



## Planning Advisory Panel – NORTH (14 April 2020)

### Delegated Report

**Application no** DC/19/5063/VOC

**Location**

243 Long Road  
Lowestoft  
NR33 9DF

**Expiry date** 23 February 2020

**Application type** Variation of Conditions

**Applicant** Mrs Margo Sinclair

**Parish** Lowestoft

**Proposal** Variation of Condition No.2 of DC/10/0003/FUL - Construction of 3no. detached houses. Removal of Condition 2 - Alteration to the design and siting of plot 1.

**Case Officer** Matthew Gee  
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### Summary

Permission is sought to vary Condition 2 of the consent gained under DC/10/0003/FUL, to allow alterations to the design and siting of dwelling on Plot 1. The variations proposed are not considered to have an additional adverse impact to the character and appearance of the surrounding area or street scene, or to the amenity of neighbouring residents. It is therefore considered that the proposal complies with local and national planning policy, and as such it is recommended that planning permission be granted.

The item is before the Planning Advisory Panel, because it was due to be considered by North Area Planning Committee 14 April 2020, prior to the cancellation of the meeting, due to Government advisory restrictions on face to face meetings resulting from Covid-19.

The application was referred to committee at the request of the planning referral panel on the 3rd March 2020. It was referred to that panel because the officers recommendation to approve,

contrary to the comments from the ward member recommendation to refuse (comments included below).

### **Site description**

The site is located within the Physical Limits of Lowestoft. The site has permission, granted under application DC/10/0003/FUL, for the construction of three dwellings, ranging from two storey to one and half stories. The properties on Plots 2 and 3 have been constructed, with Plot 1 remaining unbuilt.

The site fronts onto Long Road to the East, and is bounded by Hornbeam Close to the north, the property of plot 2 to the west, and no. 245 Long Road to the south.

### **Proposal**

Permission is sought to vary Condition 2 of the consent gained under DC/10/0003/FUL, to allow alterations to the design and siting of dwelling on Plot 1.

The variations include:

- Increasing the eaves height from 2.35m to 4m.
- Increasing the width of the proposed dwelling from 9.8m to 10.3m, and the depth from 9.5m to 10m.
- Removal of the front garage

### **Consultations/comments**

Two representations of Objection from neighbouring residents raising the following material planning considerations:

- Missing bin storage area
- Proposed represents a 23% increase in floor area above the approved dwelling, and increased eaves height
- Applicant could apply for the garage if permission is granted
- Proposal includes two habitable rooms overlooking the front of no. 245. Previous approval only granted one
- Proposed dwelling is closer to neighbouring boundaries than previous approval
- Proposal constitutes cramped and incongruous form of development, and over development of the site

One representations from local ward members Cllr F Mortimer and Cllr T Mortimer:

*"With reference to the latest submitted planning application for 243 Long Road Lowestoft.*

*As Ward Councillors for the Long Road District we are totally apposed to the latest Application submitted for the following reasons.*

*1) it is some 20% larger than the previous Application which was withdrawn, even with the garage removed.*

*2) It is over development of the site.*

3) *The Resident of No 243 Long Road is overlooked by several windows on the side facing wall, 2 bedrooms & a bathroom, therefore her Quality of Life will be effected.*

*Further comments:-*

*a)The development if approved should be moved forward, and any further planning permissions refused.*

*b We are requesting this Application goes before referral committee rather than Delegated decision.*

*c) We request a site visit to Long Road by ourselves and you to evaluate the proposals in detail on Thursday 30th January perhaps afternoon time to be confirmed by me."*

## Consultees

### Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	2 January 2020	21 January 2020
Summary of comments: The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 21 January. It was agreed to recommend support for this application		

