



Committee Report

Planning Committee North - 14 September 2021

Application no DC/21/2287/FUL

Location

7 Holly Grange Road
Kessingland
Lowestoft
Suffolk
NR33 7RR

Expiry date 18 July 2021
Application type Full Application
Applicant Ms Jane Gray

Parish Kessingland

Proposal Demolish the uninhabitable bungalow and the garage on the northern boundary. Retain the shed in the north-east corner of the plot. Sub-divide the plot and erect two contemporary cabins

Case Officer Matthew Gee
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1. Summary

1.1 Planning permission is sought to demolish the existing bungalow and garage, and sub-divide the plot and erect two contemporary cabins. The proposed subdivision is not considered to result in plots that would be significantly out of character with the wider area or result in development that would appear cramped within the site. Furthermore, the proposal is not considered to result in any adverse impact on the amenity of neighbouring residents or on highway safety. However, officers would not support a permanent permission for siting of the cabins on the land. This is an acceptable short-term occupancy arrangement for the applicants, and the demolition of the dwelling cannot be objected to in principle because it is not of any historic/architectural value whereby the LPA could intervene to prevent that. A short-term permission of five years for the siting of the cabins on the land would be acceptable on that temporary basis, but longer term, officers would expect to see a proposal for a built replacement dwelling of a design standard and built quality that can endure in the context and provide good quality accommodation. The recommendation of approval is

therefore on the basis of temporary planning permission being granted subject to conditions.

- 1.2 The Parish Council have recommended refusal of this application, and therefore due to the contrary officer recommendation the application was referred to the referral panel for consideration. At the referral panel on 17th August 2021, it was decided by members that the application to be referred to Planning Committee (North) for full consideration.

2. Site description

- 2.1 The site is situated within the settlement boundary for Kessingland and comprises of a detached single storey dwelling set with in a relatively spacious plot. The site is accessed off Holly Grange Road which fronts the site to the west, with the north, east and south of the site bounded by residential properties and gardens.

3. Proposal

- 3.1 Planning permission is sought to demolish the existing bungalow and garage, and sub-divide the plot and erect two contemporary cabins.
- 3.2 The applicant describes the existing bungalow as ‘uninhabitable’, however, no clear evidence of that has been provided, and officers do not consider that it is uninhabitable.
- 3.3 The cabins will be identical, containing a single bedroom, and measuring 10m long, 3.9m wide, and 4.35m in height.

4. Consultations/comments

- 4.1 No third-party letters of representation have been received

Parish/Town Council

Consultee	Date consulted	Date reply received
Kessingland Parish Council	27 May 2021	15 June 2021
Summary of comments: <i>Councillors discussed this application and concerns were raised over why the property is being deemed as uninhabitable and being demolished. Therefore, councillors recommended refusal of the application as they felt the timber exterior of the cabins are not in keeping with the street scene and as a climate emergency has been declared, they felt it would not be environmentally economic to demolish the building instead of restoring it back to a habitable living standard.</i>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	27 May 2021	9 June 2021
Summary of comments: No objection.		

Non statutory consultees

Consultee	Date consulted	Date reply received
Essex And Suffolk Water PLC	27 May 2021	8 June 2021
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
Waveney Norse - Property And Facilities	27 May 2021	No response
Summary of comments: No comments received.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	27 May 2021	3 June 2021
Summary of comments: No objections subject to contamination conditions.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	3 June 2021
Summary of comments: No objections.		

5. Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 27 May 2021

Expiry date: 18 June 2021

6. Planning policy

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.33 - Residential Gardens and Urban Infilling (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

H2 - Residential Infill and Backland Development (Kessingland Neighbourhood Plan - 'Made' January 2017)

National Planning Policy Framework 2021 (NPPF)

7. Planning considerations

Principle

7.1 The site is located within the settlement boundary for Kessingland and as such the principle of residential development is supported by the Local Plan spatial strategy. However, given the potential underutilisation of the land from the proposal, potential future appearance issues, and the temporary nature of the structures to be erected, it is considered necessary, if permission is granted, to restrict that to a temporary consent of only five years. The principle of residential development is generally based on the idea that housing provided is of permanence and good design, rather than timber cabins – more akin to a caravan. The proposal is therefore only a temporary solution, in the view of officers, to facilitate a permanent replacement dwelling that can come forward in the future.

