



## Committee Report

**Planning Committee North - 14 June 2022**

**Application no DC/22/0842/FUL**

**Location**

165 Hall Road  
Lowestoft  
Suffolk  
NR32 3NR

**Expiry date** 8 May 2022

**Application type** Full Application

**Applicant** Mr & Mrs Martin

**Parish** Oulton Broad

**Proposal** Construction of a detached garage

**Case Officer** Matthew Gee  
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## **1. Summary**

- 1.1. Planning permission is sought for the construction of a detached garage to the rear of 165 Hall Road, Lowestoft. The application has been reduced in height during the course of the application. Following these amendments officers consider that the proposed garage would not result in any adverse impacts on the amenity of neighbouring residents, or on the character and appearance of the site or surrounding area.
- 1.2. Furthermore, the garage is located outside of the Root Protection Areas for the adjacent trees, which are to be retained, and as such it is not considered to have any adverse impact on trees in the area. Therefore, given the potential permitted development fallback position of a similar sized garage in this area, it is considered by officers that the proposal complies with local and national planning policy, and as such it is recommended that planning permission be granted.
- 1.3. The application is referred to planning committee as the applicant is a member of staff for the council.

## **2. Site Description**

- 2.1. The site is located within the settlement boundary for Lowestoft and comprises of a detached single storey dwelling set within a spacious plot extending to the south and west of the dwelling, and dog legging to the east at the very south of the site. The dwelling and site front onto Hall Road to the North, and the application site is bounded by residential development and garden land to the north, east, south and west.

## **3. Proposal**

- 3.1. Planning permission is sought for the construction of a detached garage to the rear of 165 Hall Road, Lowestoft.
- 3.2. The garage would measure 9m wide, 9.5m deep, 2.3m to the eaves, and 4m in height, with a mansard style roof.
- 3.3. The application has been amended during the course of the application to change the initially submitted dual pitched roof to a mansard style roof, to allow for the reduction in height from 6m to 4m.

## **4. Consultations and comments**

### **Third Party Representations**

- 4.1. Representations have been received from 6 neighbouring properties, raising the following concerns:
  - Impact on view and outlook
  - Removal and damage of existing trees
  - Increased noise and activity
  - Why existing garage cannot be extended
  - Out of scale with the area and overdevelopment of the site
  - Loss of light

- Planning Creep
- Loss of privacy and overlooking
- Noncompliance with council planning policies
- Access issues
- Public services installation
- Impact on wildlife
- Increased pollution

### Parish/Town Council

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	30 March 2022	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
Oulton Broad Parish Council	15 March 2022	No response
Summary of comments: No comments received		

### Non statutory consultees

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	7 April 2022	20 April 2022
Summary of comments: No objection to this proposal on tree grounds, with caveat that extreme care is taken especially during the foundation stage.		

### 5. Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 17 March 2022

Expiry date: 7 April 2022

### 6. Planning policy

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

National Planning Policy Framework 2021

## 7. Planning Considerations

- 7.1. Policy WLP8.29 sets out the design considerations that should be given to proposed development, essentially setting out that development should respect the character, design and scale of the site, and the character and appearance of the surrounding area. The proposed garage has been amended to reduce the overall height and is of a relatively simple design albeit with an unusual roof design. The garage will be constructed in black cladding with tiles that match those used in the existing bungalows. Furthermore, the scale of the garage is not considered to represent overdevelopment of the spacious plot, and its views would be largely hidden from the public realm by existing development. It is also noted that an outbuilding of identical footprint and overall height could be constructed under permitted development allowances if it were finished with a dual pitched roof. Therefore, the proposal is not considered to adversely impact on the character and appearance of the site and surrounding area.
- 7.2. Policy WLP8.29 also sets out that proposed development should protect the amenity of the wider environment and neighbouring uses. As previously noted, the garage has been amended from a dual pitch with an overall height of 6m, to a mansard style roof 4m in height. The garage will be set in from the north boundary by 2.5m and from the western boundary by 3m and would be positioned approximately 18m from the rear of the nearest property to the north (no. 167), and approximately 18.5m from no.1 Holden Close to the east, and 16.8m from the rear of no. 3 Holden Close. Given these separation distances and the proposed height of 4m, it is not considered by officers that the proposal would result in any adverse loss of light or overshadowing of neighbouring properties. Furthermore, concerns have been raised regarding loss of view, which is not a material planning consideration, and loss of outlook. Given the separation distance it is not deemed that the proposal would result in any significant impacts on outlook which would adversely impact on the enjoyment of neighbouring dwellinghouses.
- 7.3. Several concerns were raised around the potential use of the garage and the impact that this may have due to increase noise and activity due to its size. It is understood that the design of the roof, which takes it outside of the scope of Permitted Development, is required for storage reasons. However, as previously noted an outbuilding with an identical footprint and up to 4m in height with a dual pitch could be constructed under permitted development allowances. It is understood that the design of the roof, which takes it outside of the scope of Permitted Development, is required for storage reasons. If a garage were to be constructed under permitted development allowances, then it would be required to be used for a purpose incidental to the enjoyment of the dwellinghouse, this could include maintained on vehicles if they were for a personal enjoyment. It is not considered that the outbuilding of this size would result in a marked increase in noise or activity in comparison to the potential permitted development fallback for the use of the outbuilding. However, to ensure that building is used for purposes incidental to the enjoyment of the main dwelling house it is considered necessary to impose a condition stipulating this. In addition, the additional hard surfacing to the rear could be erected under permitted development allowances.
- 7.4. Several concerns have also been raised regarding the impact on several trees which are located to the north and west of the proposed garage. The trees within the site are not-protected but do provide a positive contribution to the character and appearance of the area and are set out to be retained. A plan has been submitted which details that the

proposed garage would not significantly encroach on the root protection areas for the adjacent trees, and therefore the proposed development is not considered to adversely impact on the tree's health or longevity. However, it is unclear on how the foundations will be set out, and therefore an informative is recommended setting out that care should be taken around any roots that may be identified with the foundation area.