## Ward Members

Consultee	Date consulted	Date reply received
Ward Members – Cllr F Mortimer and Cllr T Mortimer		
Summary of comments: <i>"With reference to the latest submitted planning application for 243 Long Road Lowestoft. As Ward Councillors for the Long Road District we are totally apposed to the latest Application submitted for the following reasons.</i> <i>1) it is some 20% larger than the previous Application which was withdrawn, even with the garage removed.</i> <i>2) It is over development of the site.</i> <i>3) The Resident of No 243 Long Road is overlooked by several windows on the side facing wall, 2 bedrooms &amp; a bathroom, therefore her Quality of Life will be effected.</i> <i>Further comments:-</i> <i>a)The development if approved should be moved forward, and any further planning permissions refused.</i> <i>b We are requesting this Application goes before referral committee rather than Delegated decision.</i> <i>c) We request a site visit to Long Road by ourselves and you to evaluate the proposals in detail on Thursday 30th January perhaps afternoon time to be confirmed by me."</i>		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	2 January 2020	17 January 2020
Summary of comments: No objections		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Waveney Norse - Parks (OS And Play Areas)	2 January 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	2 January 2020	6 January 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Anglian Water	2 January 2020	3 January 2020
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	2 January 2020	4 February 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	2 January 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	2 January 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	2 January 2020	No response
Summary of comments: No comments received		

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Anglian Water	10 February 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	10 February 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	10 February 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	10 February 2020	No response
Summary of comments: No further comments received		

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	10 February 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Lowestoft Town Council	10 February 2020	27 February 2020
Summary of comments: The Planning and Environment Committee of Lowestoft Town Council considered this application at a meeting on 25 February 2020. It was agreed to recommend approval of the application.		

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	10 February 2020	27 February 2020
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	10 February 2020	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Waveney Norse - Parks (OS And Play Areas)	10 February 2020	No response
Summary of comments: No comments received		

## **Publicity**

### **Site notices**

General Site Notice

Reason for site notice: New Dwelling

Date posted: 7 January 2020

Expiry date: 28 January 2020

### **Planning policy**

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

## National Planning Policy Framework

### Planning considerations

#### Planning applications details

Permission is sought to vary Condition 2 of the consent gained under DC/10/0003/FUL, to allow alterations to the design and siting of dwelling on Plot 1.

The variations include:

- Increasing the eaves height from 2.35m to 4m.
- Increasing the width of the proposed dwelling from 9.8m to 10.3m, and the depth from 9.5m to 10m.
- Increase in floor area from approximately 120sqm (G/F = 76sqm F/F = 53sqm) (137sqm including garage) to 176 (G/F = 88sqm F/F = 88sqm)
- Removal of attached front garage

The application has been amended during the course of the application, to reposition the dwelling closer to the road to increase distance to neighbouring property, and increase relocate the bathroom to the rear of the site, to reduce the number of habitable rooms of the first floor rear elevation.

#### Planning history

The site benefits from an implemented planning permission, DC/10/0003/FUL, which granted consent for 3no. dwelling on the site. Plots 2 and 3 of that permission have been constructed, and as such the permission for plot 1 still remains live. The planning permission for plot 1 granted consent for a one and half storey dwelling, measuring 7m in height, with a footprint of approx. 80sqm (not including garage).

An application to amend the approved plans was submitted (DC/18/3020/VOC) and refused by planning committee in November 2018, for the following reasons:

*"The proposed development is considered to constitute a cramped and incongruous form of development, which would fill the width of the plot and would represent overdevelopment of the limited sized plot. The proposal thereby fails to produce a development that is in keeping with the overall scale, character, layout, or site coverage, of existing buildings, or that takes into account the relationship between buildings and spaces and the wider street scene or townscape. The proposal is therefore, for the reasons given above, considered to be contrary to the provisions of the adopted Waveney District Council Local Plan and in particular, policies CS02: High Quality and Sustainable Design, DM02: Design Principles, and the NPPF."*

The refused scheme sought to:

- Increase ridge height of the dwelling from 7m to 8.15m, and the eaves height from 2.35m to 3.35m.
- Increase the width of the proposed dwelling from 9.35m to 9.85m, and the depth (not attached including garage) from 9.5m to 10m.

- Increase the distance to the boundary with no.245 (not including garage), from approx. 1m to approx. 2.35m
- Increase the size of the attached garage from single bay, to double bay, and reposition it to the boundary with no.245.

### Principle of Development

The site is located within the physical limits for Lowestoft, and as such the principle of development is considered acceptable, subject to its adherence to the other relevant planning policies set out in the Local Plan and the NPPF.

In addition, as set out above the site benefits from an implemented planning permission, DC/10/0003/FUL. Given the above points it is considered that the principle of amending the design of the dwelling on plot is acceptable, subject to its impact on the street scene, amenity of neighbours and highways impact being assessed.

