

CLYST ST GEORGE
(Clyst Valley Ward)

05/1400/FUL
(FULL)
05/1402/LBC
(LBC)

15.07.05

Applicant:

Ebford House (Exmouth) Ltd

Location:

Ebford House Hotel, Ebford
(Grid Ref: 298114/88011)

Proposal:

Re-modelling and restoration of hotel, conversion of wing to two dwellings and erection of two dwellings on car park.

Consultations

County Highway Authority

No objection although it would be preferable for spaces immediately inside the entrance (spaces 10, 11 and 12) to be omitted to allow easier access to larger vehicles and a condition should be imposed to secure permanent closure of access through the hotel gardens to the A376.

Environment Agency

No comment.

South West Water

No objections provided foul drainage only is connected to the public foul or combined sewer. (Presence of public sewer in vicinity of site highlighted. No building over or within 3 metres without South West Water consent.)

D.C.C. Education

Request education infrastructure contribution of £694.50 per dwelling.

Planning History

App. No.	Year	Proposal	Date and Decision
2811/FUL & 2814/LBC	2004	Conversion of hotel to 9 residential apartments and erection of 4 dwellings on car park (revised proposal) (Full and Listed Building Consent).	Current
P0161 & P0162/LBC	2004	Conversion of hotel to 9 residential apartments and erection of 4 dwellings on car park (Full and LBC).	10.06.04 Refused - Appeal dismissed 06.07.05

Representations

1 letter of representation has been received.

Summary of Observations

1. Extension of stable wing and inclusion of French windows on the end of the building will significantly reduce daylight into sitting room and be overbearing to the property.
2. The extension would be acceptable if flat-roofed and no higher than the existing boundary wall.

Parish Council

‘Based on the information to hand, Councillors are concerned that there would be insufficient car parking for the hotel to make it viable, if the proposed building went ahead. If, in the future, the hotel was not viable, then any conversions permitted should be for affordable housing.’

Ward Member

Councillor R Peachey has submitted written observations in respect of the proposal as follows:

‘I consider that this proposal will restrict the use of the hotel. The proposal of using the car park for new houses reduces the car parking for the hotel by some approximately 50%. Also the housing in close proximity to the hotel reduces its use for functions and hence the possibility of being a viable business. I have concerns that the houses are built and a further application follows for the hotel conversion resulting in the project being carried out over two phases to avoid the contribution/provision of affordable housing. This scheme must be protected against this. I do not object to the proposal. However, I have concerns about the ‘full’ scheme and where it is going to. If it is agreed, the affordable item must be protected and included for the total scheme on completion.’

Comment

The Site and its surroundings

The Ebford House Hotel is a three storey Grade II listed building, currently in use as a hotel and wine bar, located adjacent to the A376 County road onto which it has a main frontage. It is set within reasonably extensive landscaped grounds with a number of substantial mature trees, three of which are the subject of a tree preservation order.

Attached to the north side of the principal hotel building is a converted two storey brick building with dormer windows that break the eaves line to the west elevation. This structure, known as the “stable wing”, has a short single storey return element that runs along the northern boundary of the site and a slate pitched roof which is gabled at both ends.

A particularly important and imposing feature of the site is a series of high brick boundary walls which, as well as almost entirely surrounding the site (with the exception of points of access), surround the present car park that serves the hotel.

Although there exists a recessed gated access into the site directly from the A376 County road, this has not been in use for a number of years and access to the car park is taken from Old Ebford Lane which bounds the site to the south. However, immediately to the east of this entrance, and on the opposite side of the boundary wall, is an unmade private lane which serves the rear of the premises as well as Hinter Barton, a detached dwelling to the east.

The site is within the Built-up Area Boundary of Ebford as defined in the emerging East Devon Local Plan.

An annotated location plan is attached for Members’ information.

Planning Background

Full planning permission and listed building consent were sought in January 2004 (applications 04/P0161 and 04/P0162/LBC refer) for conversion of the hotel building (including the stable wing) to nine dwellings and the construction of four dwellings within the car park.

Both applications were refused in June 2004, the application for planning permission being resisted on grounds relating to: the detrimental impact upon the character, appearance and integrity of the principal listed building; the unsympathetic form, bulk and design of the new build element to the setting of the listed building; the lack of affordable housing provision on the site, and the likely difficulties encountered by large vehicles in accessing the site due to the siting of the proposed new build elements.

