
Appeal Decision

Site visit made on 16 September 2016

by S M Holden BSc MSc CEng MICE TPP FCIHT MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27TH September 2016

Appeal Ref: APP/T1410/W/16/3151801

Cedar House, 29 Bedfordwell Road, Eastbourne, East Sussex BN21 2BQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr M Watts against the decision of Eastbourne Borough Council.
 - The application Ref 150443, dated 20 April 2015, was refused by notice dated 6 November 2015.
 - The development proposed is demolition of existing dwelling and erection of 6 No 3 bedroomed flats and 1 No 2 bedroomed flat.
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Decision

1. The appeal is allowed and outline planning permission is granted for demolition of existing hostel and erection of 6 x 3 bedroom flats at Cedar House, 29 Bedfordwell Road, Eastbourne, East Sussex BN21 2BQ, in accordance with the application Ref: 150443, dated 20 April 2015, subject to the conditions set out in the schedule attached to this decision.

Procedural Matters

2. The application was in outline with only access and layout to be determined at this stage. As a result of negotiations between the appellant and the Council an amended plan was submitted and accepted. Consequently, the description of the development on the Council's decision notice and on the appeal form was amended and the proposal is described as: "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".
3. The amended plan, Drawing No 201501 123 d, not only shows the proposed siting of the building, but also provided an illustrative internal layout of the six flats, two on each of three floors. In addition the plan included an illustration of the front elevation, showing its potential height in relation to the existing building and the adjacent properties. I have determined the appeal on the basis that outline permission is sought for 6 x 3 bedroom flats as shown on the layout within Drawing No 201501 123 d. However, as appearance, landscaping and scale are reserved for future determination, I have treated the remaining diagrammatic plans and elevations as only illustrative of a possible scheme.

Main Issues

4. The main issues are whether a development of six flats could be accommodated on the site without:
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- a) harm to the character and appearance of the area;
- b) giving rise to unacceptable inconvenience for road users arising from additional demand for parking.

Reasons

Character and appearance

- 5. No 29 Bedfordwell Road (also known as Cedar House) is a substantial, detached two-storey property that also has a basement. On its northern side is a two-storey side extension with a flat roof. It is one of three similar properties, including the immediately adjacent one, No 30, which are characterised by their large bay windows and prominent gables. The adjacent property, No 28, appears to date from a similar period but is a larger building. It has three storeys, includes a veranda on the front elevation and its ridge is above that of No 29. This group of properties are set in generously proportioned plots and set back from the street behind an attractive brick and flint wall. Further north on Bedfordwell Road there is evidence of redevelopment with the presence of a block of modern apartments, constructed in a traditional style, which are a little taller than both Nos 28 and 29.
- 6. The proposed replacement building would be set in from both side boundaries by about 1.5m. This would ensure the retention of adequate gaps between the buildings. It would be set further back on the site than the existing building. However, given the alignment of the street, I do not consider that it would look out of place and, subject to an appropriate design, could relate satisfactorily to the adjacent buildings and be integrated effectively into the surrounding street scene. The rear of the building would project further onto the site than the existing building and beyond the rear elevation of both adjacent properties. However, this rearward projection would be modest in scale. In my view the plot is sufficiently spacious and the gaps between the buildings adequate to ensure that its bulk and depth could be accommodated on the site.
- 7. I conclude that the proposed layout could accommodate a development of six flats without material harm to the character or appearance of the area. It would therefore comply with Policy D10A of the Eastbourne Core Strategy Local Plan and saved Policies UHT1 and UHT4 of the Eastbourne Borough Plan (Borough Plan), all of which require development to be of high quality and respect its setting.

Parking provision

- 8. The proposal would provide six parking spaces within the front courtyard of the new building. Based on local car ownership data it is suggested that a total of eight spaces should be provided to serve six flats. There is therefore an apparent shortfall of two spaces. This is a matter of considerable concern to local residents who contend that existing on-street parking does not have capacity to absorb any additional demand. I acknowledge that at the time of my site visit the on-street parking was well used. However, other than double yellow lines on Lewes Road in the immediate vicinity of No 29, there were no other parking restrictions in Bedfordwell Road and no substantiated evidence to illustrate any specific parking problems. In any event, the site is reasonably close to the town centre, the railway station and local buses serve the area.

