually prominent in views along the beach front. However, the building is proposed to be temporary and will only be in position for approximately 18 months; once removed any harm will also cease. Therefore, whilst a level of visual harm will result, this would only be for a temporary period of time whilst wider works are undertaken (subject to planning consideration of DC/23/3977/RG3).

Amenity

- 8.6. Policy WLP8.29 sets out that proposed development should, amongst other things, protect the amenity of the wider environment, neighbouring uses, and provide a good standard of amenity for future occupiers of the proposed development. The proposed cafe unit will replace the existing unit within Jubilee Parade, and therefore there will be no net increase in facilities along this area of the Promenade. As such there is not considered to be any additional increase in amenity impacts such as from noise or odour. The nearest residential properties would also be located approximately 160m from the proposed cafe unit.
- 8.7. The submitted statement sets out that provision has been made for waste emptying regularly throughout the use of the units. Each unit waste tank will require emptying weekly and bi-weekly during the main summer season.
- 8.8. Additionally, the proposed units will not significantly infringe on the main walkway of the promenade. The temporary toilets would have a 4.9m clear space in front of the stair for access, whilst for the temporary café will have 4.7m clear space in front.

Flood Risk

- 8.9. The site is located in close proximity to the North Sea, and therefore part of the site falls within Flood Zones 2 and 3, but when accounting for climate change there is likely to be

increased flood risk in the area. The Environment Agency has raised an objection due to the lack of Flood Risk Assessment submitted with the application. A Flood Risk assessment is currently being prepared and will be submitted to the Environment Agency for further consideration. It is therefore recommended that if permission were granted that it be subject to a suitable Flood Risk Assessment (FRA) being submitted to demonstrate the scheme is acceptable in flood risk terms. Given the proposals are not for vulnerable uses, officers are satisfied that in principle the scheme is acceptable in flood risk terms and that an FRA can evidence this.

Coastal Erosion

- 8.10. The Coastal Erosion Vulnerability Assessment (CEVA) has been prepared in the required format and has made references to appropriate parts of Shoreline Management Plan documents and the Coastal Adaption Planning Guidance Document.
- 8.11. The key findings are that the currently wide beach is likely to erode overtime and expose the frontage to more aggressive wave overtopping during storms. However, the current policy intent is to maintain a seawall on the current line to at least 2105.
- 8.12. The CEVA is therefore accepted as evidence that the applicant has a good awareness of erosion risk, and that the development will not cause significant negative impacts on coastal management interests. The scheme is therefore acceptable in accordance with WLP8.25.
- 8.13. When comments from the Coastal Management Team have been received, they will be reported to Members via the update sheet.

9. Conclusion

- 9.1 The National Planning Policy Framework sets out the statutory status of the development plan as the starting point for decision-making and requires a presumption in favour of sustainable development. The proposed structures will only be in position for a temporary period of time, and to facilitate wider regeneration works along the seafront, and therefore any harm has to be weighed in respect of the temporary period of time and the wider benefits of providing a level of continued facilities whilst works are undertaken. The proposal Therefore, the proposed development is considered to accord with the Development Plan and is recommended favourably.

10. Recommendation

- 10.1 Authority to approve with conditions subject to the submission of a Flood Risk Assessment (FRA) to officer satisfaction in consultation with the Environment Agency.

11. Conditions:

1. This permission shall expire on 30 June 2025, by which date the W.C. Facilities and Cafe, hereby permitted, shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed.

Reason: The structures are unsuitable for permanent consent by virtue of its character/impact upon the locality.

2. The development hereby permitted shall be carried out in accordance with:

- Site Location Plan, 250 P1, received 20/09/2023,
- Proposed Site Plan, 252 P1, received 20/09/2023,
- Proposed Temporary Food Container Elevations, 255 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Elevation, 256 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Plan, 254 P1, received 20/09/2023,
- Existing and Proposed Temporary Food Container Plan, 253 P1, received 20/09/2023,
- Proposed Temporary Facilities Planning Supporting Statement, P2, received 20/09/2023,

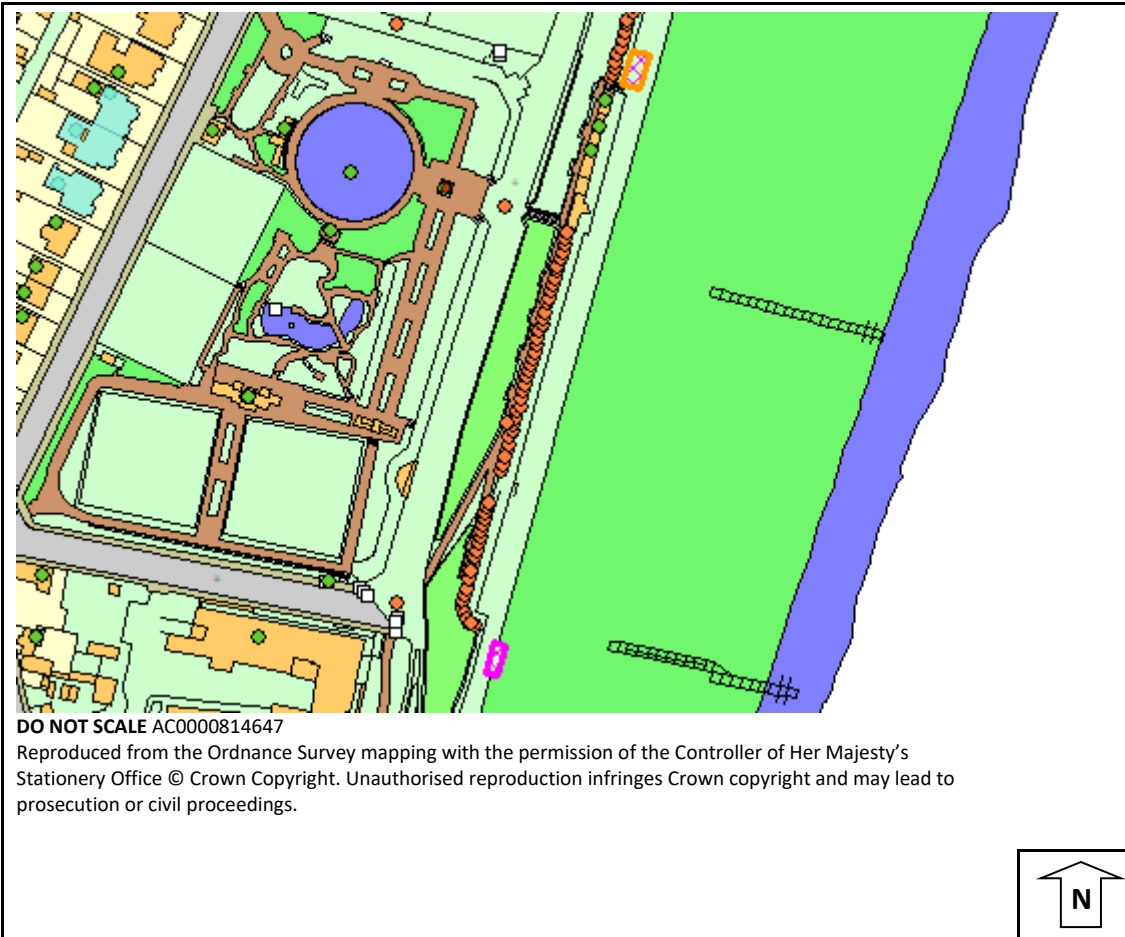
for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

Background information

See application reference DC/23/3635/RG3 on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support