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6832 – Battery Green Cultural Quarter – Planning Statement

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## 1. Introduction

- 1.1 This planning statement has been produced by Chaplin Farrant on behalf of East Suffolk Council and relates to the comprehensive redevelopment to form the Battery Green Cultural Quarter, Gordon Road, Lowestoft, NR32 1HA. The site measures approximately 1.2 hectares and comprises a former car park; an existing wing of the Marina Theatre; and a section of Marina Street. In terms of its surroundings, Powerpark, a significant future employment development, is located to the north; the A47 and harbour is located to the east; and a range of town centre uses and businesses can be found to the south and west of the site, with a concentration within the High Street.
- 1.2 Policy WLP2.7 of the Waveney Local Plan allocates the site for a comprehensive redevelopment of town centre uses, including retail and competitive Leisure development. The uses referred to within the policy are A1, A2, A3, A4, C1 and D2, but these have since been superseded by uses E(a)-(d) [formerly A1, A2, A3, and D2]; F.2 [formerly A1], and sui generis [drinking establishments were previously A4, but now fall under sui generis].
- 1.3 It is important to emphasise that the site has been the subject of a pre-application enquiry which has concluded that *“Overall, it is concluded that the proposed development would be acceptable in principle, as the site is allocated for redevelopment under Policy WLP2.7”*.
- 1.4 This statement considers primarily the planning policy impacts of the development, in recognition that the application is accompanied by a very comprehensive Design and Access Statement which details how the design of the scheme has evolved.
- 1.5 In preparing this application due regard has been given to Paragraph 81 of the National Planning Policy Framework (NPPF) which advises that *“significant weight should be placed on the need to support economic growth and productivity”*. Further analysis of paragraph 81 is detailed within this statement.

### Structure of the Statement

- 1.6 This statement has been produced to assist East Suffolk Council (herein referred to as “the Council”) by assessing the proposed development in planning terms. This statement is structured as follows:
  - Section 2 development context and proposals.
  - Section 3 outlines relevant local and national planning policy
  - Section 4 provides an assessment of the proposal’s acceptability in planning terms; and
  - Section 5 presents the conclusions.

## 2. Development Context

- 2.1 This project aims to become the catalyst for bringing much needed increased vibrancy to Lowestoft town centre and enhancement of the Cultural Quarter as part of the town centre masterplan. The development will reinforce the distinctive qualities and character of Lowestoft and the region for all ages to enjoy.
- 2.2 The scheme is seeking to provide both new and re-purposed buildings which will provide cultural facilities and Competitive Leisure spaces encouraging community gathering and participation whilst also providing inspirational spaces that will benefit Lowestoft based businesses and creative sectors. The redevelopment of Battery Green Car Park will offer a fresh infusion of creative culture and competitive Leisure activities, along with the addition of a series of mixed-use public squares and enhanced connections between Lowestoft's cultural institutions. The public realm will act as an 'external foyer,' where outreach and public art initiatives will take place to allow for more dwell time and, in turn, more economic spending. The redevelopment has been thoughtfully planned, creating a strong community focus, helping animate public spaces, and establishing a cultural brand for this quarter.

### Development Proposals

- 2.3 As stated above the Development will include significant improvements to the Public Realm including:
- Creation of public realm at heart of Cultural Quarter to increase footfall and dwell time.
  - Improvements to connectivity between the Marina Theatre, the main town centre, the public space outside of the theatre and creation of a new walkway to the PowerPark,
  - Stitching the reintroduction of battery green park urban fabric back together and creating linkages across the cultural quarter
  - Improved pedestrian and cycle provision and connectivity.
- 2.4 The proposals will include New Build elements which provide a:
- Catalyst for development, long term employment and training opportunities
  - Partial Demolition and clearance of the current site which has been vacant since 2015, to build a new, vibrant building to support performing arts as well as a commercial offer providing a range of creative cultural use - supporting Lowestoft economic recovery and regeneration.
  - A development embedded in the history and identity of Lowestoft Battery green Car Park
  - Cultural Quarter that grows out of something that is already part of Lowestoft to create a sense of local ownership

- Competitive Leisure facilities within a part of an existing structure - promoting social and economic growth as well as increasing dwell time

2.5 The development is proposing works to the Marina Centre which include the:

- Partial demolition of the Marina centre to improve overall public realm and connectivity whilst enabling development of the new cultural building.