A subsequent appeal against this decision was dismissed with all of the above grounds for refusal being supported.

Subsequent revised planning and Listed Building Consent applications (04/2811/FUL and 04/2814/LBC) for the same number of units were submitted in October 2004. These proposed the construction of a semi-detached pair of 3-bed two storey units adjacent to the eastern boundary wall of the car park and two detached single storey 3-bed dwellings abutting the south and west boundary walls of the car park, together with the provision of 11 parking spaces within the same area, as well as the conversion of the hotel building and stable wing to nine units. A further four parking spaces were shown to serve the stable block conversion to two units, with access from the shared driveway at the rear of the site.

This revised scheme was considered by the Development Control Committee in February this year when it was resolved to grant permission subject to the applicants entering into a Section 106 Agreement in respect of financial contributions towards education infrastructure and open space provision/enhancement and, in the light of the Inspector's observations with regard to the appeal against the refusal of the first scheme, on-site provision of 40% affordable housing.

However, negotiations remain ongoing with regard to the required open space contribution and affordable housing provision and it is anticipated that a further report on these applications will be presented to the Committee in due course.

The Proposed Development

In the meantime however, planning permission and listed building consent are sought for an alternative development strategy for the site that involves the following:

1. Restoration and remodelling of the principal hotel building and retention as a 10-bedroom hotel.
2. Conversion and extension of the stable wing to form two linked 3-bed units, as previously proposed.
3. The construction of a pair of linked 2-bed single storey units abutting the north boundary wall of the present car park.
4. Sub-division of the existing car park by the construction of a 1.7 metre high boundary wall running through it from north to south, retaining access to the two single storey units proposed, and the laying out of an 18-space car park for the hotel to the east of this wall on the part of the site previously proposed to accommodate the pair of semi-detached dwellings.

The proposed single storey dwellings would be very similar in form and appearance to those proposed as part of the previous applications, although part of the existing garden wall along the return A376 frontage would also be used to form the end wall of one of the units whilst the proposed new boundary wall between this part of the site and the proposed car park for the hotel (described above) would also, in part, form the end wall for the other unit. Materials would once again comprise cedar timber clad walls with a Sagem 'Green Roof'.

A statement submitted by the applicants' agent in support of the proposal states that any scheme for the site that would create 5 or more units and include the restoration of the main building is unlikely to be financially viable (5 units being the threshold at which affordable housing provision is required under both Government Circular 6/98 and Local Plan Policy H3). As such, the site has insufficient market value to fund the restoration of the building and provide an affordable housing contribution.

The current scheme, therefore, seeks to maximise the potential of the present hotel use, and secure the building's restoration, through restricting the number of units proposed to four (i.e. below the policy threshold) so that the profit element can be used to finance the restoration and re-modelling instead of funding affordable housing.

A copy of the submitted site layout, elevation and floor plan details are attached for Members' information.

Planning Policy

Devon Structure Plan 2001 – 2016

- ST1 Sustainable Development
- ST3 Self Sufficiency of Devon's Communities
- C06 Quality of New Development
- C07 Historic Settlements and Buildings
- TR5 Hierarchy of Modes
- TR2 Co-ordinating Land Use/Travel Planning

East Devon Local Plan 1995 – 2011 Revised Report (with Pre-Inquiry Changes) 2005

- S2 Built-up Area Boundaries for villages
- S3 Development Within Built-up Area Boundaries
- D1 Design and Local Distinctiveness
- EN13 Extension, Alteration or Change of Use of Buildings of Special Architectural and Historic Interest
- TA1 Accessibility of New Development
- TA6 Adequacy of Road Network and Site Access

Observations/Appraisal

The main issues that are material to the determination of the proposal are discussed in turn as follows:

Impact upon Character, Appearance and Setting of Ebford House Hotel – In view of the stance already taken by the Committee in accepting the previous detailed scheme for the conversion and extension of the stable wing and the provision of two single storey units within the present walled car parking area of the site, it is not considered that any objection to this latest revised scheme could reasonably be raised from the point of view of the setting of the main listed hotel building or with regard to the inappropriate design and appearance of the proposed new build and/or conversion elements.

As with the previous scheme, the two single storey units would offer a low-key simple addition to this part of the site and, whilst slightly more readily visible from the entrance to the hotel itself, the existing and proposed boundary walls would serve to effectively screen these units from general view from either of the adjacent highways.

