



## Committee Report

**Planning Committee South – 22 March 2022**

**Application no** DC/21/4052/FUL

**Location**

Seaside House  
27 Bath Road  
Felixstowe  
IP11 7JN

**Application type** Full Application

**Applicant** Mr Nigel Goodridge

**Parish** Felixstowe

**Proposal** Retrospective Application for retention of development comprising: cladding along the rear side and back of No27; and a balcony and stair on the 1st floor gable end

**Case Officer** Grant Heal  
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### 1. Summary

#### Proposals and recommendation

- 1.1 Planning permission is sought for the retention of works comprising the installation of cladding to rear/side elevations and the erection of a free-standing balcony with stairs at Seaside House, no.27 Bath Road, Felixstowe.
- 1.2 Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the Planning (Listed Buildings and Conservation Areas) Act, the NPPF and the relevant policies of the adopted Local Plan.

### Reasons the item is at Planning Committee

- 1.3 Notwithstanding, the referral process was triggered in accordance with the Council's scheme of delegation because the 'minded to' decision of the Case Officer is contrary to the Town Council's recommendation to refuse the application.
- 1.4 The application was therefore presented to the referral panel on Tuesday 22 February 2022 where members felt that the merits and impacts of the implemented works warranted further consideration at planning committee.

### Dormer windows

- 1.5 During the referral panel meeting, members sought clarification on whether the installation of two dormer windows apparent on the rear and side elevations of the application property had previously been consented through the application process or whether such works would constitute Permitted Development.
- 1.6 The dormer windows on the rear (west) and southern roof slopes require Planning Permission, as the property is located within a Conservation Area, so additions to the roof can not be undertaken as Permitted Development under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. They do not form part of the current application and therefore are not a matter for consideration at this time. They will need to be the subject of a separate application, to be determined at a later date. The applicant has been advised of this.

## **2 Site Description**

- 2.1 The site is a two-storey semi-detached dwelling in red brick with frontage onto Bath Road. The property benefits from off-road parking and rear amenity areas. The wider area is characterised as residential.
- 2.2 The site lies within character area 5 (East of Hamilton Road) of the Felixstowe Conservation Area and the subject dwelling is identified as a 'Positive Unlisted Building'. The streetscape is generally referred to within the Felixstowe Conservation Area Appraisal (2020) as follows:

'Bath Road is composed of large detached and semi-detached villas, some with extravagant displays of wrought ironwork of outstanding quality and design'.
- 2.3 The development site is not considered to lie within the immediate setting of any listed buildings; the nearest being the Grade II listed 'Stable and Coach House' block at Felixstowe tennis club on the opposite side of Bath Road.
- 2.4 The Case Officer notes that at least two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road also enjoy first-floor rear facing balconies. Balconies also appear on no.45 and no.49 Bath Road.
- 2.5 The use of horizontally laid weatherboard cladding is also evident on other properties within the immediate area - as noted several times within the Conservation Area Appraisal - and appears on the gables of street-facing dormers seen on neighbouring properties.

2.6 The Felixstowe Conservation Area is not subject to any 'Article 4 Directions'.

### 3 Proposal

- 3.1 This application seeks Planning Permission for the retention of works comprising the installation of cladding to rear/side elevations and the erection of a free-standing balcony with stairs at Seaside House, no.27 Bath Road, Felixstowe.
- 3.2 The cladding comprises a composite weatherboarding installed in a horizontal configuration to the subject properties western (rear) and southern (side) facades from ground level to eave height.
- 3.3 The balcony is of black coloured wrought iron with one-metre-high handrail and external staircase. It is raised to first floor-level (2.7 metres high) and stretches across the full width of the property's rear-facing elevation.
- 3.4 An original box-shaped bay window, suspended at first-floor level, was removed as part of the works and a new set of white UPVC French doors were installed in its place to enable balcony access.
- 3.5 The dormer windows on the rear (west) and southern roof slopes require Planning Permission, as the property is located within a Conservation Area, so additions to the roof can not be undertaken as Permitted Development under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. They do not form part of the current application and therefore are not a matter for consideration at this time. They will need to be the subject of a separate application, to be determined at a later date.