Character and appearance

7.2 Policy WLP8.29 sets out that proposed development 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 and respond to local context and the form of surrounding buildings in relation. WLP8.33 supports urban infill where it is appropriate for the context and again of a high standard of design, preserving neighbour amenity. Furthermore, Policy H2 of the Kessingland Neighbourhood Plan sets out that development will be permitted subject to the following criteria:

- Proposals should reflect the character of the surrounding area and protect the amenity of neighbours. It should reinforce the uniformity of the street by reflecting the scale, mass, height and form of its neighbours.
- Proposals that would lead to over-development of a site, or the appearance of cramming will be resisted. It should be demonstrated that development is of a similar density to properties in the immediate surrounding area.

7.3 The demolition of the existing dwelling is not considered to adversely impact on the character and appearance of the surrounding area. The LPA cannot intervene and prevent that demolition, because the building is not of significant historical/architectural interest.

Officers note the concerns from the Parish Council and share that position that the demolition is unfortunate; but, in planning terms, it cannot be resisted and that element of the proposal is therefore acceptable.

- 7.4 The proposed cabins being more like caravans and of timber, temporary construction, is not considered to appear significantly at odds with the mixed character and design of the street scene. The existing plot is already well set-back from the highway and the frontage building line will provide a degree of screening. The cabins are modest and low in height, so there is unlikely to be any significant visual impact arising. That being said, it is not a design outcome officers would support long term because that should be a built form of development well-related to the context. But, on a temporary basis, the presence of the cabins would not cause any significant harm to the character and appearance of the area. The overall scale and subdivision of the plot is considered respectful of the scale of surrounding area, and it is not considered that it would appear cramped or represent overdevelopment of the site.

Amenity

- 7.5 Policy WLP8.29 also sets out that proposed development should not result in an adverse impact on the amenity of neighbouring residents. The proposed cabins are single storey, and their overall floor level above ground level, is not considered to result in any adverse overlooking into neighbouring properties. In addition, the low height of the cabins and sufficient distance to neighbouring dwellings and boundaries means there will not be any adverse loss of light or overshadowing of neighbouring dwellings. Finally, it is considered that the amenity space is sufficient for the size of the cabins. The proposal therefore accords with the amenity objectives of WLP8.29.

Highways Safety

- 7.6 No objections have been raised by the County Highways Authority, and the minor intensification of the use of the existing access will have no adverse impact on safety of the local highway network. The site is within the settlement and sustainably located. The scheme therefore accords with WLP8.21 (Sustainable Transport).

Ecology - RAMS

- 7.7 The site is located within 13 km of the nearest European Protected Site, and as such consideration needs to be given to the impact upon on those sites due to new housing and increased visitor numbers. The applicant has paid a contribution to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy, to cover the net gain of a residential unit on site. As such the impact is mitigated in accordance with WLP8.34.

8. Conclusion

- 8.1 In conclusion, the demolition of the existing dwelling, whilst unfortunate, cannot be resisted because the building is of no heritage or architectural value. The replacement of it with two cabins is acceptable as a short-term, time-limited consent, and therefore a temporary planning permission can be granted.

9. Recommendation

9.1 Approve subject to the condition set out in section 10 of this report.

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 for a maximum period of 5 years from the date of this permission, after which time the structure shall be removed to the satisfaction of the Local Planning Authority and the land reinstated to its former condition.

Reason: Having regard to the non-permanent nature of the structure.

3. The development hereby permitted shall be completed in all respects strictly in accordance with:

- Site Location Plan, received 10/05/2021
- Proposed Block Plan, received 10/05/2021
- Proposed elevation, AB5, received 10/05/2021
- Proposed elevation, AB4, received 10/05/2021
- Proposed elevation, AB3, received 10/05/2021
- Proposed elevation, AB2, received 10/05/2021
- Proposed floorplan, AB1, received 10/05/2021

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.

