

REFUSAL REVIEW

Land adjacent 70 Bedford Road, Holland on Sea

SITE:	70 Bedford Road - Holland on Sea
PROJECT No:	21.538
DOCUMENT No:	PAR-01
APPLICATION:	20/00370/FUL
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FRONT.

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1.0 INTRODUCTION

- 1.1 FRONT. Architecture have prepared a document to show what changes and adaptations have been taken in response to the Pre-application advice provided by the Local Authority regarding the refusal for the development of Land Adjacent Bedford Road, Holland on Sea.

COUNCIL FEEDBACK

1. Highway and transportation Conditions

Prior to occupation of the new dwelling a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of each vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety in accordance with policy DM1.

The proposal provides suitable width parking space to achieve such standards. An additional area allows an overall hard standing vehicle parking area of 4.1m The parking space achieve a minimum of 5.5 x 2.9m. Dimension of a typical space provided below to show the additional area to allow adequate visibility. It should be noted that this is an existing vehicular cross over.



2. Highway and transportation Conditions

No unbound material shall be used in the surface treatment of either vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

Parking area will be finished in suitable block paving

3. Highway and transportation Conditions

Prior to occupation of the new dwelling each vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 4.5 metres (5 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

The proposal provides a single parking space for the single occupancy dwelling. The space will utilize the existing crossover.

4. Highway and transportation Conditions

There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

Surface water will be intercepted by an aco/slot drain to prevent any surface run-off onto highways land.

5. **Highway and transportation**

Conditions

Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles. Each vehicular parking space which is bounded by walls or other construction shall have minimum width of 3.4 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

The proposal is for a single occupancy dwelling and will provide a single parking space. The proposal will therefore provide a single space at 5.5x2.9m and will benefit from additional 500mm required for where a space abuts a boundary or wall.

6. **Highway and transportation**

Conditions

The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

Garden space is oversized to allow for a garden shed to be provided and not affect the amenity space provided for the development.

7. **Highway and transportation**

Conditions

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The proposed layout provides suitable area around the dwelling for site welfare, storage of material ect. A suitable condition relating to construction management plans and method statements shall be provided as part of a suitably worked condition.

8. **Highway and transportation**

Informative

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Noted and accepted

9. **Highway and transportation**

Informative

Steps should be taken to ensure that the Developer provides enough turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

The proposed layout provides suitable area around the dwelling for site welfare, storage of material ect. A suitable condition relating to construction management plans and method statements shall be provided as part of a suitably worked condition

10. **Highway and transportation**

Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

Noted and accepted

11. **Highway and transportation**

Informative

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,

653 The Crescent,
Colchester
CO4 9YQ

Noted and accepted

12. **Highway and transportation**
Informative

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Noted and accepted

13 **Tree and Landscape Officer**
04.05.2020

The application site currently forms part of the garden of the host property. There are no trees or other vegetation on the land. Taking into account the size and scale of the development the opportunities for soft landscaping are restricted however if planning permission were likely to be granted then details of soft landscaping should be secured by condition attached to any such permission to soften, screen and enhance the frontage of the development

Noted and accepted – A landscaped Architect will be appointed accordingly following a successful determination.

14 **Scale layout and appearance**

The design of the proposed one bedroom dwelling is considered basic and makes a neutral contribution to the character of the immediate area where a majority of the surrounding bungalows have gable or bay window features facing the road. The front elevation of the proposed bungalow projects a distance of 1.1 metres further forward than the donor dwelling and a distance of 2.9 metres further forward than the dwelling at 72 Bedford Road giving rise to its prominence in the

The proposal seeks to improved articulation. It is agreed that the previous applicant had put forward a bland proposal that had not reference to the existing street-scene. The comment draws attention to gable frontages but it should be noted that in close proximity to the site on the side of the application site a number of hips are present. The images below indicate the 2 adjacent dwelling that benefit from projecting hips rather than gable. It is because of this local context that a hip approach is taken to the design.



15 **Trees and landscape**

The Council's Tree and Landscape Officer was consulted and confirmed that taking into account the size and scale of the development the opportunities for soft landscaping are restricted.....landscaping could soften, screen and enhance the frontage of the development and if approved this could be secured by condition.

This is agreed and the current applicant wishes to enhance the proposed soft landscaped frontage with a suitable landscaping proposal, allowing for a soft transition to a part of Bedford Road that is currently faced with a close boarded fence.

16. **Access parking and highway safety**

The proposed one bedroom bungalow has two allocated parking spaces that meet the current parking standards where one space measures 2.9 metres x 5.5 metres, although only one space is required in this instance. Essex Highways have confirmed that provision for cycle parking is required and although this hasn't been shown on the drawings given two vehicular spaces have been provided one of these could be utilised.

It is not believed that the front of the property is a suitable space for cycle parking. As stated within the design and access statement and previously within this document, the current application allows for an oversized garden

which will allow a small garden shed for secure and sheltered cycle storage. The applicant may also wish to include a secure fixing for the cycle to be padlocked. The garden is sized to not cause an adverse effect once a small garden shed is introduced.

17. Access parking and highway safety

Two parking spaces have been provided in front of the donor dwelling necessitating a new vehicular access which is considered acceptable. It has not been satisfactorily demonstrated that the minimum distance of 5 metres from the front elevation of the donor dwelling to the path edge can be achieved as although it is proposed to remove the bay window of the donor dwelling to facilitate the two parking spaces this would only amount to an additional depth of 0.8 metres and it is certainly unlikely that the 5.5 metre x 2.9 metre parking space could be accommodated in this position. Provision for cycle parking also needs to be allocated for the donor dwelling.