2.6 The works to facilitate the redevelopment of the Battery Green Cultural Quarter include the partial demolition of the existing car park, refurbishment of the Marina Centre, construction of new cultural quarter, realignment of marina road and services, and landscaping and external works:

The following uses are proposed including:

#### New Build

- Restaurant - 263 Sqm
- Open Plan Flexible Space - 802 Sqm
- Flexible Space - 712 Sqm
- Large Performance Making – 140 Sqm
- Small Performance Making - 55 Sqm
- Cafe - 92 Sqm
- Informal - 325 Sqm
- Total Including Ancillary Spaces – 2711 Sqm

#### Retained Car Park

- Competitive Leisure - 3888 Sqm

#### Marina Centre

- Rehearsal space / Performance making - 569 Sqm

### 3. National and Local Planning Policies

- 3.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise.
- 3.2 The plan-led system contains a hierarchy of national down to local policies. The following section explores how the application accords with relevant national and local policies, and other material considerations. The Planning Policy documents to be considered include:
- National Planning Policy Framework (NPPF)
  - Waveney Local Plan

#### National Planning Policy Framework (NPPF)

- 3.3 The NPPF provides a series of national planning standards under which development must accord with. The document was last revised in September 2023 and, for the purposes of Section 38(6) of The Planning and Compulsory Purchase Act (2004), represents a material consideration. The most relevant paragraphs are considered in more detail below.

Paragraph 7 & 8

- 3.4 Paragraph 7 of the NPPF clearly states that the purpose of the planning system is to contribute to the achievement of sustainable development. Meanwhile, Paragraph 8 of the NPPF establishes the economic, social and environmental dimensions that are central to the notion of sustainable development. (Sustainable development is defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs).
- 3.5 The NPPF defines the economic, social, and environmental dimensions as follows:
- “an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
  - an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Paragraphs 10 & 11

- 3.6 The NPPF enshrines sustainable development as the primary objective of the Planning System. Paragraph 10 of the NPPF highlights that:

*“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.”*

- 3.7 Furthering this, Paragraph 11 of the NPPF outlines that development should be “approved without delay” when they accord with national and local policy.

Paragraph 81

- 3.8 Paragraph 81 advises that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential”.*

Paragraph 110

- 3.9 Paragraph 110 seeks to ensure that *“safe and suitable access to the site can be achieved for all users”* and that proposed parking areas are designed in accordance with national design guidance (e.g. the National Design Guide) and statutory standards in the Development Plan.

Paragraph 119

- 3.10 Paragraph 119 states that *“Planning policies and decisions should promote the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”.*

Paragraph 130

- 3.11 Paragraph 130 establishes the following design principles which apply to all development proposals:

*“Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.”*

*“Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.”*

*“Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).”*

*“Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.”*

*“Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.”*

*“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Paragraph 185

- 3.12 *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*

*a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;”*

Paragraph 187

- 3.13 Paragraph 187 advises that *“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed”.*

### **East Suffolk Council – Waveney Local Plan (March 2019)**

- 3.14 Policy WLP2.7 – Former Battery Green Car Park states that *“The Former Battery Green Car Park (0.87 hectares) as identified on the Policies Map is allocated for a comprehensive redevelopment of town centre uses including retail and Competitive Leisure development falling within Use Classes A1, A2, A3, A4, C1 and D2. The site should be developed in accordance with the following site specific criteria:*



- *New development should be designed to the highest possible architectural standard and create a landmark building for the town.*
- *Visual links and connections should be provided to London Road North and the Marina street.*
- *Blank walls should be avoided adjacent to public viewpoints.*
- *An active frontage should be provided along Gordon Road.*
- *A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application”.*

