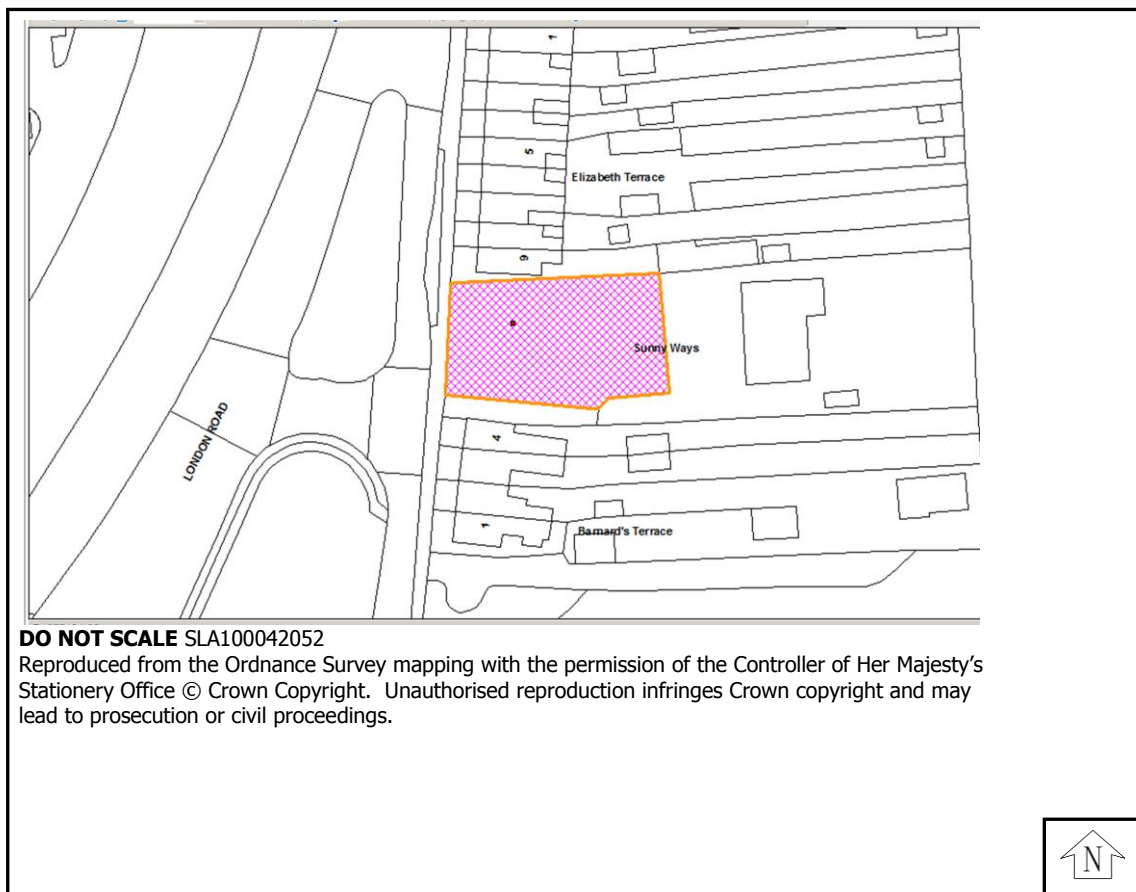


**PLANNING COMMITTEE – 29 MAY 2018****APPLICATION NO** DC/18/0947/FUL**LOCATION**

Land Adjacent Sunnyways  
 London Road  
 Gisleham  
 Lowestoft  
 Suffolk  
 NR33 7QW

**EXPIRY DATE** 7 May 2018 (Extension of time until 31 May 2018)**APPLICATION TYPE** Full**APPLICANT** Mr and Mrs Capps**PARISH** Gisleham**PROPOSAL** Temporary accommodation**SUMMARY**

- 1.1 Planning permission was granted in September 2017 for a pair of semi-detached bungalows on the site. This application seeks temporary accommodation for 1 year until the bungalows have been built. The application is recommended for approval.

- 1.2 A separate application seeks an amendment to the approved layout plan for the site (DC/18/0765/VOC).
- 1.3 The application is referred to Committee as the application for the bungalows was determined by the Committee.