### 4 Consultees

#### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	14 October 2021	4 November 2021
<p>“Committee recommended REFUSAL.</p> <p>Committee objects strongly to this application. We feel that the various elements of the application individually and collectively neither preserve nor enhance the Conservation Area according to policy SCLP11.5. We bitterly regret the loss of the distinctive oriel bay window and the chimney. We acknowledge the applicant's statement that there are other buildings in the Conservation Area with traditional Victorian weatherboarding, and balconies to the rear or front. However, whilst we do not object to the balcony in principle, we feel that the balcony as constructed is particularly modern and utilitarian and does not contain any ornate Victorian features. The modern concrete hardiplanking does not replicate traditional wooden weatherboarding and sits in contrast and incongruously with the adjoining neighbour.”</p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	17 October 2021	No response
Summary of comments: Internal consultation - see officer report.		

## Publicity

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

Category	Published	Expiry	Publication
Conservation Area	21 October 2021	11 November 2021	East Anglian Daily Times

## Site notices

General Site Notice	Reason for site notice: Conservation Area Date posted: 22 October 2021 Expiry date: 12 November 2021
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## 5 Third Party Representations

- 5.1 One third-party representation of objection has been received which raises concerns relating to the development's impact on the character of the conservation area and host property. Impacts on residential amenity from increased overlooking and light pollution are also cited.
- 5.2 Four third-party representations of support have also been received which note the complementary nature of development relative to other dwellings within the area (no.31). The presence of rear-facing balconies and weatherboarding evident on other properties within the vicinity is also cited.
- 5.3 Occupants of the adjoining property (no.29) have also highlighted that the subject dwelling did previously benefit from a rear-facing balcony.

## 6 Planning policy

National Planning Policy Framework 2021

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

SCLP3.2 - Settlement Hierarchy (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)

SCLP11.6 - Non-Designated Heritage Assets (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)

## **7 Planning Considerations**

### Planning history

- 7.1 No relevant planning history is available for the application site.

### Permitted Development

- 7.2 While the subject property does appear to benefit from Permitted Development Rights, the works sought to be retained by this application (i.e. installation of cladding and balcony) require Planning Permission as they do not meet the requirements to be Permitted Development as defined within the General Permitted Development Order.
- 7.3 Concerning the removal of the box-shaped bay window, it is noted that permission is not required to demolish an unlisted building which does not exceed 115 cubic metres in a Conservation Area. Equally, the removal of architectural details, making holes in walls to create new windows, or demolishing one wall to allow an extension on an unlisted building within a Conservation Area would not amount to demolition and so would not require planning permission.

### Planning principle

- 7.4 The site falls within the Settlement Boundary (SCLP3.3) of Felixstowe; which is categorised as a 'Major Centre' within the Settlement Hierarchy (SCLP3.2) of the adopted development plan.
- 7.5 The proposal relates to the enhancement of an existing dwelling and therefore the planning principle is considered acceptable, subject to a satisfactory assessment of other material planning matters, as set out below.

### Visual amenity and Impact upon the Conservation Area

- 7.6 Following a site visit undertaken by the Case Officer, it is confirmed that the composite weatherboarding sought to be retained by this application cannot be viewed within the

street scene experienced along Bath Road. This is due to the cladding's rear/side position and the close proximity of no.25 (adjacent south) which restricts the view to be gained between properties.

