

AXMINSTER
(Axminster Town)

06/3214/OUT

Target Date: 15 January 2007

Applicant:

Mrs Powell

Location:

5 Purzebrook Cottages, Musbury Road, Axminster

Proposal:

Development of land for 2 cottage style dwelling units

CONSULTATIONS

County Highway Authority

The development proposal seeks the provision of a lay-by to accommodate on-site parking for the two dwellings. The Highway Authority does not normally support such method of parking (parallel to the public highway), and in this instance the dimensions of the lay-by (9.5m along at the rear of the bay) would be insufficient for two cars to be parked nose to tail. For end-on parking the dimensions of the two bays should be 6.0m x 2.5m i.e. a total length of 12m, but in this instance a vehicular access with parking bays at 90 degrees to the public highway and the provision of adequate visibility splays, would gain more support from the Highway Authority.

I am aware of a local highway safety scheme that is due to commence very shortly along Musbury Road to improve pedestrian facilities. In line with these proposals it would be highly advantageous to have a footway constructed across the frontage of this site to link into the proposed improvements. It may then be possible to form two parking bays at the south-western end of the site at 90 degrees to the public highway to the rear of the footway, provided that adequate visibility (2.0m x 6.0m) can be achieved to oncoming traffic in the north-easterly direction.

Recommendation

REFUSE for the following reason:

1. The proposed development does not make adequate provision for the parking of vehicles within the site and would therefore be likely to encourage parking on the highway, the consequent additional danger to all users of the road and interference with the free flow of traffic contrary to Policy TR10 of the Devon Country Structure Plan and Policy TA6 of the adopted East Devon Local Plan.

South West Water

South West Water has no objections provided foul drainage only is connected to the public foul or combined sewer. Should no separate storm system be available, details of the means of disposal must be submitted for prior approval. The use of soakaways will require satisfactory percolations tests to have been undertaken.

However, please note that there is a public sewer in the vicinity. This is shown on the attached plan. Please note that no development will be permitted within 3 metres of the sewer without the express consent of South West Water. We also request that ground cover is not substantially altered to ensure the security of our apparatus.

If further assistance is required to establish the exact location of a sewer, the applicant or their agent should contact our Strategic Contracts Team in writing at the above address to arrange for the sewer to be traced.

TOWN/PARISH COUNCIL

Axminster Town Council supports this application.

WARD MEMBER(S)

The initial comments of Councillor A Moulding are:

I support the application:

This outline application seeks to establish 2 cottage style dwellings on a brownfield site in Musbury Road, Axminster.

In my view these small dwellings will complement the range of buildings in the area. The proposed floor levels will be 0.5m above the adjacent No. 5 Purzebrook Cottages – yet the roof levels will be similar to No. 5 and there would not appear to be any overlooking of No 6 Coombe Close. The lay-by, off-street parking will overcome parking and access difficulties. The proposed DCC Highways improvements to Musbury Road footways includes a “gateway” style provision in the one-way street approaching Purzebrook Cottages, which will have the effect of slowing down traffic. This will assist with any concerns over the access arrangements.

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

None

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
81/P0216	Erection of 3 cottages	Refused	14.04.81
76/0541	Erection of house and garage	Refused & Appeal dismissed	18.07.77

PLANNING POLICIES

Government Guidance

PPS3 - Housing

Devon Country Structure Plan (2001-2016)

Policy ST1 (Sustainable Development)
Policy C06 (Quality of New Development)
Policy TR10 (Strategic Road Network)

East Devon Local Plan (1995-2011)

Policy S3 (Development Within Built-up Area Boundaries)
Policy D1 (Design and Local Distinctiveness)
Policy D4 (Landscape Requirements)
Policy TA6 (Adequacy of Road Network and Site Access)
Policy TA8 (Parking Provision in New Development)
Policy RE3 (Open Space Provision in New Housing Developments)

SITE LOCATION AND DESCRIPTION

The site, which measures 13.8m (frontage) x 15.2m (depth) approximately, abuts the carriageway immediately south-west of Purzebrook Cottages, a terrace of late Victorian houses abutting the street frontage. To the south-east there is post-war Local Authority housing and to the rear a pair of chalet bungalows accessed via Coombe Close.

Purzebrook Cottages have raised rear gardens with sheds at the rear. However, No. 5 also has a garden at the side which is the subject of this current application. This garden is raised some 1.5 – 1.8m above the carriageway by way of a natural stone wall with a picket fence on top.

The site lies outside the Axminster Conservation Area.

PROPOSED DEVELOPMENT

The proposal involves a pair of semi-detached houses, described in the outline application as 'cottage style dwelling units'. Indicative plans also submitted show a pair measuring 10.0m x 7.0m with lean-to porches on the front elevation.

A lay-by is indicated abutting the carriageway for the provision of two linear parking spaces.

A cross-section through the site shows how the garden will be reduced in height almost to the level of the adjoining cottages and the retaining walls necessary in view of the higher land on two sides. Likewise, a section indicating how overlooking might be dealt with is also enclosed with the application.