3.15 Policy WLP2.2 – PowerPark advises that “*Land comprising the PowerPark (23.37 hectares) as defined on the Policies Map is allocated for employment development (use classes B1, B2 and B8) and port related development. Associated and ancillary uses necessary to support the offshore energy and engineering sectors will also be permitted.*

*Proposals involving the redevelopment or change of use of existing premises, to uses not falling within the uses allocated in the paragraph above will not be permitted.*

*The Council will work with Suffolk County Council, Associated British Ports, the Environment Agency, the Marine Management Organisation and landowners where practicable to:*

- *Improve the general appearance of the site through improvements to the public realm, landscaping improvements and on-site branding.*
- *Improve cycle and pedestrian connectivity to and through the site and ensure sufficient car parking is available.*
- *Provide wayfinding and orientation facilities including signposting to the town centre, the Scores, the historic High Street, the East of England Park and Ness Point.*
- *Improve the visibility and appearance of the waterfront. This should include improvements to the current fencing treatment and ensure proposed flood walls are attractive and allow for visibility of the waterfront.*

*New development and redevelopment within the site should be developed in accordance with the following site specific criteria:*

- *Provision should be made for cyclists including covered secure cycle parking and showering facilities for employees.*
- *Development should avoid and if necessary mitigate any impact on the Outer Harbour Kittiwake Colony and Ness Point County Wildlife Site. A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning applications.*
- *Proposals should respect the cultural heritage of the area and ensure where possible buildings which are non-designated heritage assets are retained as part of any redevelopment.*

- *All new development will be subject to a site specific flood risk assessment. A flood evacuation plan and details of mitigation measures to the satisfaction of the Council's Emergency Planners must be submitted with any planning applications.*

*New development next to, opposite, or in close proximity to the PowerPark should ensure potential conflicts are mitigated through the layout, use and environmental credentials of new buildings. Developers should liaise with businesses and port operators to ensure that potential conflicting uses are addressed prior to any application for planning permission. New development should not result in unreasonable restrictions being placed on the operations of the port or existing businesses within the PowerPark”.*

3.16 Policy WLP8.21 – Sustainable Transport states that “*Development proposals should be designed from the outset to incorporate measures that will encourage people to travel using non-car modes to access home, school, employment, services and facilities. Development will be supported where:*

- *It is proportionate in scale to the existing transport network;*
- *It is located close to, and provides safe pedestrian and cycle access to services, facilities and public transport;*
- *It is well integrated into and enhances the existing cycle network including the safe design and layout of new routes and provision of covered, secure cycle parking;*
- *It is well integrated into, protects and enhances the existing pedestrian routes and the public rights of way network;*
- *It reduces conflict between users of the transport network including pedestrians, cyclists, users of mobility vehicles and drivers and does not reduce road safety;*
- *It will improve public transport in the rural areas of the District;*
- *It includes facilities for charging plug-in and other ultra-low emission vehicles; and*
- *The cumulative impact of new development will not create severe impacts on the network*

*Developments should connect into the existing pedestrian and cycle network. Where possible, proposals are to include measures set out in the Waveney Cycle Strategy (2016 and subsequent updates) and demonstrate they have considered how the scheme will encourage people to walk and cycle to access services and facilities where practical. Subject to design considerations under Policies WLP8.29, WLP8.30 and WLP8.31, new developments will be required to provide parking that meets the requirements set out in the Suffolk Guidance for Parking issued by Suffolk County Council (2014 and subsequent updates). In consultation with the Highway Authority, the scale, location and nature of development will be considered in determining how the transport impacts of development should be assessed. As indicative thresholds, Transport Statements will be required for residential developments between 50-80 dwellings.*

*Transport Assessments and Travel Plans will be required for residential developments larger than 80 dwellings. Non-residential development will be considered on a case by case basis”.*

3.17 Policy WLP8.28 – Sustainable Construction advises that “Proposals for major residential development of 10 or more houses and commercial development schemes of 1,000sqm or more of floorspace should demonstrate through the submission of a sustainability statement that, where practical, they have incorporated:

