

PLANNING COMMITTEE – 23 MAY 2017

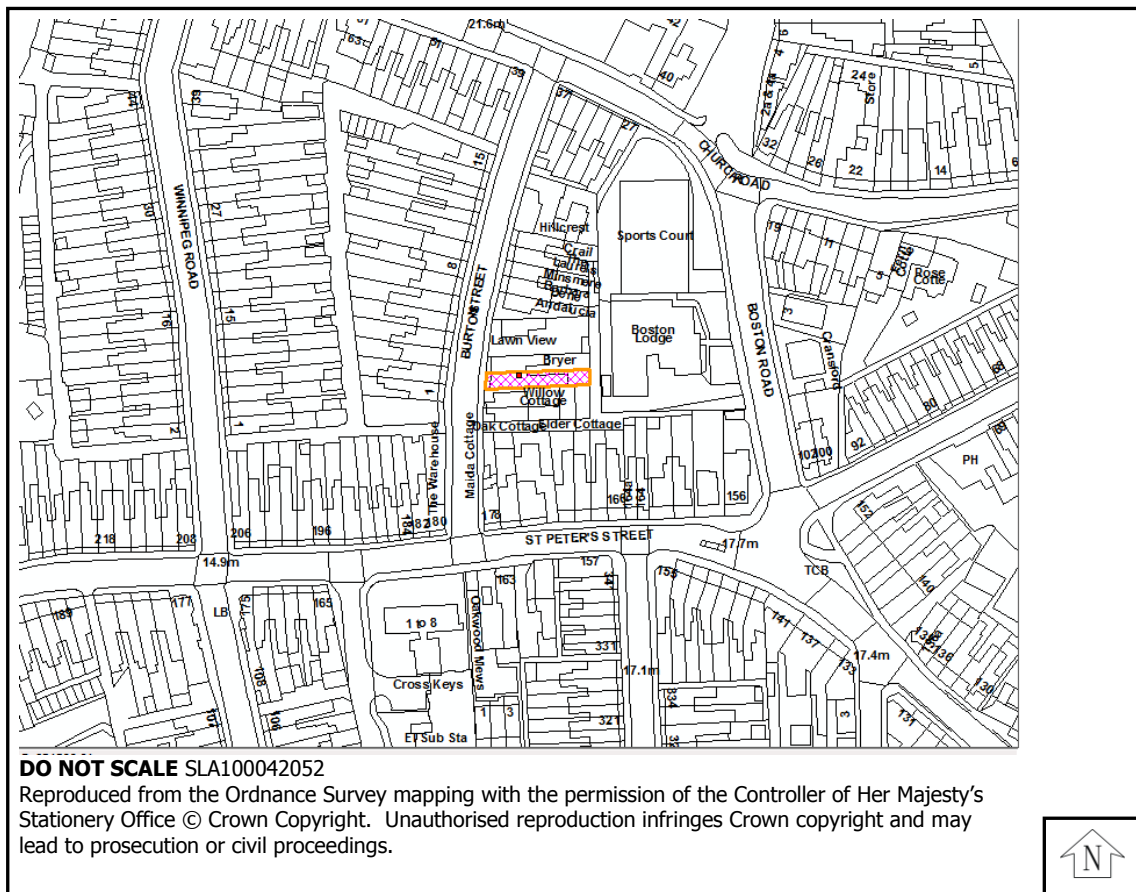
APPLICATION NO DC/17/0527/FUL

LOCATION

Bryer
Burton Street
Lowestoft
Suffolk
NR32 1TR

EXPIRY DATE 10 April 2017
APPLICATION TYPE Full Application
APPLICANT Mrs & Mr Troughton & Rivett

PARISH Lowestoft
PROPOSAL Conversion of existing garage to bungalow



1. SUMMARY

- 1.1 The submitted application seeks approval for the conversion of an existing garage to form a two-bedroom bungalow within a residential area of the town.
- 1.2 The application is before members as the applicant is a District Councillor.

2. SITE DESCRIPTION

- 2.1 The site is located in the northern part of the town and is within a residential area compromised of late 19th/early 20th century two-storey terraced dwellings.
- 2.2 The property is situated within a central location with easy access to public transport links and is within easy walking/cycling distance of the main town centre and there are a number of local amenities in the immediate and wider environment.
- 2.3 Burton Street is located between St Peters Street (A1144) to the south and Church Road to the north, Jubilee Way (A47) is approximately 360m to the east, with the 6th form college and the Water Lane sports centre located approximately 300m to the west of the site. The site subject to this application is towards the southern end of the street a little over half way down Burton Street and is on the eastern side.
- 2.4 "Bryer" is a detached bay fronted property with an attached garage to the southern side that is currently used for storage purposes. There is a large rear garden that is quite generous within a town centre location such as this where space is at a premium. Parking provision in the area is via on-street parking (some of which is limited to permit parking) and is typical of this type of older residential area.