The omission of the two storey dwellings from the previous scheme would also significantly reduce any impact upon the setting of the hotel, thereby improving important public views of this building and the site as a whole.

Much the same applies to the proposed conversion of the stable wing, which would appear largely unaltered from its present appearance from the main view of the site from the A376.

Additionally, the proposed internal works to the main building, which include the reinstatement of fireplaces, repairs to cornices and windows and other decorations, are considered to better preserve the overall character and integrity of the building than the previous schemes for residential conversion.

Subject to the prior agreement of certain details relating to both the new build elements and the internal works to the listed hotel building, it is considered that the revised proposals would be acceptable from the standpoint of the impact upon the character and integrity of the hotel the character and appearance of the area generally and the setting of the main building specifically.

Impact upon Neighbours - Although the points of concern raised by the occupier of the neighbouring property, Lower Ebford Barton, with regard to the impact of the proposed extension to the stable wing are noted, this element remains unchanged from previously. No objection was raised by Committee to this extension or by the Inspector in determining the appeal against the refusal of application 04/P0161. In such circumstances, it is not considered that an objection of this ground could reasonably be introduced at this stage.

Highways - The County Highway Authority raises no objection to the proposal. As such, the objection of the Parish Council on the grounds of insufficient parking could not reasonably be supported.

Although it is noted that the Highway Authority would have no objection to the omission of three of the spaces nearest to the entrance to the site, it is considered more appropriate, in the light of the observations of both the parish council and the ward member, for these to be retained.

Contributions/Additional requirements - The County Education Authority has requested that a contribution of £694.50 per dwelling be made, in order to part-fund additional education accommodation at Clyst Vale Community College, which is currently over subscribed. The agent representing the applicants has indicated that there would be no objection to this contribution being made, which would need to be sought through a Section 106 Agreement.

In contrast to the previous submissions, the present scheme is below both of the thresholds, in terms of numbers of units, at which a contribution towards open space provision/enhancement and affordable housing provision is required. The latter is a specific point of concern of the ward member, particularly given the context established by the ongoing negotiations in respect of application 04/2811/FUL and the observations of the Inspector in dismissing the appeal against refusal of application 04/P0161 in which it was made clear that it was believed that an element of affordable housing could be provided for on the site.

However, whilst these points are acknowledged, it is not considered that the Authority could reasonably oppose the current application on the grounds of supposition that it represents the first part of a two-stage approach to eventually realising a total number of units on the site above the 5-dwelling threshold set out in Circular 6/98 and Local Plan Policy H8 though individual schemes involving less than this number. Whilst it might represent a material concern on a green or brown field site where a proposal for a lesser number of new build units could be resisted on the basis that it makes inefficient use of land, it is not considered that this argument could reasonably be extended to this case where the provision of additional units could only

feasibly be facilitated through the conversion of a presently viable commercial premises and where the relationship between the hotel, as retained, and the proposed housing would otherwise be acceptable.

Conclusion

In concluding, it is emphasised that this proposal is wholly independent of both previous schemes for the site, involving the loss of the hotel, and should therefore be considered on its merits. As stated earlier, a further report on the previous, and currently outstanding, application for four dwellings and conversion of the hotel and stable wing to nine units will be presented to the Committee in due course. This current scheme represents an alternative development option for the site for the applicants, who are prospective purchasers of the site.

With this in mind, it is considered that this proposal presents benefits over the previous schemes in terms of improved, and fewer, alterations to the principal hotel building itself, an enhanced setting for the building through the omission of the two storey units previously proposed and the continuity of the sensitive conversion of the stable wing.

It is not considered that the concerns expressed by the parish council and the ward member on the basis of insufficient parking for the hotel could be supported in the absence of any similar concern from the County Highway Authority. Furthermore, on the issue of affordable housing provision on the site, it is not considered that an objection on the grounds of an anticipated two-stage approach to development of the site as a whole as a means of avoiding the requirement for such provision could be supported.

It is considered that these latest proposals represent the best of the schemes for the site submitted to date and, as such, approval is recommended.

Recommendation A 05/1400/FUL - APPROVE subject to conditions to be tabled at the Development Control Committee meeting and the applicant entering into a Section 106 Agreement in respect of a contribution towards education infrastructure.

Recommendation B 05/1402/LBC – Grant consent subject to conditions to be tabled at the Development Control Committee meeting.

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**List of Background Papers**

The file containing all letters, consultations, and documents referred to in the report.