- *Improved efficiency of heating, cooling, and lighting of buildings by maximising daylight and passive solar gain through the orientation and design of buildings.*
- *Sustainable water management measures such as the use of sustainable drainage systems, green roofs and/or rainwater harvesting systems.*
- *Locally sourced and recycled materials.*
- *Renewable and low carbon energy generation into the design of new developments. Larger schemes should explore the scope for District heating.*
- *Minimising construction waste, including designing out waste during the design stage, selecting sustainable and efficient building materials and reusing materials where possible.*
- *Accessible and unobtrusive sustainable waste management facilities such as adequate provision of refuse/recycling/composting bin storage.*
- *A show home demonstrating environmentally sustainable options which can be purchased and installed in homes bought off-plan. All new residential development in the District should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so. All new office and school developments in Waveney of equal or greater than 1,000sqm gross floorspace are required to achieve the British Research Establishment Environmental Assessment Method ‘Very Good’ standard or equivalent unless it can be demonstrated that it is not viable or feasible to do so”.*

3.18 Policy WLP8.29 – Design states that “Development proposals will be expected to demonstrate high quality design which reflects local distinctiveness. In so doing proposals 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;*
- *Respond to local context and the form of surrounding buildings in relation to:*
  - *the overall scale and character*
  - *layout*
  - *site coverage*

- *height and massing of existing buildings*
- *the relationship between buildings and spaces and the wider street scene or townscape and by making use of materials and detailing appropriate to the local vernacular;*
- *Take account of any important landscape or topographical features and retain and/or enhance existing landscaping and natural and semi-natural features on site;*
- *Protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers of the proposed development;*
- *Take into account the need to promote public safety and deter crime and disorder;*
- *Create permeable and legible developments which are easily accessed and used by all, regardless of age, mobility and disability;*
- *Provide highway layouts with well-integrated car parking and landscaping which create a high quality public realm, avoiding the perception of a car dominated environment;*
- *Include hard and soft landscaping schemes to aid the integration of the development into its surroundings; and*
- *Ensure that the layout and design incorporates adequate provision for the storage and collection of waste and recycling bins.*

*Development proposals which fail to meet the above criteria will be refused planning permission.*

*Major residential development proposals will be supported where they perform positively when assessed against Building for Life 12 guidelines. Developments should avoid red outcomes unless there are exceptional circumstances.*

*Innovative design will be strongly supported where it meets the above criteria.*

*Neighbourhood Plans can, and are encouraged to, set out design policies which respond to their own local circumstances”.*

- 3.19 Policy WLP8.34 – Biodiversity and Geodiversity advises that “Development will be supported where it can be demonstrated that it maintains, restores or enhances the existing green infrastructure network and positively contributes towards biodiversity through the creation of new green infrastructure and improvement to linkages between habitats. Regard should be had to the Waveney Green Infrastructure Strategy (2015).

*Proposals that will have a direct or indirect adverse impact on locally recognised sites of biodiversity or geodiversity importance, including County Wildlife Sites, Biodiversity Action Plan habitats and species, will not be supported unless it can be demonstrated that new opportunities to enhance the green infrastructure network will be provided as part of the development that will mitigate or compensate for this loss.*

*Where compensatory habitat is created, it should be of equal or greater size than the area lost as a result of the development, be well located to positively contribute towards the green infrastructure network and biodiversity and be supported with a management plan.*

*Where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey undertaken by a suitably qualified person. If present the proposal must be sensitive to, and make provision for their needs.*

*Any development with the potential to impact on a Special Protection Area or Special Area for Conservation within or outside of the District will need to be supported by information to inform a Habitat Regulations Assessment.*

*A Supplementary Planning Document will be prepared to implement a Recreational Avoidance and Mitigation Strategy in order to mitigate any impacts on Special Protection Areas and Special Areas for Conservation. The Council will work with neighbouring authorities and Natural England to develop this strategy. The strategy will include a requirement for developers to make financial contributions towards the provision of strategic mitigation within defined zones”.*

