

App.No: 140119 (OSR)	Decision Due Date: 1 May 2014	Ward: Devonshire
Officer: Anna Clare	Site visit date: 17 April 2014	Type: Outline (some reserved)
Site Notice(s) Expiry date: 25 February 2014		
Neighbour Con Expiry: 4 April 2014		
Weekly list Expiry: 4 April 2014		
Press Notice(s): n/a		
Over 8/13 week reason: Brought to planning committee within statutory time frame.		
Location: Land at the Corner of Firle Road and, Beltring Terrace, Eastbourne		
Proposal: Outline application (For Access, Appearance, Layout and Scale) for demolition of house and garage at 60 Firle Road and garage at 13Beltring Terrace and the erection of 4 no.1 bedroom apartments and 1no.2 bedroom house (with Landscaping reserved).		
Applicant: Mr R. Dowding		
Recommendation: Refuse planning permission		

Executive summary:

There have been numerous applications to develop this site over a number of years. The most recent in 2013 proposed the demolition of the existing house at 60 Firle Road and the erection of 7 one bedroom flats, and was refused on the grounds that the proposal would be overbearing on and result in loss of privacy to neighbouring properties, overdevelopment of the site and the design was considered inconsistent with surrounding buildings.

The application is for outline planning permission, for determination on appearance, access, scale and layout with landscaping a reserved matter.

It is considered the current application whilst alleviating some concerns in relation to amenity impacts on adjacent properties, has not gone far enough to alleviate concerns in relation to the over development of the site and the proposals again do not respect the character and appearance of the surrounding buildings. Therefore it is recommended that outline planning permission be refused.

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan Policies 2013

B1 Spatial Development Strategy and Distribution

B2 Creating Sustainable Neighbourhoods

C3 Seaside Neighbourhood Policy

D5 Housing

D10a Design

Eastbourne Borough Plan Saved Policies 2007

US5 Tidal Flood Risk

HO2 Predominantly Residential Areas

HO6 Infill Development

HO20 Residential Amenity

NE14 Source Protection Zone

UHT1 Design of new development

UHT4 Visual Amenity

Site Description:

The site is located at the corner of Firle Road and Beltring Terrace. Beltring Terrace comprises a row of terrace houses on one side of a narrow unmade private road with the rear of properties of Beltring Road opposite.

The site is currently occupied by No. 60 Firle Road (proposed to be demolished) - a detached 1950s property on the corner of Firle Road/Beltring Terrace a flat roofed garage with forecourt to the rear of the property, and a further piece of land that runs adjacent to No.12 Beltring Terrace to the rear of properties of Firle Road with a garage and green space.

The site sits within an area of densely built-up residential terraced properties. The terrace of properties which form Beltring Terrace are small 'cottage' type properties which are similar in appearance in detailed design in terms of windows and doors. Some properties have small porches and all have small gardens setting the properties back from the pavement edge. A narrow footpath runs in front of the terrace, and the unmade road is used as unallocated parking. The road is narrow and therefore there is provision only for parking on one side of the Beltring Terrace.

Relevant Planning History:

EB/1992/0512

Alterations to roof of No.12 and erection of attached dwelling to end of terrace.

Granted, subject to conditions.

1993-02-02

EB/1954/ 0 103

Erection of a detached dwellinghouse, with domestic garage.

Granted.

1954-03-18

020801

Erection of detached two-bedroom dwelling.

Planning Permission

Refused
03/04/2003

050734
Erection of detached two bedroom dwelling.
Planning Permission
Refused
20/07/2005

050798
Erection of detached two bedroom dwelling.
Planning Permission
Refused
08/02/2006

Demolition of house and garage at No. 60 Firle Road and garage at 13 Beltring Terrace. Erection of 7 No. one bedroom flats with one parking space. Outline (some reserved) (Ref: 130160)
Refused 18/07/2013 for the following reason;
By reason of the overbearing impact with no. 64 Firle Road and no. 12 Beltring Terrace, The loss of privacy to no. 64 Firle Road, the development is considered to be an overdevelopment of the site. The design of the scheme is inconsistent with the character and appearance of the surrounding residential area, and the proposal lacks a suitable amount of private amenity space for the number of households on-site.

Proposed development:

The application is for outline planning permission (For Access, Appearance, Layout and Scale) for the demolition of the house and garage at 60 Firle Road and garage on the plot of land adjacent to 12 Beltring Terrace and the erection of 4 no.1 bedroom apartments in a two storey building at the corner of Firle Road and Beltring Terrace and 1 no.2 bedroom detached two storey dwelling adjacent to No.12 Beltring Terrace (with Landscaping reserved). One off street parking space is provided for the dwelling house, and three parking spaces are shown on street (Beltring Terrace) on the proposed drawings.

Consultations:

Internal:

Local Highway Manager – No objections received.
A refusal on highways grounds cannot be substantiated given there is available parking on-street in the surrounding area at all times.

