



Committee Report

Planning Committee North - 8 March 2022

Application no DC/21/5015/FUL

Location

15 - 18 Milton Road East
Lowestoft
Suffolk
NR32 1NT

Expiry date 4 January 2022

Application type Full Application

Applicant East Suffolk Council

Parish Lowestoft

Proposal Development of six 2 bed dwellings after demolition of existing building

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1. Summary

- 1.1. Planning permission is sought for the demolition of the existing single storey office building, which has been vacant since 2019, and the construction of 6 x 2-bedroom properties with associated parking and outdoor amenity space. The properties will form part of the Councils housing portfolio and will be available for affordable rent.
- 1.2. Data extracted from the Housing Needs Register on 8th October 2021 identifies a total of 50 applicants, in need of a 2-bed home, with a local connection to the Lowestoft area. The need for 2-bed homes for smaller families is well documented within the district, with a further 107 applicants requesting 2-bed homes but considered adequately housed currently. The site was identified as an opportunity to address this need by delivering 6, much needed 2-bedroom homes.
- 1.3. The subject site for this application lies within the settlement boundary of Lowestoft, in a highly sustainable location within the Town centre in a primarily residential area which is within walking distance of everyday services and facilities. This building has very little

architectural merit and it is considered that demolition and redevelopment will improve this aspect of Milton Road East.

- 1.4. The application is before members as East Suffolk Council are both the applicant and landowner.
- 1.5. The proposed development is in accordance with the Local Plan and the application is recommended for Approval.

2. Site Description

- 2.1. Milton Road East runs along the northern boundary of the site, there are four single storey retail units directly opposite with terraced housing situated perpendicular to these on Tennyson Road and Arnold Street. To the west of the site, Milton Road East continues until its junction with Katwijk Way where there is a mixture of terrace housing, office conversions and the former Lowestoft Hospital located on the corner of Tennyson Road.
- 2.2. The former Lowestoft Hospital site is allocated for comprehensive residential redevelopment through allocation Policy WLP2.8.
- 2.3. The site is within the Town Centre Boundary as highlighted on the Policies maps and is situated in close proximity to but outside of the North Lowestoft Conservation Area.

3. Proposal

- 3.1. The proposal is for a terrace of 6 x 2-bedroom properties constructed of buff brick with slate appearance tiles; the building would be of traditional form but with contemporary detailing. Car parking for plots 1 - 5 would be in front of the properties, off road car parking is not feasible for plot 1 given its corner location. The properties would be sustainably constructed using micro-generation technology such as PV panels and air-source heat pumps. EV charging points will be provided for plots 1 - 5, with cycle storage facilities for all dwellings.

4. Consultations/comments

- 4.1. Two representations have been received, one of objection and one of comment, raising the following matters:

Objection:

- Overlooking and loss of privacy due to proximity of properties

Comment:

- Impact on gable end of 33 Police Station Road from demolition of attached building.

Parish/Town Council

Consultee	Date consulted	Date reply received
Lowestoft Town Council	16 November 2021	1 December 2021
Summary of comments: The Town Council's Planning Committee considered this application at a meeting on 30 November 2021. It was agreed to recommend approval of the application subject to the installation of electric charging points at the parking spaces designated within the plans.		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 November 2021	25 January 2022
Summary of comments: Holding objection. Proximity of plot 2 parking to junction and lack of visibility to plot 1 parking space.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	16 November 2021	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 November 2021	17 November 2021
Summary of comments: No objection subject to Contaminated land (CL) conditions requiring CL investigation and remediation where necessary. Also, EV charging points to improve air quality.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property and Facilities	16 November 2021	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 November 2021	No response
Summary of comments: No comment received.		

5. Publicity

Site notices

General Site Notice

Reason for site notice:

New Dwelling

Date posted: 29 November 2021

Expiry date: 20 December 2021

6. Planning policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.
- 6.2. The National Planning Policy Framework (NPPF) (2021) and National Planning Policy Guidance (NPPG) are material considerations.
- 6.3. The East Suffolk Council (Waveney) Local Plan was adopted on 20 March 2019 and the following policies are considered relevant:
 - WLP1.1 - Scale and Location of Growth
 - WLP1.2 - Settlement Boundaries
 - WLP1.3 - Infrastructure
 - WLP8.1 - Housing Mix
 - WLP8.2 - Affordable Housing
 - WLP8.18 - New Town Centre Use Development
 - WLP8.21 - Sustainable Transport
 - WLP8.29 - Design
 - WLP8.32 - Housing Density and Design

7. Planning Considerations

Principle of development

- 7.1. Policy WLP1.2 defines settlement boundaries and restricts the development of new residential, employment and retail use outside of settlement boundaries.

