

PLANNING COMMITTEE - 23 MAY 2017

APPLICATION NO DC/17/0561/FUL

LOCATION

9 Glebe Close
Lowestoft
Suffolk
NR32 4NU

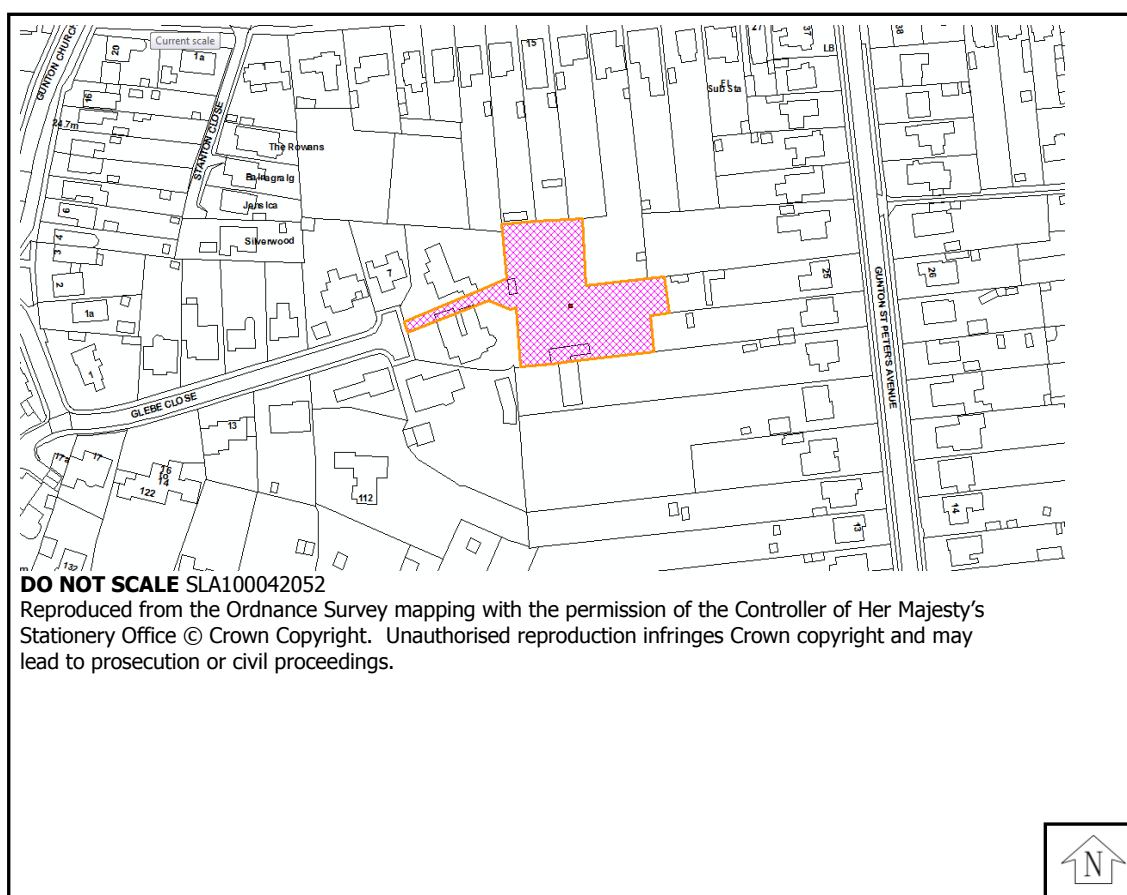
EXPIRY DATE 24 May 2017

APPLICATION TYPE Full Application

APPLICANT Mr Russell Ritchie

PARISH

PROPOSAL Construction of 3 no. dwellings



1. SUMMARY

- 1.1 The submitted application seeks approval for the erection of three bungalows to the rear of 9 Glebe Close.
- 1.2 It has been subject to a member call-in and is being presented to members due to the significant level of local interest and in the interests of transparency.

2. SITE DESCRIPTION

- 2.1 The site subject to this application is located at the eastern end of Glebe Close which is a residential cul-de-sac in a very popular area of the town. It is characterised by single storey dwellings situated within very spacious and generous gardens and there are a number of mature trees in the area giving a very distinctive landscape character despite the domestic grain and characteristics of Glebe Close.
- 2.2 Gunton St Peters Avenue is to the east of the site and there are shared boundaries with a number of properties on this road, where the gardens are very generous. To the north is Stanton Close and Clover Way, Gunton Church Lane is to the north-west and to the south-west is the access to Georgian Grove. Gunton Church Lane gives direct access to Yarmouth Road (the A47 – formerly the A12).
- 2.3 The defining characteristics of the area are well proportioned and spaced single storey dwellings, with the only exception being those on Georgian Grove, which are two-storey modern terraced properties and dwellings on Gunton Church Lane, which are a mix of detached and semi-detached dwellings, however these again are very well proportioned and have generous gardens and the overall density of the area is relatively low.

