

App.No: 151295 (OSR)	Decision Due Date: 26 January 2016	Ward: Upperton
Officer: Jane Sabin	Site visit date: 17 December 2015	Type: Outline (some reserved)
Site Notice(s) Expiry date: 25 December 2015		
Neighbour Con Expiry: 25 December 2015		
Press Notice(s): N/A		
Over 8/13 week reason: Negotiations and referral to Committee		
Location: Cedar House, 29 Bedfordwell Road		
Proposal: Demolition of existing building and erection of a three storey block of six flats with parking at the front (Outline application with access, layout and scale to be considered, with appearance and landscaping reserved for subsequent approval).		
Applicant: Mr M Watts		
Recommendation: Refuse		

Executive summary:

This application was reported to Committee in October 2015 where Members resolved to refuse planning permission contrary to officers recommendation for the reasons relating to an overdevelopment of the site, visually intrusive development and parking issues.

The applicant has sought to overcome the previous concerns by way of this application, however it is considered that given the nature of the revisions they have failed to mitigate Members concerns.

Officers have assessed the merits of this scheme with regard to whether it has overcome Members very strong concerns; in this regard the scheme little changed and remains unsupportable.

The application could be resisted on grounds relating to 'The scale and siting of the proposed building would be an overdevelopment of the site, resulting in an incongruous and visually intrusive development, which would adversely impact on the character and appearance of the area and the amenities of adjacent residential occupiers. In addition there remain unresolved highway issues.

Relevant Planning Policies:

National Planning Policy Framework

Eastbourne Core Strategy Local Plan 2013

B1: Spatial Development Strategy and Distribution

B2: Creating Sustainable Neighbourhoods
C2: Upperton Neighbourhood Policy
D1: Sustainable Development
D5: Housing
D10A: Design

Eastbourne Borough Plan Saved Policies 2007

NE14: Source Protection Zone
UHT1: Design of New Development
UHT2: Height of Buildings
UHT4: Visual Amenity
UHT5: Protecting Walls/Landscape Features
UHT7: Landscaping
HO2: Predominantly Residential Areas
HO7: Redevelopment
HO20: Residential Amenity
TR2: Travel Demands
TR6: Facilities for Cyclists
TR11: Car Parking

Site Description:

This large detached period villa is located on the south side of Bedfordwell Road, opposite the junction with Lewes Road. It occupies a substantial plot, which backs onto bungalows within The Hawthorns development. It has a vehicular access from Bedfordwell Road adjacent to the west boundary which could accommodate two/three vehicles parked in tandem, and a central pedestrian access to the front garden which is a little overgrown. The front garden is enclosed by a brick and flint wall, which is characteristic of the villas on this side of the road. A flat roofed, two storey extension has been added to the side towards the rear of the building. It was used for many years by the Local Health Authority, latterly as a home for people with mental health issues, but has been vacant for approximately two years.

Relevant Planning History:

140172

Change of use from sui generis (hostel) to single private dwelling.
Approved conditionally 9 May 2014

150026

Removal of condition 2 of permission 140172 for the change of use from sui generis (hostel) to a single private dwelling, to permit the implementation of the permission without the provision of an off-site affordable housing contribution.
Approved conditionally 25 February 2015

150443

Outline application (with Appearance, Landscaping and Scale reserved) for demolition of existing hostel and erection of 6 x 3 bedroom flats – consideration of access and layout only (amended to reduce the number of units and alter layout within the site).
Refused 6 November 2015

Reasons for refusal:

1. *It is considered that the proposed number and size of units cannot be accommodated on the site without constituting overdevelopment by virtue of the size and layout of the building and therefore resulting in a visually intrusive development contrary to policy D10A of the Core Strategy Local Plan and Saved Policies UHT1 and UHT4 of the Borough Plan 2007.*
2. *As submitted the proposal does not provide for adequate parking facilities within the site which would result in additional congestion on the public highway causing further interference with the free flow and safety of traffic and would therefore be contrary ESCC parking guidance.*

Proposed development:

Planning permission is again sought in outline for the demolition of the existing building and the erection of a three storey block of six flats with parking for eight vehicles at the front. Matters for which approval is sought are access, layout and scale, with appearance and landscaping reserved.

The proposed building would sit further back on the site than the existing property and those on either side, both to the front and the rear (by a minimum of 3m and a maximum of 7m), and much closer to the side boundaries, leaving paths 1.5m wide alongside. The new building would be 17m wide, 16.75m deep (maximum) and 10.6m high; the footprint would cover approximately 272m² (for comparison, the existing footprint is 164m²). The third storey is shown as incorporated within the roof space, articulated with pitches and gables around a central flat roof.

The front garden would be given over eight parking spaces and a refuse store, the former accessed by a relocated central vehicular crossover. Outside the application site, but arising from discussions between the applicant and the Highway Authority, a new, extended radius is proposed on the public highway in order to permit the new vehicular access to be located closer to the junction. A central access is proposed in order to increase the number of parking spaces on the site. A cycle store is shown on the layout, halfway along the rear garden.

The development would provide six three bedroom flats, arranged as two on each floor. The two flats on the ground floor would have private rear gardens, with a shared garden beyond. The flats would have floor areas of 105m², 95m² and 90m² (ascending with each floor). The flats meets the minimum sizes set out in the DCLG document "Technical housing standards – nationally described space standard".

Flat Number	Size Proposed	National Housing Standards
Ground Floor 2 X 3 bedroom	105 Sqm	86sqm
First Floor 2 x 3 bedroom	95sqm	86sqm
Second Floor 2 x 3 bedroom	90sqm	86sqm

Whilst appearance is a reserved matter, the submitted plans (of the front elevation only) indicate a symmetrical building with a central recessed core, the upper floors jettied out

over the ground floor to the front (receding at the rear), a rendered and brick façade, and two half-timbered gables under a tiled roof.