3. PROPOSAL

- 3.1 The application seeks approval for the conversion of the existing garage/store to a two-bedroom bungalow with amenity space/garden to the rear.

4. CONSULTATIONS/COMMENTS

- 4.1 **Neighbours/Site Notice:** No response received
- 4.2 **Suffolk County - Highways Department** Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:
- 4.3 The demand for on street parking on Burton Street is very high and is currently restricted to permit holders only. The removal of Bryer's double garage and replacement with a 2 bedroom dwelling is only going to increase the need.
- 4.4 Suffolk Guidance for Parking (SGP) recommends a minimum of 2 parking spaces per 2/3 bedroom dwelling. This application is proposing 0 spaces, for the proposed 2 bedroom dwelling and existing 3 bedroom dwelling, which falls below SGP guidance.
- 4.5 This will likely result in 'Inconsiderate on street parking (NPPF Para 32) and is likely to result in a significant increase in hazards to road users. This is an 'unacceptable risk to highway safety (NPPF Para 32, 35).
- 4.6 **WDC Environmental Health - Contaminated Land** The applicant has signed and submitted a Land Contamination Questionnaire together with an internet environmental search, neither of which provide any reasons to suspect that contamination is present or needs to be considered any further. As such, on the basis of the information submitted, it would appear that the site is suitable for the proposed use. However, I would advise the

LPA to apply a planning condition requiring the reporting of any potential contamination encountered during construction

- 4.7 **Essex and Suffolk Water PLC.** Our records show that our existing apparatus does not appear to be affected by the proposed development.
- 4.8 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.

SITE NOTICES

The following site notices have been displayed:

General Site Notice Reason for site notice: New Dwelling, Date posted 06.03.2017
Expiry date 26.03.2017

5. PLANNING POLICY

5.1 Waveney Core Strategy Development Plan Document (adopted January 2009):

- CS01 Spatial Strategy
- CS02 High Quality and Sustainable Design
- CS11 Housing

5.2 Waveney Development Management Policies (adopted January 2011):

- DM01 Physical Limits
- DM02 Design Principles

6. PLANNING CONSIDERATIONS

6.1 The following considerations are material to the determination of this planning application:

6.2 Principle: The first consideration is that of principle of development. The site is located within the physical limits of the town, where the principle of development is broadly accepted.

6.3 The site is not within an area of any sensitivity and has no specific designations within the local plan. It would constitute the conversion of a former domestic store and create a small unit of accommodation within a sustainable location, of a form that is needed within the town.

6.4 The proposed conversion therefore is considered to be acceptable in principle, however there are other issues that do require further consideration.

6.5 Policy: The following policies have been considered and will be addressed further below:

6.6 Policy CS01 is the overarching spatial strategy for the District which requires most new development, such as housing, to take place in the main town of Lowestoft, with housing

expected to be delivered on brownfield sites. As such the proposed conversion of this former domestic store/garage is considered to comply with policy CS01.

- 6.7 Policy CS02 relates to high quality and sustainable design. Whilst it cannot be said that the proposed dwelling will offer any great improvement to the area as a whole, it is not so inordinately unattractive or unacceptable as to warrant refusal on design grounds. The character of the area would not be so significantly impacted upon and it would sit quite quietly and comfortably within the immediate area and would have minimal impact on the appearance of the area and as such the proposal is considered to comply with policy CS02.
- 6.8 Policy CS11 is the final Core Strategy policy to be considered. CS11 requires provision to be made for 5,800 dwellings to be delivered over the plan period (2001 to 2021) with Lowestoft accommodating a large portion of these. Whilst this is only a single, small dwelling it would contribute, albeit in a very limited way, to achieving these numbers.
- 6.9 Furthermore housing mix also needs to be considered and there is an identified need for small dwellings such as that proposed in this submission and again for the reasons noted above, the proposed development is considered to accord with policy CS11.
- 6.10 Turning now to Development Management policies, the following are considered appropriate in this instance.
- 6.11 Policy DM01 states that development will be concentrated within the physical limits of the main towns and villages as listed in the policy document, with preference being given to previously developed or used land and buildings. Again the proposed development is considered to accord with policy DM01 as it is for the conversion of a former domestic garage/store within the main town of the district.
- 6.12 Lastly policy DM02 relates to design principles with design being a key issue within the district. The policy test states that planning permission will normally be granted where the proposed development is sympathetic to the site and its surroundings and where proposals respect and enhance the identity and character of the site.
- 6.13 As already noted the existing building is a very modest single storey structure and the proposed conversion is of a basic form, that whilst it wouldn't have a considerable improvement on the area as a whole, it most certainly wouldn't create any additional detriment to the visual amenities of the area and would, it is suggested, have some limited improvement to the overall area insofar as it would tidy up this site in general terms. As such the proposed conversion is considered to accord with policy DM02.
- 6.14 Parking As noted at paragraph 4.2 and in the following paragraphs Suffolk County Highways have objected to the application on a number of grounds (Below):
- 6.15 "The demand for on street parking on Burton Street is very high and is currently restricted to permit holders only. The removal of Bryers double garage and replacement with a 2 bedroom dwelling is only going to increase the need.
- 6.16 Suffolk Guidance for Parking (SGP) recommends a minimum of 2 parking spaces per 2/3 bedroom dwelling. This application is proposing 0 spaces, for the proposed 2 bedroom dwelling and existing 3 bedroom dwelling. Which falls below SGP guidance.