3. PROPOSAL

- 3.1 The submitted application is for the removal of part of the existing dwelling to create a wider access and for the erection of three bungalows, with associated garages, parking and garden space to the rear of 9 Glebe Close.

4. CONSULTATIONS/COMMENTS

- 4.1 **Neighbour consultation/representations** 37 letters of objection have been received with comments précised below (full comments are available on the Council website)

- Access
- Boundary issues
- Building work
- Dominating/Overbearing
- Landscape impact
- Loss of open space
- Loss of outlook
- Loss of view
- Noise
- Over Development
- Overlooking
- Setting of precedent
- Trees
- Wildlife
- Access

- Building work
- Drainage
- Parking
- Traffic or Highways
- Loss of property value
- Fear of crime
- Security
- Health and safety
- Garden grabbing
- Contrary to policy
- Previous refusal for two dwellings on the site (DC/96/0941/FUL)
- Pressure on utilities
- Height and design of garage roofs
- No green environmental measures
- Lack of ecological assessment
- Bin storage areas
- No definition of private/public space
- Uncharacteristic of the area
- Detrimental to surrounding properties
- Emergency vehicle access

4.2 **One letter of support received:** Again comments have been précised and full contents of the letter are viewable on the Council website.

- First and foremost, I am very supportive of the development of 3 bungalows at the rear of the property of No 9 Glebe Close for a number of reasons.
- I have not encountered any issues with traffic congestion in the close and do not consider that the current proposals on the planning application would present any additional inconveniences to the local residents and traffic flow.
- There is a local need for some well priced and sensibly constructed 3 bedroom bungalows targeted at the more mature market, as there is a shortage of quality bungalows being built for an aging population
- It goes without saying that my support is based on personal interests, but equally importantly it takes account of the benefits this new build of bungalows will bring to the local area.

4.3 **Essex And Suffolk Water PLC:** Our records show that we do not have any apparatus located in the proposed development. We have no objection to this development subject to compliance with our requirements, consent is given to the development on the condition that a water connection is made onto our Company network for the new dwelling for revenue purposes.

4.4 **Suffolk County - Highways Department** No objection subject to the imposition of conditions

- 4.5 **WDC Environmental Health - Contaminated Land** No objection subject to the imposition of a condition relating to remediation in case contamination is found.
- 4.6 **Waveney Norse - Property and Facilities** No response received
- 4.7 **WDC - Arboricultural And Landscape Officer:** This rear garden has a mix of privet and conifer hedging, with some small fruit trees and 2 x young Blue Cedars (wrongly identified on plan as Monkey Puzzle). There is also a clump of overgrown bamboo and a young Scots Pine in a neighbouring garden.
- 4.8 The Blue Cedars are unsuitable for a TPO for the following reasons; the main one in the lawn has various stem bleeds which is an indication of a bacterial infections such as phytophthora and the smaller one is situated in a position where it would not be able to reach maturity (mature height 7 – 22m).
- 4.9 Therefore no objection to proposal on tree grounds, however if minded to approve would like to see a landscaping scheme.

SITE NOTICES

The following site notices have been displayed:

General Site Notice	Reason for site notice: New Dwelling, Date posted 03.04.2017 Expiry date 23.04.2017
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RELATED APPLICATIONS

Reference No	Proposal	Decision	Date
DC/77/0369/FUL	Double garage	Approved	06.08.1977
DC/82/0262/FUL	Erection of extensions	Approved	24.02.1982
DC/96/0941/FUL	Outline application - two plots for residential dwellings	Refused	11.02.1997
DC/16/1513/FUL	Construction of single storey side and rear extensions	Approved	24.05.2016

5. PLANNING POLICY

- 5.1 The following policies of the Waveney Development Plan are relevant to the consideration of this application:
- 5.2 Waveney District Council Core Strategy (adopted January 2009)
- CS01 Spatial Strategy
 - CS02 High Quality and Sustainable Design
 - CS16 Natural Environment
- 5.3 Waveney District Council Development Management Policies (adopted January 2011)

- DM01 Physical Limits
- DM02 Design Principles
- DM27 Protection of Landscape Character