CONSIDERATIONS AND ASSESSMENT

The appeal in 1977 concerned an outline application with a detached garage on the street frontage and effectively a chalet bungalow at the height of the existing garden. In dismissing the appeal the Inspector considered that the dwelling would appear cramped and overbearing in relation to the adjoining cottages and afford a somewhat unsatisfactory environment for the occupants. The garage, in a similar position to the proposed parking spaces was considered by the inspector to add further to the traffic hazards and he also dismissed the appeal on this ground. In 1981 the application for 3 cottages as a continuation of the terrace was refused on the grounds of a cramped form of development and lack of parking. Similar issues of the effect of the development on character and amenity and highway safety are equally relevant in the context of this application.

Impact on Character and Amenity

It is acknowledged that these decisions were made under policies which are not exactly the same as those policies which are current. Nevertheless, the Inspector noted that the land was within a part of the town where suitable sites might be allowed.

Government guidance, in the guise of PPS3, seeks to focus on brownfield land and to maximise density whilst still taking account of the character and amenity of any potential windfall sites and their surroundings. Paragraph 48 states that good design is fundamental to using land efficiently and Paragraph 49 adds that, whilst intensive development is not always appropriate, when well designed and built in the right location, it can enhance the character and quality of an area. Whilst the previous planning history occurred some time ago the issues are still relevant in the context of government guidance and the adopted Structure and Local Plans.

The site itself with its garden and stone wall contributes to the varied character of the street scene and acts as a contrast to the hard edge of the frontage of the adjoining cottages. The proposed houses would be set back from the road by 5.5m and the existing garden excavated

with 2 parking spaces to the front in tandem with Musbury Road. The application indicates a layout for a pair of semi-detached houses with porches at the front. The houses, on the basis of the indicative plan, would have retaining walls on three sides up to a height of 2.6m and on the two sides strips of land between 1.2 – 1.5m and at the rear a similar strip with a mean width of 1.6m.

It is considered that this would result in an extremely cramped form of development offering no effective garden/amenity nor a reasonable outlook from the proposed houses particularly in relation to ground floor accommodation. It would also have a detrimental impact on the street scene where the garden acts as a buffer between the terrace and the Council's own amenity land attached to Nos. 28 – 32 Musbury Road.

Impact on Neighbours

The most affected neighbouring property is No. 6 Coombe Close at the rear. This chalet bungalow lies some 9m from the rear boundary of the site. It is likely that the eaves height of the proposed houses would be in the region of 1.0m higher than the eaves height of the chalet bungalow and whilst, with a 2.0m high boundary fence, there would be some effect on the neighbour it is not considered so detrimental to cause material harm.

Highway Issues

The Highway Authority considers that an alternative proposal for a vehicular access with parking bays at 90° would gain more support in highway terms. There is also a highway safety scheme commencing soon along Musbury Road to improve pedestrian facilities. The Highway Authority has indicated that it may be possible to achieve a footpath link across the site frontage which is not provided for at present. On the basis of the proposal, as submitted, the parking arrangements cause additional danger to all road users. However, as it is considered that there are fundamental objections to the development of this garden no negotiations have taken place with the applicant.

Open Space Provision

Policy RE3 of the adopted Local Plan requires committed payments on small sites for the provision of off-site open space facilities. No contribution has been forthcoming for the proposed development and therefore an objection on this issue must be raised.

CONCLUSIONS

There is intense pressure currently to develop within the Built-up Area Boundaries of settlements by using garden land for this purpose. In certain cases where the individual circumstances permit this is acceptable.

However, the inherent character of settlements and parts within, rely on a multiplicity of factors which need consideration. With such pressure there is indeed a view that settlements are in danger of losing their particular character unless care is taken in allowing only those developments that are unlikely to cause harm.

It is felt that this proposal causes such harm and refusal is, therefore, recommended.

RECOMMENDATION

REFUSE for the following reason(s)

1. In the opinion of the Local Planning Authority the setting of the existing stone boundary wall and raised garden contributes to the character of the street scene and whilst the proposal is in outline form the indicative plans show a cramped form of development with little amenity space and poor outlook for future occupiers which would be out of character with this part of Axminster contrary to Policy ST1 and C06 of the Devon Structure Plan 2001 to 2016 and Policy S3 and D1 of the East Devon Local Plan 1995 to 2011
2. The proposed development does not make adequate provision for the parking of vehicles within the site and would therefore be likely to encourage parking on the highway, with consequent additional danger to all users of the road and interference with the free flow of traffic contrary to Policy TR10 of the Devon County Structure Plan.
3. The proposed development does not make adequate provision for on-site open space or a mechanism to secure an off-site contribution in accordance with the requirements of policy RE3 of the East Devon Local Plan 1995 – 2011 and policy C06 of the Devon Structure Plan 2001 – 2016.

List of Background Papers

Application file, consultations and policy documents referred to in the report.