### Design and appearance considerations

Policy WLP8.29 sets out that proposed development should respond to local context and the form of surrounding buildings and take account of the form and character of the built development. Planning permission has previously been granted for a one and half storey dwelling on the plot. This application seeks to amend the design of the approved dwelling; the proposed dwelling will be no higher than the existing dwelling, however, it will be 0.5m wider, 0.6m deeper, and 1.3m higher to the eaves. The increase in floor area would be approximately 25%. The proposed dwelling will be no closer to the neighbouring properties and will be set approximately the same distance to the neighbouring boundary of no.245.

The street is characterised by a mixture of dwelling sizes and designs. The immediate neighbouring property to the south-west is a single storey dwelling, to the north-east is a one and half storey dwelling; and to the west, behind the proposed dwelling, is a one and half storey dwelling. Given the varied nature of the street and the extant planning permission, it is not considered that the increased footprint or eaves height of the dwelling would result in an adverse impact.

Therefore, it is considered that on balance, the additional impact that the proposed alterations would have on the character and appearance of the street scene would not be so averse to warrant refusal of this application.

### Residential Amenity

Policy WLP8.29 also states that proposed development should seek to "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 alterations seek to retain the overall height of the previous approval but increase the eaves height by approximately 1.7m. Given the increased dimensions of the property, it is likely that some additional loss of light may occur to the neighbouring property of no.245. However, given the tracking of the sun from east to west, it is unlikely that the proposed amendments would result in a marked decrease in direct light to the neighbouring property to the detriment of their living conditions.

The increased eaves height, depth, and width is also not considered to result in a marked impact on the outlook from the neighbouring property of no.245 when compared to what has previously been approved.

Concerns regarding loss of privacy have been raised by neighbouring residents. The proposed windows to the rear of the property are at a similar height to those approved under the original application and are of similar distance to the front windows of no.245. Furthermore, the window closest to the boundary with no.245 has been amended to a bathroom window, to reduce some of the potential overlooking. Therefore, whilst the property is marginally closer to the neighbouring property of no.245, it is not considered that this would result in any marked increase in overlooking compared to what has previously been approved.

Whilst some additional impact on amenity may arise as a result of the proposed amendments, it is considered that on balance the proposed alterations would not result in an adverse impact on the amenity of neighbouring resident's contrary to WLP8.29.

### Transport and access

Suffolk County Councils Highway Officers have raised no objections to the proposal, and it is considered that there would be sufficient onsite parking provision.

### **Conclusion**

In conclusion, 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.

### **Recommendation**

It is recommended that planning permission be approved subject to the following conditions.

#### **Conditions:**

1. The dwelling on plot 1, hereby approved, shall not be brought into use until it has been completed in all respects strictly in accordance with;  
- Proposed plans, 572/6 A, received 19 March 2020  
for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

2. Samples of external facing and roofing materials for each plot shall be submitted to and approved by the Local Planning Authority before their first use on site. Development shall be carried out in accordance with the approved samples.

Reason: To ensure the satisfactory external appearance of the development.

3. In accordance with advice set out in British Standard BS 5837-2005, Trees in relation to construction. The hedge along the northern boundary of the site shall be retained, and prior

to the construction above foundations of the approved dwelling on plot 1, details of both hard and soft landscape works for that plot have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to occupation of the dwelling. These details shall include proposed means of enclosure and hard surfacing materials. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

4. The velux windows on the rear elevation at first floor level on the dwelling on plot two shall be glazed with opaque glass and shall be limited to opening not more than 100mm and shall be retained in that condition

Reason: To preserve the amenity of adjacent property.

5. The bathroom window on the north elevation at first floor level of the dwelling on plot three shall be glazed with opaque glass and shall be retained in that condition

Reason: To preserve the amenity of adjacent property.

6. The vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 572/6 Rev B and made available for use prior to the occupation of the properties hereby approved. It shall thereafter be retained in its approved form.

Reason: To ensure that the layout of the access is properly designed and constructed before the development commences and is brought into use before the occupation of the property in the interests of highway safety.