6. PLANNING CONSIDERATIONS

- 6.1 The first issue to be considered is that of principle. Whilst the site is located within the physical limits boundary for Lowestoft and as such does accord with the broad provisions for the location of development, it does not automatically assume that the site is suitable for development and a number of other considerations and policy implications will need to be assessed.
- 6.2 The relevant policies of the adopted Waveney Local Plan are noted in paragraphs 5.2 and 5.3 and will be addressed further below.
- 6.3 Policies CS01 and DM01 relate to the physical limits of the district as defined in the Local Plan and the overall spatial strategy for the district. Lowestoft is the prime area for growth followed by the market towns and larger villages, with limited development in smaller villages and the open countryside. As such the proposed development would comply with these policies in principle by virtue of its location within the physical limits for Lowestoft, however. Officers note in paragraph 6.1, that just because a site is within the defined physical limits it does not mean that it is suitable for development (in matters of detail), i.e. other considerations will need to be taken into account.
- 6.4 Policies CS02 and DM02 relate to high quality and sustainable design that positively improves the character, appearance and environmental quality of an area and the way it functions. CS02 states that particular regard should be given to the character and distinctiveness of the local area, the protection of local amenity and provide, conserve and enhance biodiversity. Furthermore DM02 states that the proposed development should be sympathetic to the site and its surroundings and that all proposals should respect and enhance the identity and character of the site, contribute towards the distinctiveness of the local area, the quality of the built environment and the surrounding landscape.
- 6.5 Policy DM02 also states that development proposals will also be expected to:
- Protect the amenity of the wider environment, neighbouring uses and occupiers of the proposed development in terms of overlooking, loss of privacy, loss of outlook, loss of light, pollution (including contaminated land, light pollution or emissions), odour, noise and other forms of disturbance;
 - Produce developments in keeping with the overall scale, character, layout, site coverage, height and massing of existing buildings, taking into account the relationship between buildings and spaces and the wider street scene or townscape and use appropriate materials for the locality;
 - Take into account the need to promote public safety and deter crime and disorder through careful layout and design of buildings, car parking areas, landscaping, public spaces and pedestrian routeways;

- Adequate vehicle parking facilities will be provided by the developer to serve the needs of the proposed development. Development proposals should make provision for vehicle and cycle parking in accordance with Suffolk County Council's Advisory Parking Standards, including parking for people with disabilities. In exceptional circumstances, the application of these standards may be varied in order to reflect the accessibility of the site by non-car modes or other identified local requirement;
- Incorporate measures to minimise water and energy consumption, through carefully considered design, layout and orientation of buildings and to make provision for recycling waste, in particular ensuring that adequate bin storage areas are provided;
- Ensure that the capacity of local wastewater treatment and sewerage network infrastructure is not exceeded and that the proposals comply with the Water Framework Directive objectives;
- Incorporate Sustainable Drainage Schemes unless following adequate assessment, soil conditions and/or engineering feasibility demonstrates this method is inappropriate;
- Retain and enhance existing landscaping and natural and semi-natural features on site, for example woodland, trees, hedgerows, ponds, watercourses, geological features. All new developments must include details of new hard and soft landscaping to illustrate how the development could be satisfactorily integrated into the surrounding area and create green-links and networks to improve ecological connectivity;
- Ensure access to the site that does not compromise highway safety and the traffic generated by the development is capable of being accommodated on the surrounding transport network.

6.6 It is considered that the proposed development would not conform with policies CS02 and DM02 as the density of the development is not characteristic to the overall area and would create a feeling of enclosure that would be detrimental to the amenities of the area as a whole, and more specifically that of local residents. It would not be in keeping with the overall scale, character, layout, site coverage and would have an impact on the relationship between buildings and boundaries and there is likely to be a significant and detrimental impact on the ecological character of the area that has not been fully addressed. As such it is officer opinion that the proposed development would be contrary to policies CS02 and DM02 of the adopted Local Plan.

6.7 The final three policies are also intrinsically linked and are considered as such. CS16 (Natural Environment), DM27 (Protection of Landscape Character) seeks to protect landscape character and biodiversity and should add to local distinctiveness, retain tranquillity, avoid fragmentation of habitats and seek to enhance wildlife corridors and networks. DM27 goes on to state that development should be informed by, and be sympathetic to the distinctive characteristics of an area and should demonstrate that their location, scale, design and materials will protect and where possible, enhance the special qualities and local distinctiveness of the area. Proposals that have an adverse effect will not be permitted unless it can be demonstrated that they cannot be located on alternative sites that would cause less harm and the benefits of the development clearly outweigh any adverse impacts.