It should be noted that the current dwelling does not benefit from on street parking. The historical google street-scenes show that the dwelling has not benefited from parking for over a decade and the lack of parking will not affect the current dwelling. It should also be noted that it appears that the owner or previous owner of No. 70 Bedford Road has implemented some form of parking. It is not clear at what point this was implemented but it appears to now be present but in a slightly different location to the parking proposed in the previous application.

18. Residential amenities

Due to the single storey nature and position of the proposed one bedroom dwelling there will be no significant impact in terms of loss of light, privacy or outlook to any neighbouring properties.

Noted – This remains the same.

20. Residential amenities

As a guideline, Policy HG14 seeks a minimum distance of 1 metre to the side boundary which has been maintained to all boundaries.

Noted – This is achieved.

21. Residential amenities

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 50 square metres of private amenity space for a property with one bedroom and 75 square metres for a property with two bedrooms. The adjusted private amenity space of the donor dwelling which has two bedrooms falls below the requirement and measures 68 square metres. The private amenity space of the new dwelling which has one bedroom also falls below the requirement at 40 square metres. The undersized private gardens and the revised location of the garden of the donor dwelling to the side which faces Queensway appears contrived and only exacerbates the cramped appearance of these two plots by enclosing the private amenity space in this way.

The location of the proposed dwelling has been relocated within the site to provide a greater degree of separation between dwelling and to ensure that No 70 is given space as the more dominant corner plots to Bedford Road. The proposed dwelling now reads as a continuation to the rest of the street-scene to Bedford Road. This new approach, including a reduced footprint and loss of a parking space will allow for an increase to amenity area and will provide a high quality of amenity for the new dwelling and an improved setting and relationship with its surrounding context.

22. Financial Contribution – Recreational Disturbance

The application scheme constitutes a new dwelling on a site that lies within the Zone of Influence (ZoI) being approximately 7000 metres from the Hamford Water SPA and Ramsar. New housing development within the ZoI would be likely to increase the number of recreational visitors to the Hamford Water and in combination with other developments it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

It is questioned if a single occupancy dwelling will cause significant impact on the Hamford Water SPA and Ramsar, however notwithstanding this view the applicant will happily provide relevant contributions to a local mitigation scheme. Local authority to advise and provide guidance on payment. [Prior payment of to be linked to a unilateral undertaking]

23. Financial Contribution – Recreational Disturbance

A proportionate financial contribution has not been secured in accordance with the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) requirements. As submitted, there is no certainty that the development would not adversely affect the integrity of Habitats sites.

Noted, the current applicant will be happy to provide relevant contributions to RAMS. Local authority to advise and provide guidance on payment. [Prior payment of to be linked to a unilateral undertaking]

24. **Conclusion**

For the reasons set out above, the cramped appearance, overdevelopment of the application site leading to undersized private amenity space and the forced position of the parking spaces amounts to a form of development that is considered contrary to national and local policies being harmful to the character and appearance of the local area. The application is recommended for refusal together with the lack of a completed UU to secure the planning obligations.

Parking is provided for the proposed dwelling to meet standards set out in comments highlighted in point 16.

28. **Summary**

Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

It is agreed that the previous application provided a simple design of poor quality, lacking articulation or character. The current proposals seek to provide a new design with increased articulation and visual interest. It is felt that the current design is positive improvement with more reference with the surrounding context.

29. **Design and Positioning**

The design of the proposed one bedroom dwelling is considered basic and makes a neutral contribution to the character of the immediate area where a majority of the surrounding bungalows have gable or bay window features facing the road. The front elevation of the proposed bungalow projects a distance of 1.1 metres further forward than the donor dwelling and a distance of 2.9 metres further forward than the dwelling at 72 Bedford Road giving rise to its prominence in the street scene which is out of character along this southern side of Bedford Road.

It is agreed that the previous application provided a poorly positioned dwelling lacking reference to the adjacent dwellings and sat forward of all dwellings within Bedford Road. The dwelling now looks to take reference from both dwelling and create a transitional dwelling, introducing the projecting hip/bay to line with the dwelling of 70 Bedford Road and the main bulk of the dwelling lining with 72 Bedford Road.

30. **Summary**

For the reasons set out above, the cramped appearance, overdevelopment of the application site leading to undersized private amenity space will result in an unacceptable and unduly prominent form of development to the serious detriment of visual amenity and the character of the area. The proposal is therefore contrary to the aims and aspirations of the afore-mentioned policies and guidance.

The new spacing now provides a design that respects the existing rhythm of the street-scene and increases separation between the proposed new dwelling and 70 Bedford Road.

31. **Summary**

Saved Policy HG9 of the Tendring District Local Plan 2007 seeks to provide a minimum of 50 square metres of private amenity space for a property with one bedroom and 75 square metres for a property with two bedrooms. The adjusted private amenity space of the donor dwelling which has two bedrooms falls below the requirement and measures 68 square metres. The private amenity space of the new dwelling which has one bedroom also falls below the requirement at 40 square metres. The undersized private gardens and the revised location of the garden of the donor dwelling to the side which faces Queensway appears contrived and only exacerbates the cramped appearance of these two plots by enclosing the private amenity space in this way.

Garden space is achieved and dimensioned to evidence an overprovision. The adjacent dwelling of 70 Bedford Road is not within the ownership of the current applicant, however an assessment has been made to justify the amenity space retained for 70 Bedford Road. It is felt that this is in keeping with a large number of similar dwelling within Holland on Sea. Several comparable are provided in the supporting design and access statement. It is felt that the previous applicant did not provide enough information to justify their proposals and although it does not form part of this application FRONT. Architecture Ltd felt is necessary to carry out a short assessment of the local area to justify this point. It is believed that the comparisons provided within the supporting DAS should confirm that the amenity space of No.70 Bedford Road is in keeping with local character. Many more examples could be provide on request if required.