- 7.7 While a glimpsed view of the subject property's rear/side elevation can be gained from Quilter Road (between no's. 6 and 10), the effect of the cladding is somewhat muted by the presence of similar horizontally laid cladding evident on no's. 6 and 4.
- 7.8 Indeed, the presence of similar weatherboard cladding is a prominent feature within the Felixstowe Conservation Area and it appears on other properties along Bath Road, including the gables of street-facing dormers seen on no's. 25 and 23 (adjacent south).
- 7.9 While it is accepted that the installed cladding does not reflect the red brick exterior of the adjoining property's rear elevation, it is nevertheless found that the works do not appear incongruous when viewed in context.
- 7.10 Given the former state of the host property's rear elevation, which included mismatched brick work and unsympathetic repairs, it is felt that the cladding provides a degree of enhancement.
- 7.11 With the above in-mind, it is found that the installed cladding presents a low degree of less than substantial harm to the visual appearance of the subject dwelling and overall quality of the wider Conservation Area.
- 7.12 The black coloured lightweight wrought iron frame of the installed balcony and external stairs appear visually quiet and sympathetic when viewed in context with the wider site.
- 7.13 The structure's utilitarian character, rear siting and the presence of similar black wrought iron features on the subject property's street-facing elevation, make it unreasonable to conclude that the constructed balcony/stairs present any meaningful harm to the host property and quality of the wider Conservation Area as a whole.
- 7.14 It is otherwise noted that rear-facing balconies appear on at least two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road. Balconies also appear on no.45 and no.49 Bath Road, including original rear-facing wrought iron structures.
- 7.15 With consideration of the above, it is noted that the NPPF (para.203) requires that when 'weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 7.16 Following discussion with Council's Design and Conservation Team, it is considered that the building's contribution to the Felixstowe Conservation Area lies primarily in its principal elevation when viewed within the street scene. In this regard, the works are deemed to have had an overall neutral impact on the historic significance of the Conservation Area.
- 7.17 While it is otherwise unclear whether the property subject to this application should be considered as a Non-Designated Heritage Asset (NDHA), Council officers nevertheless find that if it were to be considered as such, then the scale of impact on the host and neighbouring dwelling presented by the development amounts to a lower degree of less

than substantial harm - primarily arising from the contrast in materials now evident between the host and adjoining dwelling's.

- 7.18 In this regard, such harm is partially offset by the use of high-quality materials and forms that collectively provide a degree of enhancement for the building and wider Conservation Area, when judged against the former state of the building's rear elevation which appeared as an unsightly array of mismatched materials and unsympathetic repairs.
- 7.19 Accordingly, the works subject to this application are found to be acceptable and the statutory tests of the Planning (Listed Buildings and Conservation Areas) Act are met.
- 7.20 The proposal is otherwise consistent with guidance contained within the Council's Historic Environment SPD (June 2021) and the requirements of SCLP11.1 (Design Quality), SCLP11.3 (Historic Environment), SCLP11.5 (Conservation Areas) and SCLP11.6 (Non-designated Heritage Assets) of the adopted Local Plan are fulfilled.

Residential amenity:

- 7.21 In assessing the application's potential to impact on the amenity enjoyed by neighbouring residents, it is important to note that two other neighbouring dwellings, including no.29 (adjoining property) and no.31 Bath Road also enjoy first-floor rear facing balconies.
- 7.22 While no evidence has otherwise been presented to officers to suggest that the subject property did itself previously benefit from a similar rear-facing balcony, it is nevertheless found that a mutual degree of overlooking to and from the rear elevations of properties fronting Quilter Road (no's. 10 and 12) have always been experienced by occupants in some form, as is generally experienced within the majority of high-density residential areas.
- 7.23 It is also considered that views otherwise gained from the application property's upper storey windows, and the suspended bay window since removed, grant the applicant/owners with similar sightlines towards neighbouring rear sitting-out areas.
- 7.24 Further, it is noted that a distance in excess of 30 metres otherwise remains between the installed balcony handrailed edge and the nearest rear elevation of properties fronting Quilter Road.
- 7.25 The Local Planning Authority are otherwise limited in their ability to control the use of external lighting installed on the rear elevation of the subject property.
- 7.26 With the above in-mind, it is concluded that, while the installed balcony does allow the applicant/owner a marginally closer view of the rear elevations of properties fronting Quilter Road, such impacts are not otherwise considered to fall below the measure of acceptability, when judged against the relevant provisions of the NPPF and SCLP11.2 (Residential amenity) of the adopted Local Plan.

Highway safety and parking:

- 7.27 The development does not have any impact on existing parking/manoeuvring arrangements and does not therefore undermine SCLP7.2 (Parking proposals and standards) of the adopted development plan.

## **8 Conclusion**

- 8.1 As per the above assessment, this application broadly accords with the Planning (Listed Buildings and Conservation Areas) Act, the NPPF and the relevant policies of the adopted Local Plan. It is also therefore acceptable in terms of all relevant material planning considerations and therefore should be supported.

## **9 Recommendation**

- 9.1 This application should be approved and the existing works retained subject to the following conditions.

### **Conditions:**

1. The development hereby permitted shall be retained in accordance with the details received by application validated on 12 October 2021, including the following drawing(s) and document(s):
  - Proposed block plan (received 11 October 2021);
  - Site location plan (received 11 October 2021);
  - 'Balcony viewed from back garden' (received 11 October 2021);
  - 'Gable end wall viewed from back garden' (received 11 October 2021).