Consultations:

Highways ESCC - The existing vehicle access is already in place so the principle of an access in this location has been established. Adequate turning inside the site is also proposed. The access has been moved away from the boundary wall with 30 Bedfordwell Road to provide better pedestrian visibility splays, and this is welcomed. With this change, it is considered that a safe access to the property can be achieved; a planning condition to ensure the highway 'build-out' is provided before any development on site commences is recommended.

Cycle parking will need to be provided at the rate of 1 space per dwelling as they are 3 bedroom flats.

Using the ESCC parking calculator, this site should provide 10 spaces if one space was allocated to each dwelling or 8 spaces if all spaces were unallocated. These figures are based on car ownership levels of 3 bed flats in the Upperton ward. The level of parking shown is acceptable as it is in accordance with ESCC guidance.

Neighbour Representations:

No representations have been received.

Appraisal:

The main issues to take into consideration in determining this application are the loss of the existing building, the redevelopment of the site as flats, the impact of the building on the character of the area and adjoining occupiers, and highway safety.

Demolition of the building

The property sits in a row of similar properties which follow the curve of the road from Bedfordwell Road to Upper Avenue. Whilst it is of good quality (although in this case rather neglected after many years of health authority use) and exhibits attractive features, the building is not listed, nor in a conservation area or Area of High Townscape Value. Similar properties at nos. 26 and 27 were demolished and redeveloped as flats in 2003. It is therefore considered that the demolition of the building is acceptable in principle.

Redevelopment as flats

Many of the buildings in the area have been converted or redeveloped as flats. The location of the site is considered to be in a sustainable location on a classified road, not too far from the town centre and within walking distance of a bus route.

The use of the land for redevelopment as flats would make good use of the land, and would contribute towards the towns housing stock, in line with strategic housing policies in the Core Strategy Local Plan, and the presumption in favour of sustainable development outlined in the National Planning Policy Framework. It is therefore considered that the principle of redevelopment as flats is acceptable.

Impact on character of the area:

The established character of this part of Bedfordwell Road is one of large, elegant villas set within spacious plots with significant spaces between them. The building lines to the front and rear follow a very regular pattern, and this has been continued with the new development at nos.26 and 27 Bedfordwell Road, which has taken account of its relationship with its neighbour at no.28, where the new three storey development has been confined to the same pattern.

The setback of the front of the building has driven by the sole purpose of providing sufficient parking for the number and size of the flats proposed, but has resulted in the incongruous siting of the development, to the detriment of the wider area.

The scale and massing of the proposed building is significantly wider and deeper than the existing pattern of development, and consequently, despite some attempts at articulation of the front elevation, it would appear as a cramped, visually intrusive and incongruous form of development that would conflict with the above noted established character.

It is considered that six flats, in principle, could be accommodated on the site, but the size of the flats and the number of bedrooms proposed has resulted in a building that is too large when considered in context with its neighbours. The agents response to suggestions that the building could be reduced is that his client is adamant that less flats, or less bedrooms, would not make the development viable.

Residential amenity:

The floor plans submitted with the application indicate that the building would be slightly reduced in depth at first and second floor level, nevertheless it is considered that over three stories it would still have an impact on the outlook from the adjacent properties. Whilst the plans demonstrate an angle of 45° could be provided from the windows of the adjacent properties, no account has been taken of the vertical element, particularly in respect of the dwelling to the west (30 Bedfordwell Road). The balconies at first and second floor levels would need to be addressed in terms of overlooking of the private patio areas of the adjacent dwellings, possibly by screening. Overall, it is considered that siting the building this far back to achieve additional parking to the front would result in an adverse impact of the amenities of the occupiers of the closest buildings in terms of outlook and an overbearing relationship in close proximity (1.5m) to the common boundaries).

Highway safety:

The Highway Authority has raised no objections to the proposal, and it is agreed that visibility for the access is good, and that eight parking spaces is sufficient for the development. Notwithstanding this, the alteration to the access to provide this level of parking could only be approved if the alterations to the highway outside the application site are carried out. This would require a legal agreement to secure off site works (which has not been provided with the application, being a later amendment), however the cost of the works would be considerable and may not have been taken fully into account, and would be a very expensive way of providing additional parking spaces.

Other matters:

As the proposed development related to flats, it is not liable for a Community Infrastructure Levy contribution.

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 scale and siting of the proposed building would be an overdevelopment of the site, resulting in an incongruous and visually intrusive development, which would adversely impact on the character and appearance of the area and the amenities of adjacent residential occupiers. Whilst the provision of flats on the site, would go some way to contributing to the towns housing stock, is acceptable is therefore in principle, this issue does not outweigh the harm identified above, and the proposal therefore conflicts with national and local policies.

Recommendation:

Refuse for the following reasons:

1. The scale and siting of the proposed building would be an overdevelopment of the site resulting in an incongruous and visually intrusive development which would adversely impact on the character and appearance of the area and the amenities of adjacent residential occupiers, contrary to policies B2 and D10A of the Eastbourne Core Strategy Local Plan 2013, policies UHT1, UHT4, HO6 and HO20 of the Eastbourne Borough Plan Saved Policies 2007 and paragraph 56 of the National Planning Policy Framework.
2. As submitted, the proposal does not provide a satisfactory mechanism for the off-site highway works necessary to enable the development to deliver a new access and the number of parking spaces shown on the revised plans.

Informative

The following plans have been taken into consideration in determining this application:

201501 120 Revision C received on 8 January 2016

201501 123 Revision f received on 8 January 2016

Appeal:

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