- 7.2. The site is situated within the Town centre boundary. To help support the vitality and viability of town centres the National Planning Policy Framework states that local plans should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations. Town Centre Boundaries and Primary Shopping Areas are defined by Policy WLP8.18
- 7.3. The site is outside of the primary or secondary shopping frontages. There is no protection for commercial uses such as this in these locations and therefore the principle of residential use of the site is therefore considered to be suitable.

Design

- 7.4. Policy WLP8.29 of the Local Plan requires that development proposals will be expected to demonstrate high quality design which reflects local distinctiveness; demonstrating 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. Paragraph 126 of the NPPF highlights that good design is a key aspect of sustainable development.
- 7.5. Proposals should respond to local context and the form of surrounding buildings in relation to the overall scale and character, layout, site coverage and height and massing of existing buildings. The relationship between buildings and spaces and the wider street scene or townscape is important and proposals should make use of materials and detailing appropriate to the local vernacular. Innovative design will be strongly supported where it meets the criteria of this policy.
- 7.6. Policy WLP8.32 "Housing Density and Design" highlights that development proposals shall make best use of the site in a manner that protects or enhances the distinctiveness and character of the area and takes into account the physical environment of the site and surrounds.
- 7.7. In this case it is considered that the density of the proposal is acceptable and is characteristic of the density of the surrounding area which is predominantly made up of terraced properties.
- 7.8. To the west the terraced properties are often bay fronted, with small front gardens that are enclosed with low walls or railings. Parking predominantly takes place within the highway. Closer to the development site are smaller terraced properties built directly onto the pavement edge.
- 7.9. This development takes design characteristics from the surrounding built development using vernacular form and materials but details the properties in a contemporary way taking into account site constraints. Buff brick and slate appearance tiles are proposed which are characteristic of the properties to the west, the bay features of these properties are indicated through the use of a modern engineering brick, the lack of a physical bay is partly down to space for frontage parking, this approach has been used on the Police Station Road frontage also to provide more interest to this gable end. A bay window is shown on the western gable where there is space to do so.

- 7.10. The original proposal for side boundary treatments to be of timber fencing with concrete gravel boards has been replaced with brick walls, providing continuity with the appearance of the main properties which would provide a high-quality finish to these visible side boundaries.
- 7.11. Off street parking has been provided on the majority of the plots due to the limited availability in the vicinity, this has led to the properties being set back further than others but is unavoidable, and this frontage parking provision has the benefit of enabling EV charging points which would be more difficult with only on-street provision.
- 7.12. Overall, the design of the proposal is considered to be acceptable and would be an enhancement to the surrounding area and would accord with Policies WLP8.29 and WLP8.32.

Amenity

- 7.13. Policy WLP8.29 expects that development proposals will protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development.
- 7.14. The existing building is only single storey in height but abuts the gardens of 33 Police Station Road and 3 County Villas. The properties as proposed would be of two storey height but set further back than the existing with a 1.8m fence on the rear boundary. The lesser height of the fence in place of the existing building would reduce the immediate impact from a high wall on their northern boundaries but overall, a two-storey building will have a greater impact on the occupiers of these properties and others in close proximity.
- 7.15. This impact would mainly be from the potential for overlooking from the rear bedroom windows. These have been designed in such a way as to minimise the impact from overlooking due to the high-level position of the window in main area of the room. Furthermore, due to the relationship of these existing properties to one another there is already overlooking from first floor windows to garden areas.
- 7.16. In terms of the amenity of future occupiers the proposals offer residential units that exceed minimum space standards and will offer a good level of amenity in terms of natural light to rooms. Garden space of a suitable proportion to the dwellings is provided to the rear, where there is also provision for refuse and cycle storage.
- 7.17. The proposal is therefore considered to comply with the requirements of Policy WLP8.29.

Highways

- 7.18. Suffolk County Council Highways Authority provided a formal comment on the original layout plan of which a holding objection was registered. Two areas of concern were identified; firstly, that the parking space for plot 2 was too close to the junction with Police Station Road as it was within 10 metres of the junction creating a hazard when reversing onto the highway. Secondly, the parking provision for Plot 1 would emerge between two walls which would not provide any pedestrian inter-visibility.