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

2. The materials and finishes shall be retained as indicated within the submitted application, unless otherwise agreed by the Local Planning Authority.

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

3. The hereby approved cladding shall be retained in the approved form to all elevational walls apart from the subject building's front elevation and the south facing side gable on the original main building, directly adjoining the front elevation. No further cladding shall be installed.

Reason: For the avoidance of doubt as to what has been approved and in the interest of protecting visual amenity and the special historic interest of the Conservation Area.

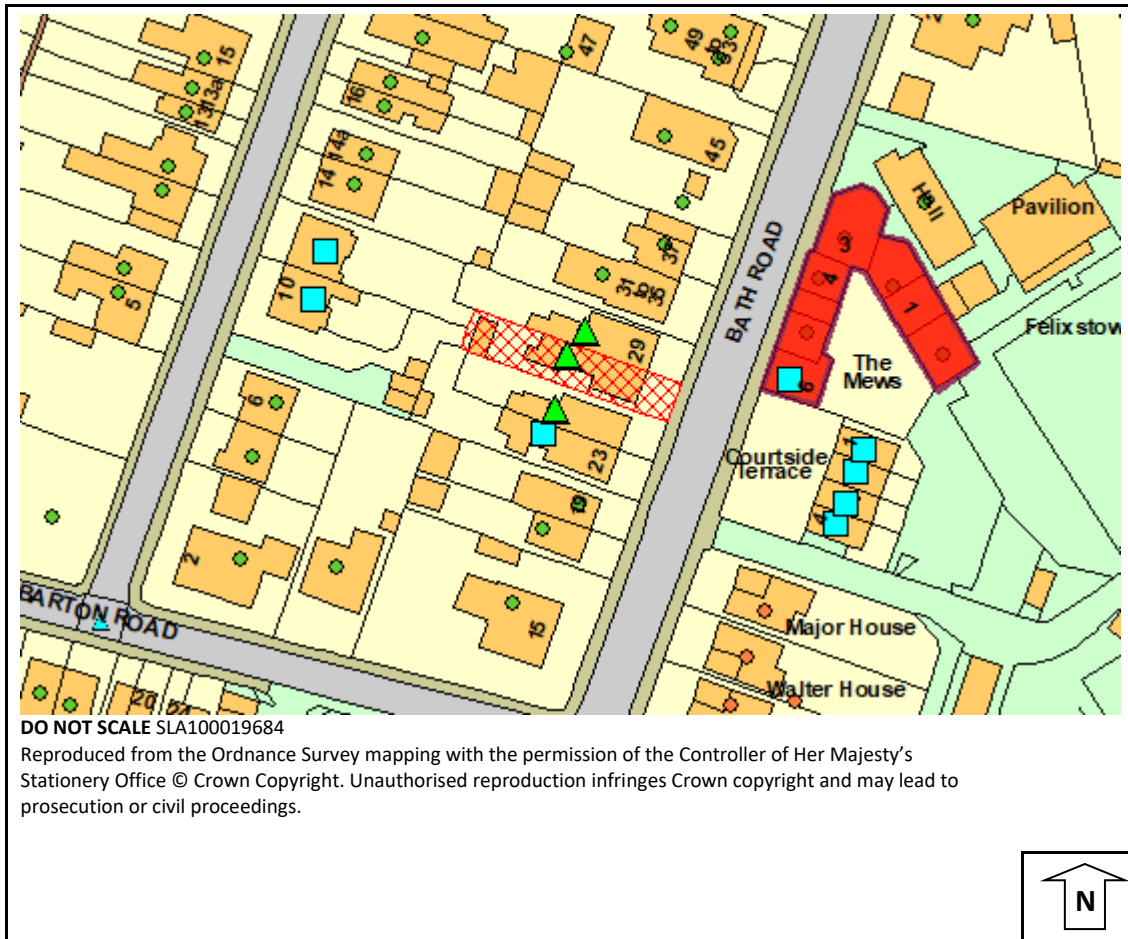
### **Informatives:**

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.

## **Background information**

See application reference DC/21/4052/FUL on [Public Access](#)

## Map



## Key



Notified, no comments received



Objection



Representation



Support