## **SITE DESCRIPTION**

- 2.1 The site forms part of the substantial front garden of Sunnyways which is a detached bungalow set back approximately 47m from the site frontage. The site is attractively maintained containing a number of mature trees and shrubs and well kept lawn.
- 2.2 To the north of the site is Elizabeth Terrace, a terrace of 9 houses whilst to the south of the site is Barnards Terrace consisting of 4 terraced houses. The terraced housing is located much closer to the site frontage. The road at the front of the site and in front of the terraced housing is a one way road leading off the A12 London Road a short distance to the north. It was previously probably part of the A12 London Road and now provides vehicular access to the housing. A short distance to the south this road becomes two way and links into the roundabout on the A12 that provides access to the retail area, including Morrisons, Homebase and Pizza Hut, and the South Lowestoft Industrial Estate.
- 2.3 The southern boundary of the site is denoted by the existing driveway which provides vehicular access to Sunnyways. There used to be a mature hedge and trees alongside the driveway but these have now been largely removed leaving stumps although some of the trees have been retained.

## **PROPOSAL**

- 3.1 This application seeks consent for temporary accommodation for one year on the site in the form of a static caravan measuring approximately 10m x 4m whilst a pair of bungalows, permitted by application DC/17/2574/FUL, are built. In addition to the static caravan the application also includes 2 small sheds and a generator.
- 3.2 A separate application for consideration seeks to vary the layout plan approved by Condition No.2 of DC/17/2574/FUL (DC/18/0765/VOC).

## **CONSULTATIONS/COMMENTS**

### **4.1 Neighbour consultation/representations**

9 pre-printed forms have been signed and submitted objecting to the application on the grounds that the generator is giving out strong fumes; there is no mention of having electricity or fresh water connected; ongoing problems with the sewage system and the security risk of a generator, gas bottles, tools and diggers on the site. All local street lights go out at midnight.

- 4.2 1 representation in support of the application has been submitted stating there is no objection whatsoever to a static temporary home on land in front of Sunnyways.

#### 4.3 Parish/Town Council Comments

This planning application was considered by Gisleham Parish Council planning committee at their planning meeting held on Monday 9<sup>th</sup> April 2018. Councillors strongly recommend refusal based on the following points:

- The 21 days notice period ends on 11<sup>th</sup> April 2018. The notice period should have been respected and adhered to. The static caravan was sited well before the notice period expired.
- The static caravan annoyingly has already been sited without approval and is now being occupied on a permanent basis.
- In the original planning application (DC/17/2574/FUL) the plans stated “retain existing privet hedge along existing driveway”. It is quite obvious now that the hedge was removed to enable the siting of the static caravan. Planning committee still express their annoyance that the hedge was removed and wish it to be reinstated (DC/18/0765/VOC). Just prior to the planning meeting even more hedges were seen being removed.
- A very noisy and smelly generator is running for unreasonable and excessively long periods of time and even into late evening/early morning – presumably only turned off when they retire to bed.
- Anglian Water should be made aware of the temporary drain connection into the sewers as it has been reported that this section has existing drain problems.
- The noise and smell from the generator is annoying the whole street and upsetting/distressing residents, pets and wildlife. Residents are having to keep their doors and windows shut to try to lessen the noise volume and the risk of fume contamination from the generator. With the warmer summer months coming up residents should have the right to benefit from being able to enjoy opening their doors and windows.
- A temporary electricity supply should have been fitted.
- Provision for removal of household refuse should have been agreed upon.
- No mention of provision for fresh water supply.
- Hours and days of working need to be agreed upon as it is unreasonable for work to be carried out late into the day/night.
- Some residents comments/views/objections were not visible on <http://publicaccess.eastsuffolk.gov.uk/online-applications> website prior to Gisleham Planning meeting and therefore could not be taken into account and consideration.

Gisleham Planning Committee strongly insist that a meeting is arranged urgently with Planning and Coastal Management Department to fully discuss this application/development and for PBC to have the opportunity to explain their actions.

