

COMMITTEE DATE:	16 th December 2021
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APPLICATION NO: RR/2021/863/P

Location: 55 SOUTH CLIFF, BEXHILL

Proposal: Demolish existing building and replace with new residential dwelling.

Planning Notice:

Additional comments have been received

Three additional objections (including diagrams) and one letter of support have been received in December (the letter of support was also submitted in November just after the date of the November Planning Committee).

In response to late objections the Agent has confirmed that:

"Thanks for sending this through. Please see attached where I have plotted the existing and proposed ground floor levels for the finished floor AOD. The proposed is 210mm higher than the existing – which I cant imagine having any effect at all on dramatically altering the overlooking/relationship".

**** Officer – the key comment from the Agent is – “The proposed is 210mm higher than the existing – which I cant imagine having any effect at all on dramatically altering the overlooking/relationship”.**

The objections raise the following issues;

- The Officer's Report contains a significant inaccuracy. This was repeated in the presentation made by the Planning Officer at Committee on 11/11/21. In consideration of Living Conditions 8.14 the Report contains the assertion that: 'The ground floor courtyard terrace shown to the rear would be at the existing ground level and so would not result in harmful overlooking of adjoining properties' This is not correct. In the presentation of the scheme to Committee the Planning Officer stated ' . . . to house a swimming pool and to create a new landscaped garden to the rear linked to the existing concrete terrace.' This erroneously suggests that the levels remain unaltered. The plans show a 'basement courtyard terrace' approx 2m below existing ground level. However the area formed by the roof of the swimming pool is shown as a further large 40m² terrace with dining table at the same level as internal ground floor level. Comparison of the existing and proposed sections show the existing house's ground floor level as being over a metre below road level, and ground floor level of the proposed actually at road level. With the slope front to back of the site, this means the terrace is around 1.5m higher than the existing ground level. Higher than the existing boundary wall. So this terrace, 1 m from the boundary will provide the opportunity for users to look down directly at the garden and bedroom and living rooms to the rear of no. 53.

- Mutual overlooking from upper floor window on the rear of these properties has never been an issue, but this is unacceptable and a very serious material consideration.
- Consequently please could the Planning Department confirm, in advance of the next presentation of the scheme to the Committee, that they have been given inaccurate information in both Report and Officers presentation. A drawing showing the issue has been submitted by email to the Planning Officer.
- I now wish to make five further points taking into account what was said and happened at the Planning Committee meeting on 11th November.
- 1. Generally I was disappointed to see how little regard and reference was made to the points raised by the immediate neighbour of this proposed development from No 53 in the 5 minutes allowed for his presentation at the above meeting. Their amenity would be so much affected if the present plans were approved - see their new objection comments dated 6th December. It is actually astonishing how little attention was given by the new owners of No 55 in their plans as to how their new speculative development would affect their neighbours. Would the Committee please remedy this and ask for resubmission of much more considerate plans?
- 2. This planning application is in no way in keeping with the character of the locality as many other local objectors also conclude. Our own new neighbours at No 59 (their application recently approved) had to modify the dormers in their pitched roof to 'be in keeping with the character of the locality' yet the proposed flat roof on a box-like building at No 55 has a far greater impact. In planning there needs to be consistency, logic and perhaps at least some reference to the democratic wishes and opinions of people actually living here.
- 3. At the meeting on 11th November, frequent reference was made by both the planning officer and the Chairman to the approved application for No 57 (first approved in 2016, recycled in 2019 a due for another recycle next year) which was and still is heavily opposed in the street. At the relevant planning meeting of 18 August 2016 the acting Planning Officer denied that any precedent was to be set by that application but that's exactly how the approved application at No 57 is now treated by the planning officials.
- 4. Yet precedence should be respected when it comes to technical matters. When making their planning application recently, our own neighbours at No 59 submitted a Ground Investigation Report based on actual ground & foundation sampling and drilling because they were proposing deeper foundations to account for the new basement (lower ground floor as they called it). At No 55 however, where the application proposes to dig a lot deeper due to their lower basement and deeper still for a swimming pool in it, only superficial Site Investigation Report was presented and based on ' - a site walkover on 1st September 2021 and available published reports- ' without bothering even to check something as basic as the actual depth of ground water level. Given the concerns about the cliff stability, why is it not compulsory for this and any other new application here proposing to dig deep into the cliff to do a proper Ground Investigation Report based on actual measurements?
- 5. Finally, in my original objection to this proposal, I was concerned about the number of the recent proposals for wholesale demolition and rebuilding of houses at the sea front here, properties that are only a few decades old and could be easily updated and modernised at much lower costs both financial and to the environment. In particular concerning CO2 emissions, most building materials for the new builds still need fossil fuel and not much of the demolition waste is or can be recycled. The Royal Institute of British Architects (RIBA) recently proposed 'presumption against demolition' because of their concern about exactly those avoidable CO2 emissions, see for example:

<https://realassetinsight.com/2021/07/12/riba-demolitions-should-be-stopped-to-lower-emissions/>. If the architects are now concerned and recommend avoidance of demolition, why is not our Planning Department adopting 'presumption against demolition' too?

- We would like to comment on the Officer's Report and presentation of the application to committee. Of the 21 objections raised no fewer than 7 refer to overshadowing of neighbouring buildings and 4 specifically refer to the overshadowing and loss of light caused by the first floor at the rear.
- These material considerations are not examined in the report's summary of objections.
- We believe that there are four material considerations that the report fails to consider adequately..
- 1. Loss of light and overshadowing. The way the first floor extends back 4 metres from the current building line less than 2 metres from the boundary cannot be said to do anything other than this for no.53.
- 2. Overlooking and Lack of Privacy. Comparison of the existing and proposed sections show the existing house's ground floor level as being over a metre below road level, and ground floor level of the proposed actually at road level. With the slope front to back of the site, this means the terrace to the rear is around 1.5m higher than the existing ground level. So this terrace, 1 m from the boundary will provide the opportunity for users to look down directly at the garden and bedroom and living rooms to the rear of no. 53. Mutual overlooking from upper floor window on the rear of these properties has never been an issue, but this is unacceptable and a very serious material consideration.
- 3. Layout and density of the building. The building is a clear overdevelopment of the site, dominating the street scene to the front and neighbours to the rear. It fills in the gap between it and no.53. The importance of maintaining these gaps was a stated consideration on the approval of both no. 57 and no. 59. In both cases it is noted that reducing these gaps would make the buildings 'appear cramped in the street scene.' So it should not be allowed for no.55. Also, the original design for no.59 featured a full width dormer window on the front street facing elevation. At the pre-application stage this was recommended to be changed to two separate dormers, to reduce the impact of the street scene and 'be in keeping with the character of the locality.' The design of the first floor in the Application for no.55 has a far greater impact than the first design for no. 59, let alone the approved modified version. It is in no way in keeping with the character of the locality. There needs to be consistency in the Planner's approach.
- 4. Design, appearance and materials. Policies OSS4 (iii) and EN3 of the Core Strategy seek, amongst other matters, to ensure that new development is of high design quality that respects, contributes positively towards, and does not detract from the character and appearance of the locality. The weight of local opinion, as expressed in comments of the Application website, is clear of the opinion that the Application very much detracts from the character and appearance. Residents should be listened to and their views respected. It is clear that the Planning Officer had not visited the site, as large parts of his Appraisal are copied verbatim from the report on no. 57. Critically, however, the Conclusion states that the proposal 'would not be overly harmful to the amenity of neighbouring properties' but as shown above this is not correct and the

building would NOT 'have an acceptable impact on the living conditions of adjoining occupants'

Letter of support:

I see no reason to object this new build based on the size and design. The current house looks dated. There are similar properties in the area for example hartfield road, and further down South cliff that have had significant re-designs and all look great.

The new design albeit different from the houses on each side will look contemporary and modern.

Bexhill needs to come out of the 20th century! It has my full support and I look forward to seeing it finished.