- 3.20 *Policy WLP8.37 – Historic Environment confirms that “The Council will work with partners, developers and the community to protect and enhance the District’s historic environment. Proposals for development should seek to conserve or enhance Heritage Assets and their settings. All development proposals which have the potential to impact on Heritage Assets or their settings should be supported by a Heritage Impact Assessment prepared by an individual with relevant expertise. Preapplication consultation with the Council is encouraged to ensure the scope and detail of a Heritage Impact Assessment is sufficient. The level of detail of a Heritage Impact Assessment should be proportionate to the scheme proposed and the number and significance of heritage assets affected. Proposals should take into account guidance included in the Built Heritage and Design Supplementary Planning Document”.*

## 4. Planning Assessment

- 4.1 Paragraph 7 of the NPPF clearly states that the purpose of the planning system is to contribute to the achievement of sustainable development. Meanwhile, Paragraph 8 of the NPPF establishes the economic, social and environmental objectives that are central to the notion of sustainable development. The economic objectives of this development are considerable and the investment will enhance both the public realm and economy of Lowestoft.
- 4.2 In terms of the social objectives the proposal will help create jobs and enhance the wider public realm as advocated by Policy WLP2.7 – Former Battery Green Car Park which is allocated for a comprehensive redevelopment of town centre uses including retail and Competitive Leisure development. It will also provide a diverse range of uses which are aimed at all age groups.
- 4.3 In relation to the environmental objectives, the soft and hard landscaping associated with the current proposals will enhance the environment of the wider area. The design of the scheme will also remove unsightly structures and areas of dereliction and breathe new life into the area.
- 4.4 Paragraph 81 advises that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*. This is an important consideration and builds on the economic objectives outlined above and demonstrates the importance that should be given to supporting economic development and investment into this part of Lowestoft.

### **Policy WLP2.7 – Former Battery Green Car Park**

- 4.5 As detailed the application site forms part of the wider area allocated by virtue of Policy WLP2.7 – Former Battery Green Car Park which states that *“The Former Battery Green Car Park (0.87 hectares) as identified on the Policies Map is allocated for a comprehensive redevelopment of town centre uses including retail and Competitive Leisure development falling within Use Classes A1, A2, A3, A4, C1 and D2. The site should be developed in accordance with the following site specific criteria”*. For ease of analysis these are considered separately below:
- *New development should be designed to the highest possible architectural standard and create a landmark building for the town.*
- 4.6 As detailed in the Design and Access Statement the scheme has unquestionably been designed to the highest architectural standard and will incorporate a wide range of landmark buildings centred around a central square.

- *Visual links and connections should be provided to London Road North and the Marina street.*
- 4.7 The scheme has incorporated visual links and connections as is being sought by this policy. Further information regarding this issue is detailed in the Design and Access Statement and the application drawings.
- *Blank walls should be avoided adjacent to public viewpoints.*
- 4.8 The proposed development has again been carefully designed to ensure that blank walls are avoided thereby enhancing public viewpoints.
- *An active frontage should be provided along Gordon Road.*
- 4.9 The application is seeking to retain the retail units along Gordon Road and is also proposing enhancements to the façade of the multi-storey car park.
- *A completed ecological assessment undertaken by a suitably qualified person will be required as part of any planning application.*
- 4.10 An ecological report has been produced which has detailed how the impacts of the development can be mitigated. It also provides details as to how the development of the site will achieve the 10% biodiversity net gain.
- 4.11 As detailed above it is evident that the proposals have sought to fully comply with the requirements of WLP2.7 – Former Battery Green Car Park.

#### **Pre-application Advice**

- 4.12 As previously stated the application has been subject to a pre-application enquiry. The full details of this enquiry have been submitted with this application. The Council has confirmed that *“Overall, it is concluded that the proposed development would be acceptable in principle, as the site is allocated for redevelopment under Policy WLP2.7”*. The Council also recognises that Battery Green forms an important component of the major growth and regeneration ambitions for Lowestoft.
- 4.13 The pre-application response quite rightly focuses on design and the scheme has been amended where practicable to address the issues raised. The evolution of the design of the scheme is explored in more detail in the Design and Access Statement.
- 4.14 The advice provides commentary with regards to landscaping, flood risk and drainage, highways, archaeology, contamination, sustainable construction, Environmental Impact Assessment, heritage and Community Engagement. These issues are explored in more detail below.
- 4.15 The conclusion of the pre-application is generally very positive and states that *“The principle of the proposed development is firmly established through the allocation of the site under Policy WLP2.7. The site is also located within the development boundary of*