#### **PUBLICITY**

None

#### **SITE NOTICES**

The following site notices have been displayed:

General Site Notice

Reason for site notice: New Dwelling, Date posted 22.03.2018  
Expiry date 11.04.2018

## RELATED/HISTORICAL APPLICATIONS

Reference No	Proposal	Decision	Date
DC/88/1563/OUT	To construct a pair of semi-detached houses with garages.	Refused	04.08.1988
DC/89/1044/OUT	To construct a detached bungalow and garage.	Refused	28.06.1989
DC/92/0659/FUL	Side extension	Approved	11.12.1992
DC/10/1228/COU	Part change of use from residential to Tattoo Studio	Approved	24.11.2010
DC/11/1266/COU	Part change of use from residential to tattoo studio	Approved	05.01.2012
DC/12/1259/VOC	Variation of Condition No. 1 of DC/11/1266/COU Part change of use from residential to tattoo studio Change of time limit from 1 year to 5 years	Approved	26.11.2012
DC/17/2574/FUL	Pair of semi detached bungalows with rooms in the roofspace incorporating dormer windows	Approved	22.09.2017
DC/18/0765/VOC	Variation of condition 2 of DC/17/2574/FUL	Pending	
DC/18/1313/DRC	Discharge of conditions 8, 9 and 10 of DC/17/2574/FUL		

## PLANNING POLICY

- 5.1 The Waveney Core Strategy was adopted in 2009: **CS01** relates to the Spatial Strategy, **CS02** considers High Quality and Sustainable Design, **CS11** relates to housing provision over the plan period.
- 5.2 The Development Management Policies were adopted in 2011. **DM01** considers the Physical Limits of the district, **DM02** relates to Design Principles, **DM22** gives consideration to Housing Development in the Countryside, and finally **DM28** relates to Strategic Gaps and Open Breaks.

## PLANNING CONSIDERATIONS

- 6.1 As will be noted above planning permission was granted in September last year for a pair of semi detached bungalows on the site (DC/17/2574/FUL). The applicant seeks temporary accommodation to live in a static caravan on the site during the construction period. As the static caravan has already been placed on the site this is a retrospective application. The application includes two small sheds and a generator which have also been placed on the site.

- 6.2 It is not unusual for temporary accommodation to be placed on a site for the duration of the construction period and the siting of the static caravan, set well back from the frontage towards the rear of the plot, is considered acceptable.
- 6.3 The submitted plan shows, in addition to the static caravan, two small sheds and a generator on the site. Part 4 of the General Permitted Development Order allows the provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations being carried out on that land. It is considered that the sheds and generator would be permitted by virtue of Part 4 of the GPDO.
- 6.4 It will be noted above that a number of local residents and the Parish Council have objected to the generator. The Environmental Health Officer has been looking into the matter of alleged noise and fumes nuisance from the operation of a generator on site and has advised that no evidence to support the complaint has been found. Officers have carried out a number of visits to the site and have not heard the generator in operation on any occasions, despite the complainant suggesting that the nuisance is constant. It has been explained by the wife of the applicant that the generator was used only occasionally to charge up a storage battery.
- 6.5 The EHO further advises that if noise from the generator turns out to be a serious problem then action can be taken to abate a nuisance using the statutory nuisance provisions of the Environmental Protection Act 1990, section 79. It is not however considered reasonable to place a restriction on the use of the generator at this time.
- 6.6 Other objections to this application are noted but it is considered that it would be unreasonable not to allow temporary accommodation on the site during construction of the bungalows.

## **CONCLUSION**

- 7.1 The provision of temporary accommodation on the site for the duration of building works permitted by application DC/17/2574/FUL is considered reasonable. The application is recommended for approval.

## **RECOMMENDATION**

That the application be approved subject to the following condition:

The temporary residential caravan shall be removed from the site on 31 May 2019 or upon first occupation of the approved dwellings on the site, whichever is the earlier.

Reason: The mobile home is only acceptable on this site during the construction of the new dwellings.

### **BACKGROUND INFORMATION:**

See application ref: DC/18/0947/FUL  
[www.eastsuffolk.gov.uk/public-access](http://www.eastsuffolk.gov.uk/public-access)

### **CONTACT**

Phil Perkin, Team Leader (North Area), (01502) 523073,  
[philip.perkin@eastsuffolk.gov.uk](mailto:philip.perkin@eastsuffolk.gov.uk)