## **8. Conclusion**

8.1. 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.

## **9. Recommendation**

9.1. It is recommended that planning permission be granted subject to conditions.

## **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 Site Location Plan (2918.22.2A), Proposed plans (2918.22.1C) received 02/03/2022 \_ 22/04/2022, 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. The building hereby approved shall be used only for purposes incidental to the enjoyment of the main dwelling house and shall not be used for any business, commercial or industrial purposes whatsoever or as independent residential living accommodation.

Reason: In the interests of the amenity of the area.

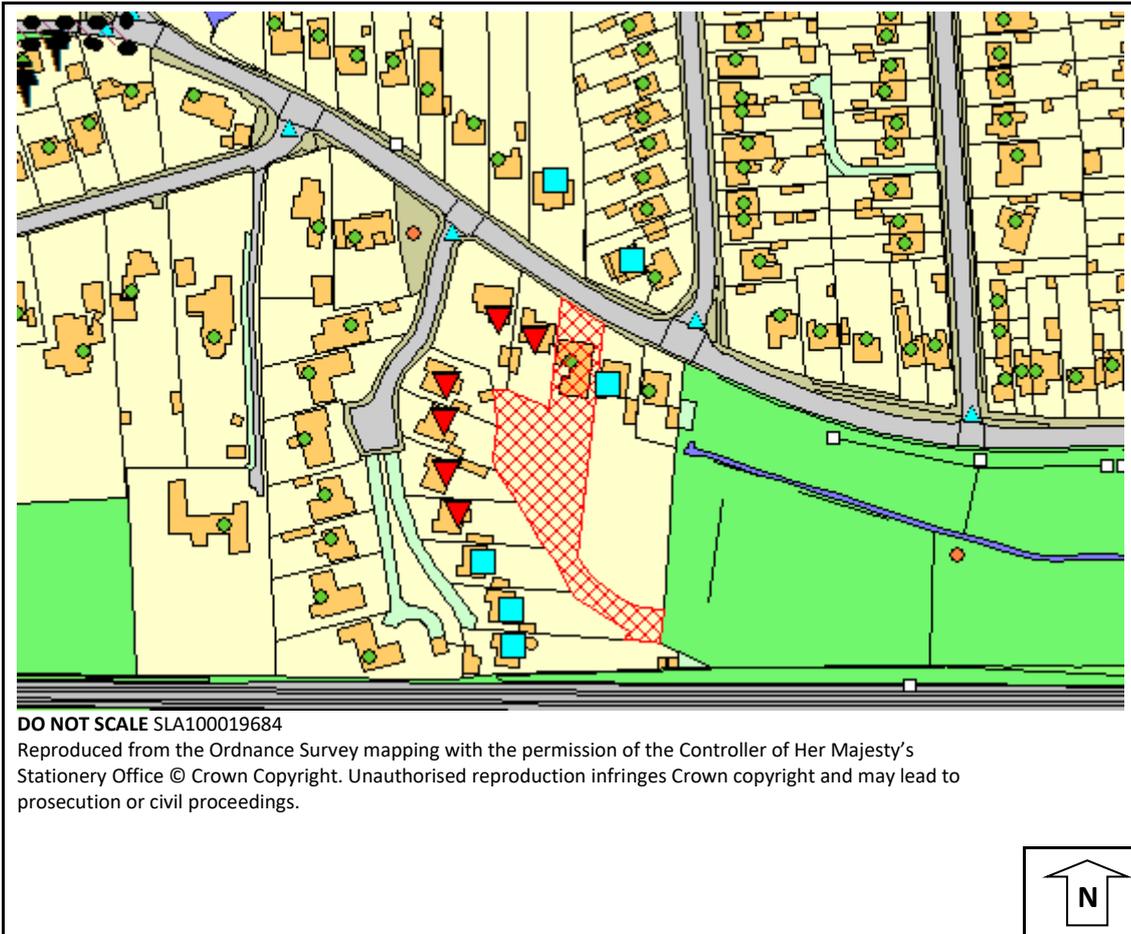
**Informatives:**

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.
2. Care shall be taking whilst laying the foundations as to avoid impact on roots of adjacent trees. If tree roots are identified during the digging of any foundations, it is recommended that the roots are either lined with polythene to prevent concrete damaging tree roots, or if suitable and the roots are smaller enough then removal of the root. This is to prevent any damage to the roots from laying of the foundation which could impact on the health of the tree.

**Background information**

See application reference DC/22/0842/FUL on [Public Access](#)

# Map



## Key



Notified, no comments received



Objection



Representation



Support