*Lowestoft where the principle of new development is generally acceptable under Policy WLP1.2, subject to compliance with the remaining policies of the Local Plan.*

*The overall view of officers is that whilst the general design intent and vision for the site is sound, further consideration needs to be given to the mix and distribution of uses; the relationship between the buildings and their surroundings; elements of the detailed design of the buildings; and the way in which open spaces would be function.*

*As a major development project, a number of other thematic issues have been discussed which need to be considered/addressed as part of the submission of a planning application”.*

### **Landscaping**

- 4.16 As detailed in the Design and Access Statement both the cells of built development are connected by a low-lying green link which provides informal exhibition space to create an extension of the public realm. The link connects internal uses and encourages the public into and through the spaces.
- 4.17 The aim of the scheme is to create an inherent ecological building and public realm, providing a sociable, healthy and vibrant town centre destination. As detailed in The Designing Out Crime section below landscaping has been formulated with Secured by Design principles in mind.

### **Civic Square**

- 4.18 Landscape features within the civic square such as raised or ground level planting beds help define and contain the space, and create a defensible edge where required whilst also allowing connections to the frontages of the Marina Theatre and Marina Centre. Additionally, the raised timber seating further creates active frontages and the restaurants encouraging spill-out, welcoming and animated spaces that intrigues and attract visitors from The High Street, increasing dwell time and cultural creative activities. Hard Surfacing Paving within the civic square will be large contrasting grey lunar paving slabs with staggered joints and varying elongated paving slabs . Smaller slabs will be used to demarcate the shared surface roadway

### **Upper Terrace**

- 4.19 The terrace will be set amongst a soft and welcoming landscape incorporating generous planting schemes for biodiversity and well-being. The terrace bridges the gap between the green route and the civic square, providing refuge. Hard Surfacing Paving on the upper terrace is selected to create a more soft and natural feel - cobbled paving reflects of the old scores creating subtle nods to Lowestofts history. Permeable cobble sets in a sandy natural colour will be used.



### **Green Link**

- 4.20 The design of the green route is to bring nature back into the town centre. It provides densely planted areas with displays, an assortment of smells and colours to stimulate the senses and promote biodiversity. Incidental play features will create a new point of attraction for young people and families. The landscaping of the upper terrace encourages users to go down along the 'Green Link' from the north of the site, encouraging a journey by reinstating the original battery green park pedestrian routes through the site. The walkway through the green link will be Breendon gravel with stone mulch dry gardens. The treatment of surfacing is soft and natural to reflect the nature of the space.
- 4.21 From the above it is evident that the proposals will provide a high-quality landscaping scheme which accords with the requirements of Policy WLP8.29.

### **Designing Out Crime**

- 4.22 In response issues raised in the pre-application response the following Secured by design principles have been incorporated throughout the development of the scheme such as;
- Natural surveillance
  - Lockable cycle store
  - Well-lit public spaces
  - Low level planting
  - Buffer zone planting between buildings and pedestrian pathways
  - Anti ram measures
  - Emergency vehicle parking
  - Separate loading bay away from public / pedestrianised zones Following a meeting with East Suffolk's Police Designing out crime officer (DOCO) - Andrew Gallant. He reviewed the proposal and commented on aspects in which could be improved to meet SBD standards such as;
  - Recessed doorways to be well lit and have 24hr monitored CCTV to deter antisocial behaviour
  - Anti skateboard measures on external furniture and steps
  - SBD Sinking bollards to control vehicular access
  - Considerate planting to avoid blocking site lines The client is committed to achieving Secured by Design principles to the best possible certificate available within the constraints of the site as well as budget available

- 4.23 From the above it is clear that the issue of designing out crime has been considered and will make this development a safe and welcoming environment.