7. A dwelling shall not be occupied until the area within the site shown on drawing no. 572/6 Rev B for the purposes of manoeuvring and parking of vehicles for that dwelling has been provided and thereafter it shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order) (with or without modification), no alteration or extension shall be carried out at first floor level, or higher, to any dwelling hereby permitted which materially affects the amenities of surrounding dwellings, unless the prior written consent of the Local Planning Authority has been obtained.

Reason: To safeguard the amenity of nearby properties.

9. The first floor bedroom window of plot 2 on the east-facing side elevation shall be obscure glazed in the southern casement (when divided vertically in two) and shall be limited to

opening not more than 45 degrees. The precise details of the obscure glazing shall be submitted and agreed in writing by the District Council with 28 days of the grant of planning permission. The obscure glazing shall then be inserted within 14 days of any written approval and shall thereafter be retained. The northern casement shall be fixed shut. The window shall be retained in this condition.

Reason: To prevent overlooking of the neighbouring property.

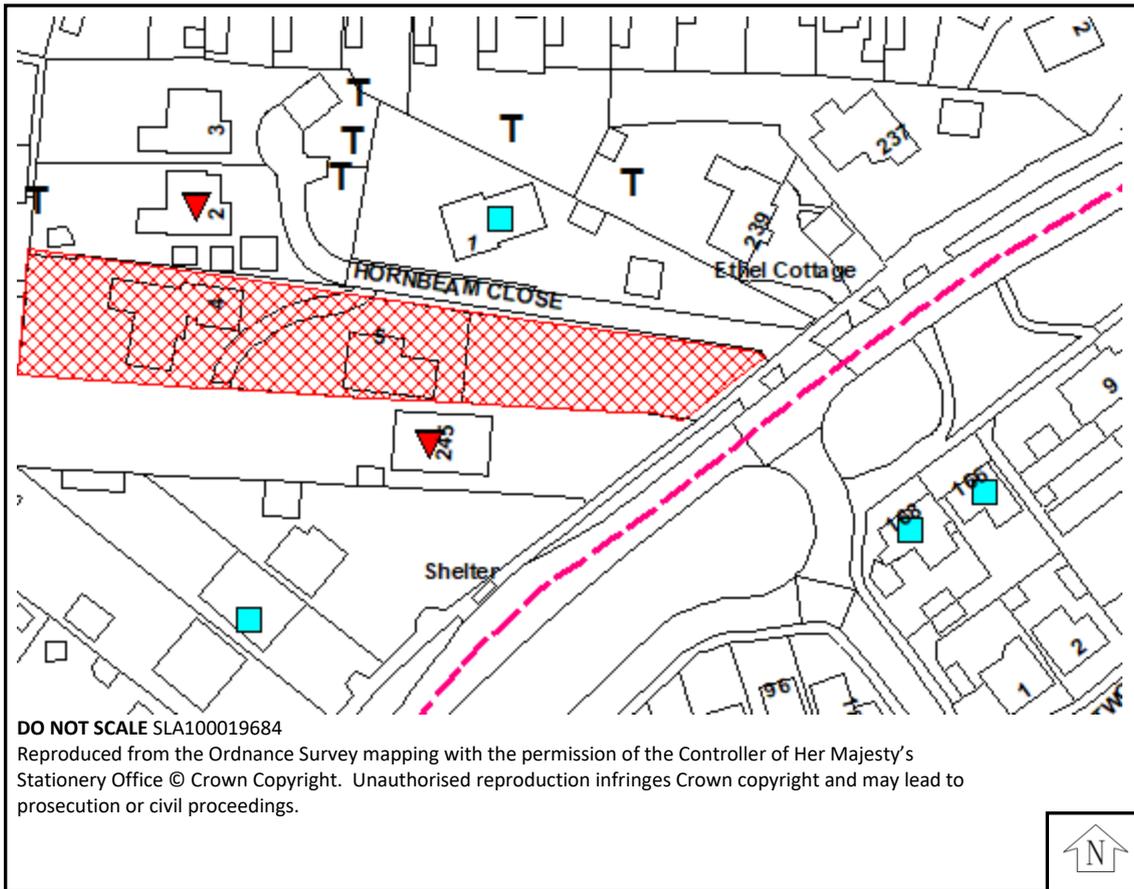
**Informatives:**

There are no informatives.

**Background information**

See application reference DC/19/5063/VOC at <https://publicaccess.eastsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=Q3BKVXQXGUM00>

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support