- 6.8 In this particular instance it is considered that the proposed development would prove unacceptable insofar as it would not respect the landscape character. It is considered that the proposals will fragment existing habitats and as such the adverse impacts of the scheme are considered to outweigh any potential benefits that may have arisen with the provision of these units of accommodation.
- 6.9 Officers consider that there are clear policy objections, further that the scheme is considered to fail when tested against the criteria of the adopted policies of the Waveney Local Plan Core Strategy and Development Plan Documents.
- 6.10 Notwithstanding the above policy implications it should be noted that a previous application for two bungalows on the site was refused for the following reasons:
1. The proposal is backland development and is undesirable because of the inadequate access and of the adverse effect on the occupiers of neighbouring property.
 2. The proposed access would unacceptably intrude upon the residential amenities of No's 8 and 9 Glebe Close through increased noise and disturbance. The proposed access is not of sufficient width to enable two vehicles to meet and pass, and may result in vehicles waiting or reversing on Glebe Close.
 3. The proposal is injurious to the special character of this low density suburban area. The proposal if approved would set a dangerous and irresistible precedent for further development throughout this area to the detriment of the character and amenities of the neighbourhood.
- 6.11 Having considered the above and despite the comments of Suffolk County Highways, there are concerns regarding the proposed access, which would require the demolition of part of the existing dwelling to afford sufficient space for a car to access the rear of the site. In addition there would be an intrusion on the residential amenities of adjacent residents and the character of the area as a whole and would remain injurious to the low density and special character of this area as a whole.
- 6.12 The wider concerns of those making representations has been noted (4.1 & 4.2), those concerns are considered to be both material and valid, they carry significant weight have been a guiding factor in officers reaching the decision outlined below.
- 6.13 As a final note, there appears to have been some discussion surrounding fiscal gain with the letter received from the supporter of the scheme, and also comments regarding loss of value of property, however these are not a material planning considerations and as such no material planning weight has been given to these issues.

7. CONCLUSION

- 7.1 The proposed erection of three dwellings in this location would prove to be an unacceptable form of development that would result in a cramped and over-developed site that is not characteristic of the site itself or its immediate and wider surroundings.
- 7.2 The area as a whole is low density with dwellings situated within very generous gardens and creates a very unusual and attractive feature within this urban area, and the loss of

the garden would eradicate the original vision and ethos of the built form in this particular area, which is in relatively high demand.

- 7.3 There remain concerns with the proposed access, the impact on local residents and the lack of consideration given to the ecology of the area, which is in close proximity to woodlands and possible fragmentation of valuable habitats.
- 7.4 In addition, as outlined in paragraph 6.10, points 1, 2 and 3, an earlier application was refused for the erection of two dwellings and it is considered that the potential erection of three dwellings would further exacerbate the concerns and subsequent reasons for refusal outlined above.
- 7.5 As such it remains officer option that the development would be injurious to the amenities and general characteristics of the area and any potential benefit that may have been generated by the provision of three smaller dwellings are not sufficient to outweigh the harm that would be caused should permission be granted.

8. RECOMMENDATION

Therefore, for the reasons given above it is recommended that that the application is refused on the following grounds:

1. The proposal is considered to constitute a cramped form of backland development that would be detrimental to nearby residents, the residents of the donor dwelling and would have an unacceptable impact on the amenities of future occupiers by virtue of noise and general disturbance and would have an enclosing effect on this otherwise open and verdant area that is characterised by open spaces, and would be of an uncharacteristic form and density that would have an unacceptable impact on the general character and nature of the area as a whole.
2. This proposal represents overdevelopment of the site, both with regard to the area of open garden land available within the proposal site to serve the amenity needs of the larger dwelling created and the area of garden retained for the existing dwelling. The proposal will have adverse impact on neighbours by virtue of the scale and massing of the dwellings created. These amenity shortcomings conflict with policy DM02 design of the Adopted Waveney Development Management Policy where amenity for existing and proposed dwellings shall be sufficient for the needs of those dwellings.
3. Notwithstanding the above it is considered by the local planning authority that the proposed access would unacceptably intrude upon the residential amenities of No's 8 and 9 Glebe Close through increased noise and disturbance. The proposed access is not of sufficient width to enable two vehicles to meet and pass, and may result in vehicles waiting or reversing on Glebe Close to the detriment of the amenities of the residents of Glebe Close.
4. Therefore, given the above, it is considered that the proposed development is unacceptable and does not accord with the provisions of the adopted Waveney Local Plan and is contrary to policies CS01 Spatial Strategy, CS02 High Quality and Sustainable Design CS16 Natural Environment, DM01 Physical Limits, DM02 Design Principles and DM27 Protection of Landscape Character.

BACKGROUND INFORMATION:

See application ref: DC/17/0561/FUL at
www.eastsuffolk.gov.uk/public-access

CONTACT

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