#### **Sustainable construction**

- 4.24 The proposal has had due regard to the requirements of WLP8.28 Sustainable construction and reflecting the scale of the scheme the following measures are to be incorporated into the development:

- Fenestration strategically north facing ambient light (reduce artificial lighting)
- Green roof – attenuation of plants within the public realm (Rain Gardens)
- SUDS, reduce surface water runoff - attenuation lagoon.
- Air tightness— Specific site details for reducing air leakage.
- Minimise maintenance, durable finishes and reduced defects.
- Use brise soleil and sun shading/heat stop glazing to minimise overheating and glare in summer months.
- Enhancing the ecological value of the site— Increased areas and variety of planting.
- Encourage cycling, walking-providing areas for cycle storage.
- Waste recycling storage— providing areas for recycling bins.
- Fenestration and roof lights are orientated north where possible to maximise the ambient light and reduce direct sunlight and overheating.
- The development will utilise sustainable materials in its construction where possible.
- Wall build-ups consider thermal massing to make the building as efficient as possible.

- 4.25 It is clear that the issue of sustainability has been given particular attention and the proposal will meet the requirements of Policy WLP8.28.

#### **Contamination**

- 4.26 The site has been subject to a Phase 1 contamination assessment. This assessment has advised that *“The basic requirement for redevelopment standards in the UK is that land should be ‘suitable for use’ or ‘fit for purpose’ uses policy’.*

- 4.27 It is recognised that the Phase 1 Assessment provides limited investigation and may not be able to consider the possibility of as yet unknown contaminant sources existing. Therefore, on the completion of the demolition it is recommended an intrusive Phase 2 contamination assessment is undertaken to assess the potential contaminative uses and geotechnical hazards identified across the entire site before the site can be considered suitable. Any areas of proposed soft landscaping should also be investigated. The investigation should include an assessment of the potential for contaminated soil from the historic uses of the site and the potential for migration of contamination from surrounding areas.
- 4.28 If contamination is identified, then a appropriate remediation strategy will be required. The applicants are happy for the issue of contamination to be addressed by appropriately worded pre-development conditions. The proposal is therefore considered to accord with paragraph 183 of the National Planning Policy Framework.

#### **Environmental Impact Assessment**

- 4.29 A screening opinion request has been submitted to East Suffolk Council to confirm whether it will need to be accompanied by an Environmental Impact Assessment. A decision on this request is currently awaited.

#### **Flood Risk and Drainage**

- 4.30 As required by Policy WLP8.24 the application is accompanied by a Flood Risk Assessment and Drainage Strategy. A desktop assessment of geological mapping and nearby borehole records suggests that infiltration is unlikely to be feasible due to the groundwater level and presence of extensive depths of made ground. This will be confirmed through the Phase 2 ground investigation.
- 4.31 The FRA recommends that the *“Floor levels of buildings should be constructed 150mm above the surrounding ground level to mitigate the flood risk and offer overland runoff to flow safely across the site without affecting property”*.
- 4.32 The surface water design has proposed two separate discharges to the east and west of the site to the Anglian Water system. These discharges will be restricted to under 2l/s each which is a substantial improvement on the current unrestricted rate. Ahead of discharge, the surface water will receive treatment via a combination of permeable surfacing, rain gardens, filter drains and green roof areas to deliver on the SuDS Manual requirement for quality improvements.
- 4.33 Foul water drainage is proposed to discharge into the existing sewer to the west side of the site. This gravity based system will require Anglian Water S106 approval which will be sourced ahead of the works.
- 4.34 The responsibility for the continuous operation and maintenance of the SuDS will fall on East Suffolk Council; the extent of this is included in the Management and Maintenance Strategy.

- 4.35 In view of the above it is considered that the flood risk and drainage issues associated with this site can be satisfactorily managed and mitigated.