Planning Policy Manager – Objections Raised
The site has not been formally identified for development within the Council's Strategic Housing Land Availability Assessment, therefore is a windfall site. The Council relies on windfall sites coming forward as part of its spatial development strategy (Policy B1 of Eastbourne Core Strategy Local Plan) and in order to meet its local housing targets. In summary Planning Policy do not support the principle of development in line with the National Planning Policy Framework. Whilst windfall development is supported, the

proposal is considered to create undue harm to the character of the area and residential amenity.

External:

Environment Agency – No objection raised.

The Environment Agency recommends that in areas at risk of flooding consideration be given to the incorporation into the design and construction of the development of flood resilient and resistant measures.

Neighbour Representations:

17 objections have been received and cover the following points:

- Flooding
 - Parking
 - Highways impacts
 - Insufficient size for number of dwellings proposed
 - Impacts on sewers/drainage
 - Tarmacing the road would be out of keeping
 - Rendering to the flats is out of character
 - Height is too large and overly dominant
 - Appearance of the buildings do not fit with others
 - Out of character with housing stock in area which is single dwellings
 - Parking plan is not realistic
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- No.12 Beltring Road object as given the close proximity they will be unable to maintain their property.
 - No.68 Firlie Road object on grounds of loss of light to rear garden
 - No.49 Beltring Road object on grounds of loss of light, outlook and privacy.

Objections were also received on the following points which are not considered to be planning considerations

- Impacts during construction
- Land ownership

Appraisal:

Principle of development:

The National Planning Policy Framework is clear that sustainable residential development should be granted planning permission to ensure greater choice of housing in the local market and to meet local and national housing needs. The site has not been formally identified for development within the Council's Strategic Housing Land Availability Assessment, therefore is a windfall site. The Council relies on windfall sites coming forward as part of its spatial development strategy (Policy B1 of Eastbourne Core Strategy Local Plan) and in order to meet its local housing targets.

The principle of residential development on the site is considered acceptable in line with the National Planning Policy Framework 2012, and is supported in principle within the Core Strategy due to Eastbourne's high windfall reliance. This is, however, subject to there being no negative impact on residential amenity - the Core Strategy states development will be required to 'protect the residential and environmental amenity of existing and future residents', which will be assessed in further detail.

Impact of proposed development on amenity of adjoining occupiers and surrounding area:

The application comprises of two elements, the demolition of No.60 Firle Road and the re-development comprising 4 self contained flats, and the erection of a detached two storey dwelling house adjacent to No.12 Beltring Terrace. Each will be assessed separately.

The development at the corner of Firle Road and Beltring Terrace is proposed two storeys in height with residential accommodation proposed in the roof space, with a dormer to the rear roof slope, and rooflights to the front and side roof slopes. Four one bedroom flats are proposed, two at ground floor level accessed by separate accesses from Firle Road and Beltring Terrace and two with living accommodation at first floor level and bedrooms provided in the roof space which are accessed by an entrance at the rear of the property off Beltring Terrace.

The size of the building proposed has been reduced since the previous refusal, the proposed replacement building at the corner is in line with the rear of No.64 Firle Road and will therefore have less impact on this adjacent property. The rear of the property is set back from the boundary with No.64 to mirror the adjacent property and as such it is considered that this proposed building will not result in a significant impact on this adjacent neighbour in terms of loss of light or privacy given the existing situation.

The detached dwelling adjacent to No.12 Beltring Terrace is proposed in line with the existing adjacent property at ground floor level and stepped back at first floor level; therefore minimising any impact on the existing property. The Owner of No.12 Beltring Terrace has objected to the application on the basis of the separation distance allowed between the existing property and that proposed at just over 20cm which will not allow for any maintenance of the properties. This is not strictly a planning concern. The proposed property will bring the building line closer to the rear of No.64 Firle Road, however it is not considered that this will result in any significant impacts in terms of amenity given the angle of the properties and as there is already significant overlooking as the properties here are all relatively close together.

No.49 Beltring Road have objected to the application on the grounds of loss of light, outlook and privacy. No.49 Beltring Road is located to the east, and the rear of which looks towards the application site. It is not considered that the proposed development would result in significant overlooking above that already occurring from other properties on Beltring Terrace to warrant a refusal of planning permission. The proposed building will be visible from the rear of the property however given the existing built form it is not considered that the proposed buildings will result in significant impacts in terms of loss of light to the rear of the property.

No amenity space is proposed for the flats, a small private rear garden is provided to the detached dwelling approximately 30m² in area. The size of private amenity space to the detached dwelling is considered appropriate for the size of dwelling.

Design issues:

The existing building at 60 Firle Road is detached and a later addition than the terrace adjacent 64-76 Firle Road, but is matching in character to the property on the opposite

corner of Beltring Terrace and Firle Road. The existing property is sited set back from the adjacent terrace of Firle Road and from the pavement edge of Beltring Terrace with a detached garage to the rear. The existing building is proportionate to the surroundings and is set well within the site. The proposed replacement building of 4 flats brings the building line forward in line with the adjacent terrace, and right up to the pavement edge on Beltring Terrace, which is considered totally inappropriate for the setting.