- 6.17 This will likely result in 'Inconsiderate on street parking (NPPF Para 32) and is likely to result in a significant increase in hazards to road users. This is an 'unacceptable risk to highway safety (NPPF Para 32, 35)."
- 6.18 However the applicants have refuted this statement and have commented as follows (it should be noted that the applicant has supplied a number of photographs and these available to view on the council website and some may be shown to members during the officers presentation):
- 6.19 Point 1: It is claimed that demand is "very high". This we contest and have provided evidence to the contrary. *Attached to their letter were a number of photos of the road at 17:45 on Friday 17th March, Sunday 19th March 10:00, 13:30, 18:30, Monday 20th March 10am and Thursday 23rd March 08:30. The applicant claims that these photos clearly demonstrate multiple parking spaces available across a range of days, times and in both restricted and unrestricted spaces.*
- 6.20 Point 2: Burton Street is restricted to permit holders only. This is incorrect; Burton Street contains both restricted and unrestricted parking. At both ends and both sides of Burton Street unrestricted parking is available. At the St Peters Street end of Burton Street there is extensive unrestricted parking available. At the Church Road end of Burton Street there is further unrestrictive parking available.
- 6.21 Therefore it has been calculated that there is approximately 80 meters of unrestricted parking compared to the 102meters of restricted parking.
- 6.22 Point 3: Submitted photographs demonstrate that the garage is not wide enough to accept two vehicles.
- 6.23 Finally it should be noted that the previous owner used the garage as a store and as such would have parked on the road. Therefore the claim of adding both the existing house and new development to the parking demands on the road is, we believe, incorrect. Submitted photographs show the storage when we viewed the property at sale.
- 6.24 Notwithstanding the above however, the application of Suffolk Guidance for Parking Section 7 states that:
- 6.25 "A reduction to the parking guidance may be considered where a proposal has been designed to be exceptionally sustainable in transport terms and which effectively promotes an overall reduction in the use of high emission vehicles and avoids the provision of car parking adjacent or close to dwellings within the main layout."
- 6.26 *Furthermore the applicant has suggested that section 7; page 53 provides guidance for the Highway Authority to consider reduced parking. They have suggested that has not been applied nor in the alternate applied correctly. The applicant maintains that they have provided suitable cycle storage; services will still be able to operate through the road and that this is a sustainable location.*

- 6.27 The comments and the attached photographs have been sent to Suffolk County Highways for further comment and this was not available at the time of writing this report. Members will be updated should any further comments be received.

7. CONCLUSION

- 7.1 Whilst the overall development is acceptable in principle and design terms there is an overriding issue concerning highways that requires further consideration and a careful, balanced judgement will need to be made as to whether their concerns are reasonable and proportionate to the proposed development.
- 7.2 Burton Street is a residential area and, as is typical with this form of older terraced development, parking is at a premium; however that is not any different to every other terraced street within the district. Whilst it is appreciated that there could be the potential loss of 1 parking space with the loss of the existing garage (which it should be remembered has not been used for garaging for some considerable time) and an additional increase in parking generated by the proposed dwelling, it does have to be questioned as to whether this increase is so significant within the immediate road network as to warrant refusal of the scheme on this point alone.
- 7.3 Whilst further comments are awaited from highways officers in response to the applicant's submitted comments and photographs, it is your officer's opinion that the proposed change of use would not create such a difficult environment or generate a significant level of additional parking as to warrant refusal on highway grounds. The site is in a very sustainable location, close to local amenities and public transport and is also within an easy distance of the town centre and could be easily accessed via pedestrian or cycle links.

8. RECOMMENDATION

- 8.1 Given the above considerations, and having made a balanced judgement in relation to highways it is recommended that planning permission is granted with the following conditions:

9. 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 carried out in accordance with plans numbered 2127.16.1B.

Reason: For the avoidance of doubt and to ensure the development is carried out in the manner considered by the local planning authority.

3. In the event that contamination is found or suspected at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be completed in accordance with a

scheme to assess the nature and extent of the contamination on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons 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 scheme must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme must be carried out in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.”

Reason: To ensure the dwelling is safe for the living conditions of future occupants.

BACKGROUND INFORMATION:

See application ref: DC/17/0527/FUL at
www.eastsuffolk.gov.uk/public-access

CONTACT

Melanie Pieterman, Planning and Enforcement Officer, 01502
523023, Melanie.VandePieterman@eastsuffolk.gov.uk