### **Archaeology**

- 4.36 A desk top archaeological assessment has been prepared to identify heritage assets that may be affected by the development proposals. The assessment has advised that *“Whilst prehistoric and Romano-British activity within the study area is only evidenced by several dispersed artefacts, evidence relating to the medieval town and priory is abundant. The post-medieval assets identified relate to the general expansion of the town, as well as Napoleonic defences, the railway and the development of industry”*.
- 4.37 An assessment of the Suffolk Historic Environment Record, cartographic sources, aerial photographs and LiDAR data indicates that there is a low potential for prehistoric and Romano-British remains at the site. Despite the site being developed in the 20th century – because investigations in the surrounding area have identified the presence of masking deposits overlying archaeological strata – there is a moderate chance of later medieval remains and a high potential for post-medieval remains to be encountered on or in the near vicinity of the site.
- 4.38 The assessment recognises that the works are intended to involve the partial demolition of structures and buildings currently present on the site, along with the erection of new buildings. It is anticipated that Suffolk County Council Archaeological Service will require an archaeological trial trench investigation to be undertaken to evaluate the presence/absence, condition and significance of any surviving archaeological remains at the site. The results of this work would be used to inform a suitable mitigation strategy. It is assumed that this will be sought by way of a suitably worded condition.
- 4.39 In view of the findings of the archaeological assessment it is considered that the proposal accords with Policy WLP8.40 Archaeology.

### **Heritage**

- 4.40 In view of the sites potential impact on both designated and non-designated heritage assets a Heritage Assessment as required by Policy WLP8.37 is currently being prepared and will form part of the suite of documents accompanying this application.

### **Statement of Community Involvement**

- 4.41 Residents, businesses, Councillors and stakeholders including those from the Competitive Leisure, creative and food and drink sectors were given the opportunity to provide feedback regarding the proposals at all stages. This includes the Business Case phase, feasibility stage and all the way through to Design Development. This has been carried out in several ways including stakeholder workshops, workshops at the local college, Half Term events, an in person and online public engagement event promoted in the local press, site visits to creative venues, letters to neighbouring businesses, blogs,

engagement with the Business Improvement District, and numerous 1-2-1 meetings and presentations.

- 4.42 A dedicated website, ThinkLowestoft, has also been designed to promote the Town Investment Plan, for all interested parties to continue to provide further information on regeneration projects. All information to date gathered from the public has been provided to the Design Team to inform the project.
- 4.43 This extensive engagement has ensured that the local community have had an opportunity to understand the proposals and have buy in over the last 3 years and importantly before the submission of the planning application.
- 4.44 The majority of the feedback to date has been very supportive with respondents stating that the proposal would represent a positive change in the area and that this project is a very much welcomed improvement to the Town Centre.
- 4.45 Chaplin Farrant have taken on board verbal and written feedback and have carefully reviewed all the feedback. They have also carefully reviewed the feedback from stakeholders prior to this event. The main concerns raised have been addressed within this application and accompanying reports.
- 4.46 Following the submission of the planning application, it is recognised that the Economic Regeneration Team will continue to engage with key stakeholders to keep them informed and updated regarding the proposal.
- 4.47 It is evident that the Community Engagement and pre-application discussions accord with the advice at Paragraphs 39 and 40 of the National Planning Policy Framework.

## 5. Conclusion

- 5.1 As detailed above this proposal accords with the requirements of Policy WLP2.7 – Former Battery Green Car Park . It also has benefits in that it will bring a brownfield development back into use and result in cultural and environmental improvements to the area. It will also result in visual enhancements and attract residents and visitors to this area and help meet the vision to create a cultural quarter in Lowestoft.
- 5.2 This proposal accords with the advice that ““significant weight should be placed on the need to support economic growth and productivity” as advocated by Paragraph 81 of the National Planning Policy Framework. This scheme is likely to act as a catalyst to attract more facilities and businesses to the area.
- 5.3 The technical reports prepared to accompany the application have detailed that there are no major constraints to development and any potentially adverse impacts can be ameliorated. In addition, the applicant is prepared to accept appropriately worded conditions to provide further information prior to the commencement of development. Alternatively this information can be provided during the consideration of the application so that the development can be readily delivered and provide significant benefits to the public realm and the economy of Lowestoft and the wider area.
- 5.4 In view of the above it is requested that planning permission be granted without delay.