The area is characterised by terraces of single family dwellings. The proposed building is located on a prominent corner site with the ridge height slightly higher than the adjacent terrace. The design fails to consider the character of the adjacent buildings, resulting in an overly dominant building on the street scene which is totally out of character with the surrounding area.

The Applicant wishes to demolish the existing building to maximise the potential return for the site with the provision of 4 flats and a detached dwelling. The site is considered far too small to accommodate this level of development whilst respecting the character and appearance of the surrounding area.

Beltring Terrace consists of a row of small 'cottage' type terrace houses which are all similar in character in terms of detailing, location of doors/windows etc, with small front garden areas setting the properties back from the pavement edge. The proposed dwelling adjacent to No.12 does not follow the pattern of development of the existing terrace. The property is wider than the existing terrace and the main entrance door is proposed to the side elevation, the property's eaves height lines through with the terrace, but the ridge height of the roof is approximately 1m below the adjacent terrace. The intention of this is to minimise the impact of the proposal on the adjacent properties, however the result is that the proposal appears out of keeping with the surrounding

Therefore the proposals are considered unacceptable in terms of the appearance of the proposed buildings, the layout and scale of development.

Impacts on highway network or access:

The applicant maintains that the site is a sustainable location and therefore a lack of parking provision is acceptable. Whilst the location is in close proximity of Seaside which has bus links to and from the Town Centre, it is likely that occupants would have private cars and therefore there would be an increase on demand for on-street parking. The previous application in 2013 for the provision of 7 flats was not refused on the grounds of parking impacts as it was shown that there was available on street parking in the surrounding area at all times; therefore it is not considered that a ground of refusal on parking impacts could be substantiated for this smaller scheme.

The proposal lacks a clear strategy for parking provision for the proposed development, and is at a sufficient distance from the Town Centre to not rely solely on overspill parking on neighbouring streets. The on-street parking shown on the proposed drawing, whilst the applicant maintains that this is private land would restrict access for other occupiers of Beltring Terrace given the narrowness of the road. It would also not be possible to utilise the off street parking proposed for the dwellinghouse if the on-street parking were used. The parking provision is considered ill thought out, however it is not considered that a ground of refusal on highway impacts or parking can be substantiated.

Sustainable development implications:

The NPPF in paragraph 65 states that Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design. The Applicant submits that the development is sustainable because the location is sustainable. Whilst solar panels are shown to the roof slope of the building proposed to the corner of Firle Road and Beltring Terrace, no further information is provided in relation to which flats they serve or the benefits of these. The number seems too small for any real benefit to all 4 flats.

In any event whilst there may be some benefit to the provision of additional homes, on balance the harm caused by the development to the street scene would outweigh the benefits and therefore it is considered that the proposed would not represent a sustainable form of development as set out in the NPPF.

Other matters:

The Design and Access Statement submitted states that the site is a brownfield site and the application would result in a more efficient use of the land. It is considered that the site at present is occupied and the demolition is considered unnecessary. The site provides a detached single family dwellinghouse in an area characterised as such; the site is not a vacant site awaiting development. The applicant has sought permission for a variety of schemes which the majority have been refused and dismissed at appeal. It is considered that the site cannot accommodate the level of accommodation proposed due to the confines of the site. The applicant is advised to contact the Local Planning Authority for pre-application advise, which is offered free of charge prior to the submission of further applications.

Human Rights Implications:

The impacts of the proposal have been assessed as part of the application process. Consultation with the community has been undertaken and the impact on local people is set out above. The human rights considerations have been taken into account fully in balancing the planning issues; and furthermore the proposals will not result in any breach of the Equalities Act 2010.

Conclusion:

The application seeks outline planning permission with landscaping reserved for the re-development of the site. The appearance of the proposed buildings is considered totally out of keeping with the character of the wider area, the corner site is a prominent corner and the proposal is considered out of scale with other properties. The detached dwelling adjacent to Beltring Terrace is considered out of keeping with the pattern of development to the terrace and is therefore unacceptable. The scale of development is considered inappropriate for the size of the site, resulting in an over development of the site which would be detrimental to the surrounding area.

Recommendation: Refuse outline planning permission for the following reason;

By reason of the scale and layout of proposed development and the detailed design and appearance of the proposed buildings the proposals are inconsistent with the character and appearance of the surrounding residential area and are therefore contrary to saved policies.

In coming to this decision to refuse permission, the local planning authority have had regard to the requirement to negotiate both positively and pro-actively with the applicant, in line with the guidance at paragraph 187 of the National Planning Policy Framework. However, the planning constraints leading to this refusal of permission, namely the proposed over development of the site and the detailed design of the proposed buildings, do not appear capable of resolution without major revision to the proposal.

Appeal:

Should the applicant appeal the decision the appropriate followed, taking into account the criteria set by the Planning Inspectorate, is considered to be **written representations**.