Future residents would, therefore, have a choice about how to access the facilities they require to meet their day-to-day needs.

9. From the evidence presented it would appear that the requirement for eight spaces is based on the highway authority's maximum standards. I note that whilst it expressed a preference for a scheme with more parking, it has not formally objected to the proposal. However, it has indicated that the scheme should provide cycle parking. This would provide future residents with an additional means of travelling around the town. I am therefore not persuaded that the shortfall of two parking spaces would result in significant inconvenience for road users as a consequence of additional pressure on parking in the surrounding area.
10. Taking all these factors into consideration, I conclude that the scheme would comply with saved Policy TR11 of the Borough Plan, which requires development to provide adequate parking, having regard to the provision of public transport and access to the site on foot and by bicycle. The appellant has indicated a willingness to provide cycle parking and this can be secured by condition.

Conditions

11. In addition to the standard time conditions associated with the approval of reserved matters, the Council's report on the proposal set out a series of matters which would have been subject to conditions in the event that the officers' recommendation had been accepted. However, no suggestion as to the precise wording for these conditions has been provided. I have therefore considered each topic listed on its individual merits and imposed conditions where I consider they would meet the tests set out in paragraph 206 of the National Planning Policy Framework.
12. A condition specifying the plan is necessary for the avoidance of doubt and in the interests of proper planning. The highway authority supports the widening of the existing access and is satisfied that visibility when exiting the site is adequate. However, it wishes to see the access moved away from the boundary with No 30 in order to provide better pedestrian visibility splays. I have therefore imposed a condition requiring details to be approved prior to commencement of the development.
13. Conditions are necessary to secure timely implementation of secure cycle storage, provision of parking bays, an adequate manoeuvring area for vehicles, storage facilities for refuse and recyclable materials and surface water drainage in the interests of highway safety and to ensure satisfactory functioning of the development. I have also imposed a condition to secure appropriate boundary treatments in order to protect the character and appearance of the area. I note that the Council suggested that wheel washing facilities should be operated during part of the construction period. However, I consider this would be onerous and unjustified in view of the modest scale and nature of the development.

Conclusion

14. For the reasons set out above, I conclude that the proposal is acceptable and that the appeal should be allowed, subject to conditions.

Sheila Holden

INSPECTOR

Schedule of Conditions

- 1) Approval of the details of the design, appearance and landscaping of the site (hereinafter called "the reserved matters" shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for the approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall take place not later than two years from the date of the approval of the last reserved matters to be approved.
- 4) Other than to comply with Condition 5 of this permission the development hereby permitted shall be carried out in accordance with the following approved plan, Drawing No 201501 123 d, insofar as it relates to the layout and access of the development.
- 5) No development shall take place until full details of the access have been submitted to and approved in writing by the local planning authority and the access has been constructed in accordance with those approved details.
- 6) No development shall take place until full details of a scheme to provide secure parking for six bicycles has been submitted to and approved in writing by the local planning authority. The cycle storage shall be implemented in accordance with the approved details prior to first occupation of any of the flats hereby permitted and retained thereafter as approved.
- 7) No development shall take place until details of the facilities to store refuse and recyclable material have been submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details prior to first occupation of any of the flats hereby permitted and retained thereafter as approved.
- 8) No development shall take place until details of proposals for preventing surface water draining from the site onto the highway and from the highway onto the site have been submitted to and approved in writing by the local planning authority. The drainage scheme shall be implemented in accordance with the approved details prior to first occupation of any of the flats hereby permitted and retained thereafter as approved.
- 9) No flat shall be occupied until space has been laid out within the site in accordance with Drawing No Drawing No 201501 123 d for six cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.
- 10) No development shall take place until full details of the proposed boundary treatments have been submitted to and approved in writing by the local planning authority. The boundary treatments shall be implemented in accordance with the approved details prior to first occupation of any of the flats hereby permitted and retained thereafter as approved.

End of Schedule of Conditions