- 7.19. The most recently submitted layout plan moves the footprint of the building westwards allowing the parking space to plot 2 to be positioned further from the junction. Whilst an alternative parking layout was proposed for plot 1 this would have resulted in the parking space taking up the majority of the garden area for the property and in any case would have required a gate to be located in close proximity to the highways, which would have resulted in an equally hazardous layout. In these circumstances it was considered that the best outcome for plot 1 was for no off-road parking to be provided for this plot.
- 7.20. Although the initial holding objection has not been formally removed, SCC Highways Authority have indicated that this would be preferable subject to adequate cycle storage provision. The site is situated approximately 50 metres from the shopping area on London Road North and 600 metres from the railway station. Officers are of the view that future occupiers would be aware of the lack of off-street parking and would not necessarily require a car due to the town centre location. Arguably in a site this sustainably located, it would be possible to have a scheme with no on-site parking provision, but the proposal makes the best use of the site to provide as much safe on-site parking as possible in the context.
- 7.21. As previously mentioned, covered and secure cycle storage will be provided to ensure that other more sustainable transport options are available to occupiers as is encouraged by Policy WLP8.21.
- 7.22. It is therefore considered that this proposal would not have an unacceptable impact on highway safety and would therefore comply with the requirements of Paragraph 111 of the NPPF.

Other matters

Heritage:

- 7.23. The proposals would not harm the setting of the North Lowestoft Conservation Area and would meet the requirements of Policy WLP8.39 of the Local Plan, S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

Ecology:

- 7.24. Due to the previously developed nature of the site, it is not considered that an Ecology assessment is required. The opportunity to provide some landscaping, where there is currently only hard surfacing, would lead to a slight enhancement to Biodiversity and would accord with Policy WLP8.34 of the Local Plan and should be secured through conditions.

RAMS:

- 7.25. 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 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).

- 7.26. The appropriate contribution to the RAMS project has been made which allows for a strategic approach to mitigating the in-combination effects of development on these designated areas and allows mitigation to be delivered across the project area.
- 7.27. The proposals would therefore accord with Policy WLP8.34 of the Local Plan.

8. Conclusion

- 8.1. The proposed development is of an appropriate design, scale and density which will make the best use of the site in a manner that protects and enhances the distinctiveness and character of the area and takes into account the physical environment of the site and surrounds.
- 8.2. The impact of the proposal on the amenity of occupiers of properties to the rear is considered to be acceptable.
- 8.3. The amendments made to the proposal in terms of the layout for parking are considered to be acceptable, given the context of the site, and would not give rise to unacceptable impacts on highway safety.
- 8.4. Growing populations and housing need, particularly the affordability of housing are societal key issues identified within the Local Plan. The proposal will provide an important contribution to the Council's housing stock which would go some way to meeting the demand for 2-bedroom properties needed accommodate smaller families with a local connection to Lowestoft as identified by the Housing Needs Register.
- 8.5. The proposal is considered to accord with Local Plan Policies identified within this report and the objectives of sustainable development with in the NPPF.

9. Recommendation

- 9.1. Approve - Subject to conditions detailed below.

10. 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 Drawing No. 1740 01 Rev F, 03 Rev B and 04 Rev E received on 23 February 2022, 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. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation consisting of the following components has been submitted to, and approved in writing by, the local planning authority:

a) An intrusive/Phase 2 investigation(s), to include:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- an explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including: BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM).

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.

5. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

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.

6. Prior to any occupation or use of the approved development the RMS approved under condition 5 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

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.

7. A validation report must be submitted to and approved in writing by the LPA 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 the site remediation criteria have been met;
 - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
 - evidence that remediation 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.

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.

8. 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. 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 and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS 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 approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

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.

9. The use shall not commence until the area(s) within the site shown on Drawing No. 1740 01 Rev E for the purposes of manoeuvring and parking of vehicles 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 vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

10. Prior to first occupation the EV charging point as shown on Drawing No. 1740 01 Rev E shall be provided and shall be retained thereafter.

Reason: To ensure the provision for charging of electric vehicles in accordance with Suffolk Guidance for Parking (2019) and to promote sustainable transport methods.

11. The use shall not commence until area(s) within the site shown on Drawing No. 1740 01 Rev E 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.

12. The areas to be provided for the storage and presentation of refuse and recycling bins as shown on Drawing No. 1740 01 Rev E 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.

13. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the accesses are first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

14. Prior to construction above slab level full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maximise the long-term biodiversity value of the landscaping.

15. The landscaping scheme shall be completed in the autumn (October -December) planting season following completion of the last building shell, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 3 years shall be replaced during the next planting season.

Reason To ensure a satisfactory appearance within the landscape

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 proposed development may require the naming of new street(s) and numbering of properties/businesses within those streets and/or the numbering of new properties/businesses within an existing street. This is only required with the creation of a new dwelling or business premises. For details of the address charges please see our website www.eastsuffolk.gov.uk/planning/street-naming-and-numbering or email llpg@eastsuffolk.gov.uk
3. Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

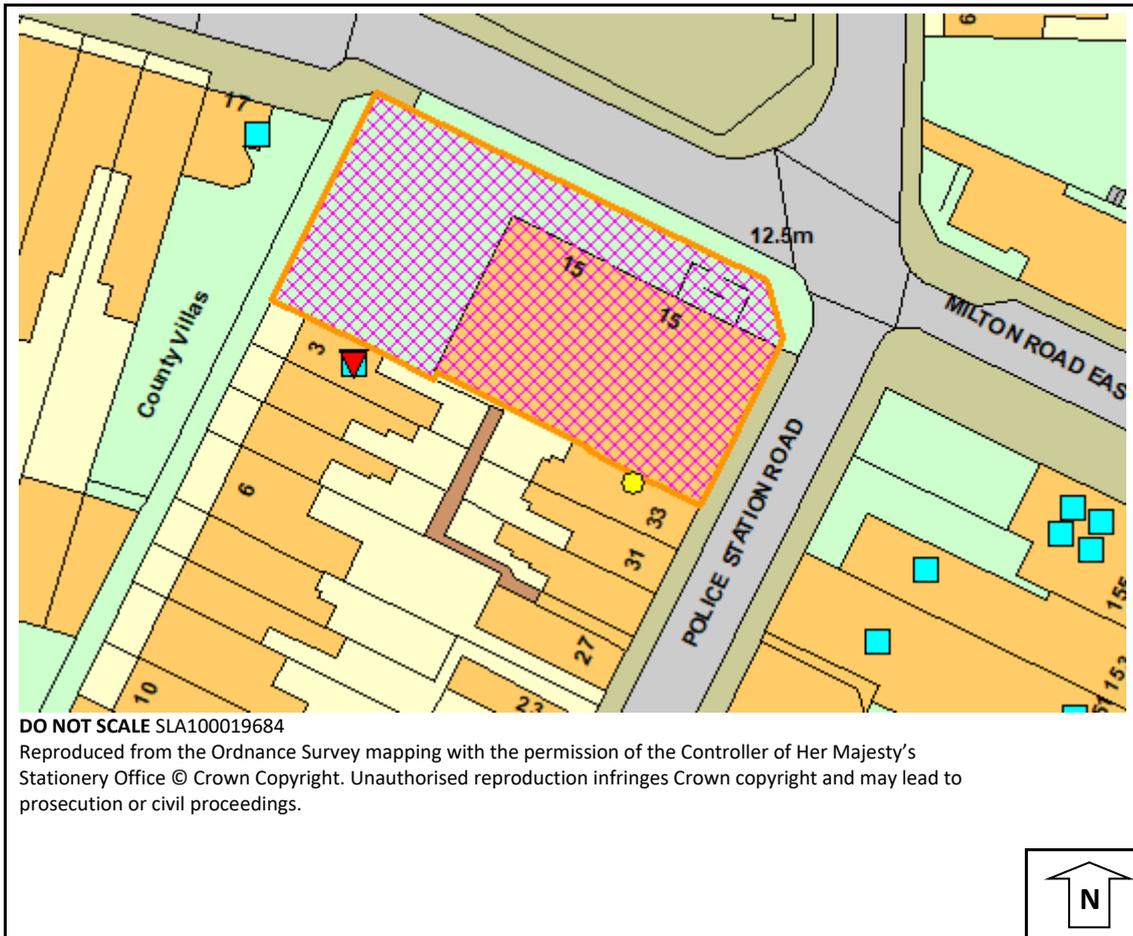
The County Council's East Area Manager must be contacted on Telephone: 01728 652400. Further information can be found at: www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Background Papers

See application reference DC/21/5015/FUL on [Public Access](#)

Map



Key

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