4. Prior to the placement and/or construction of second hereby approved cabins on site, the existing dwelling of 7 Holly Grange Road, Kessingland, shall be fully demolished.

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

5. No more than 2 cabins shall be erected on site, and they shall be placed as detailed on proposed block plan received 10/05/2021.

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

6. 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 building or structure permitted by Classes A (extensions or alterations), B (changes to the roof), or C (Roof alterations) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

Informatives:

1. 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
2. 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.
3. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to CIL@eastsuffolk.gov.uk

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

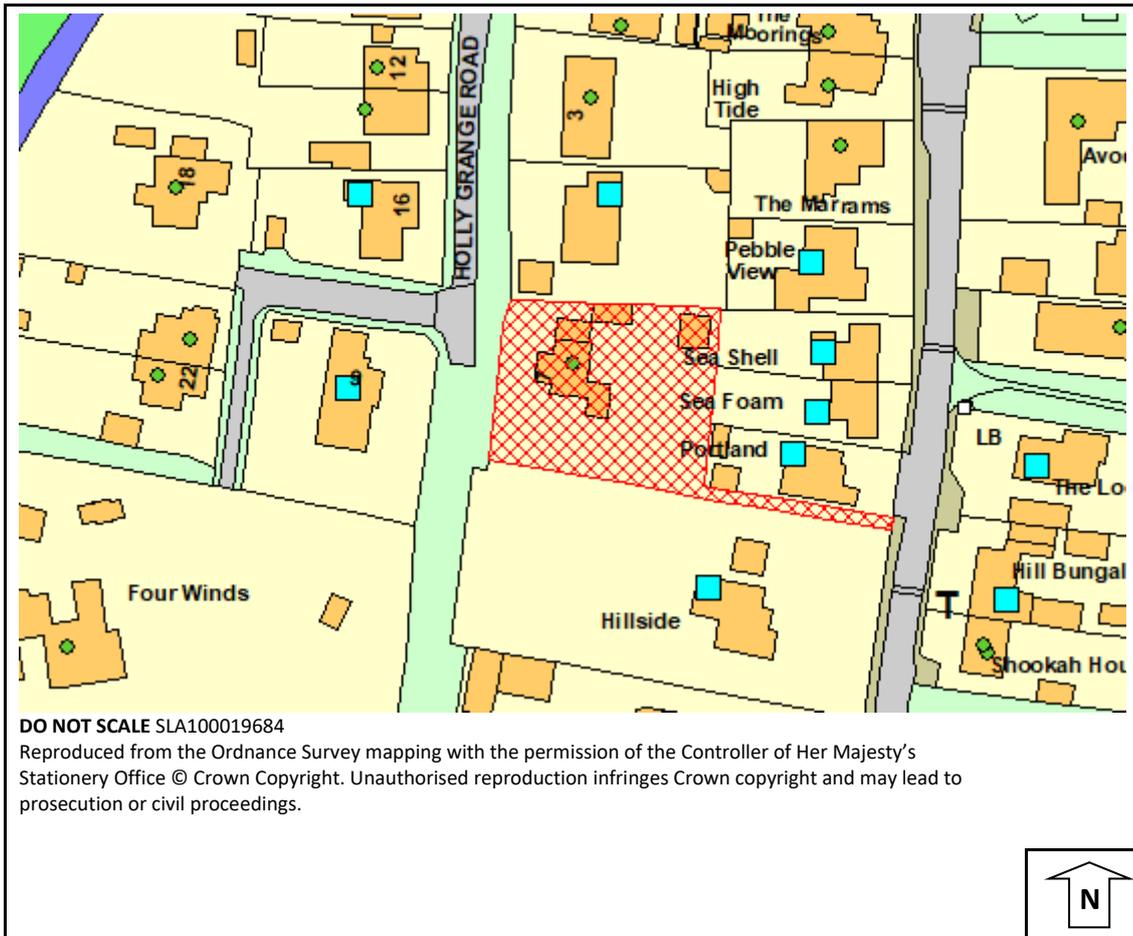
https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

Background Papers

See application reference DC/21/2287/FUL on [Public Access](#)

Map



Key

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