

EXMOUTH BRIXINGTON
(Exmouth)

07/0556/FUL

Target Date: 17.04.2007

Applicant: Mr and Mrs Stephens & Mr and Mrs Arscott

Location: 4 Dorchester Way, Exmouth

Proposals: Extension to form granny annex

CONSULTATIONS

County Highway Authority

Does not wish to comment

TOWN/PARISH COUNCIL

Recommend refusal.

Objection on the grounds of over development. However, if the extension is approved it must be ancillary to the main dwelling and should not be sold or let as a separate unit.

WARD MEMBER(S)

Cllr Cope objects to the application on the grounds of overdevelopment and bulk

In the event that the application comes to committee he has stated that he would reserve his position until he is in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

5 letters of objection received to original submissions and two additional letters to amended plans.

Summary of objections

- Overdevelopment of the site
- Development visually prominent and out of keeping with surrounding properties
- Loss of light to neighbouring property
- Overlooking of neighbouring garden
- Proximity to boundary
- Potential future uses of annex
- Inadequate parking provision for two families and for construction traffic during development

PLANNING POLICIES

Government Guidance

PPS 1 - Delivering Sustainable Development

Devon County Structure Plan (2001-2016)

Policy CO6 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy D1 – Design and Local Distinctiveness

Policy H7 – Residential Extensions

SITE LOCATION AND DESCRIPTION

The application site relates to a relatively modern, detached, two storey dwelling set in a residential cul-de-sac of other detached properties of varying design. The property is sited on raised ground at the head of the cul-de-sac and backs onto Marley Road to the rear. It is located to the northeast of the town centre, on the edge of but within the built-up area boundary.

The property has a wide frontage and an open plan front garden in keeping with surrounding development. There is an attached double garage off the east elevation beyond which is a rear access path and the boundary with the neighbouring property. This neighbouring property is set at an angle away from the boundary. The rear garden slopes up from the rear of the property and the boundaries are enclosed by timber panelled fencing.

PROPOSED DEVELOPMENT

The proposal seeks planning permission to construct a two storey side/rear extension to provide annexe accommodation for two of the applicants. A double garage element will be retained at the front with the new extension projecting at the rear and above the garage. The original plans have been amended and are substantially reduced from the original submission.

CONSIDERATIONS AND ASSESSMENT

The main issues in the determination of the application are considered to be: the design of the proposal and its affect on the streetscene; the impact on the amenity of neighbouring occupiers; the impact on protected trees of amenity importance and the acceptability of the proposed use.

Proposed Use

The proposed extension would provide annexe accommodation for two of the applicants who are the parents of one of the applicants. It is normal to expect annexe accommodation to be ancillary to the main house and used as a subsidiary part of the overall unit. The proposal indicates a separate entrance, kitchen/diner, bathroom, bedroom and lounge and although there is an internal link shown at first floor level there would be no necessity to use this as the proposal would also have a separate internal staircase. However, it is noted that the garden area would be shared and independent occupation of the annex would not be feasible, in terms of its appearance from Dorchester Way there would also be no indication that the proposal provides annexe accommodation.

Furthermore, although concerns relating to the intensification in the use of the site are noted providing the design and impact of the extension are considered acceptable there would be no reason to refuse an application whose stated use would be purely as an extension and which could be utilised as accommodation by members of the applicant's family. Therefore, whilst the concerns of the town council and neighbouring occupiers are noted regarding potential future occupation of the annex it is considered that this could be adequately controlled by a condition restricting its use.

Design

From the front the proposal would appear as a two storey extension over the existing garage with a reduced ridge line and recessed from the front elevation. The original proposal would have resulted in a very wide frontage to the property (at first floor level) and a reduction in the important breaks between the buildings that adds to the feeling of spaciousness in this part of the estate. The amended proposals have reduced the width of this extension by one metre and therefore the distance between it and the boundary is increased. Although there would still be a reduction in the gap between buildings at first floor level, this form of extension is in itself quite common. Although there are some concerns regarding the increased width of the property and the reduction in the gap between it and no. 5 to the east it is not considered to have such an impact on the streetscene that objection on design grounds could be substantiated.

The proposal would also result in a further extension off the rear elevation of the existing garage. This element has also been amended and the proposed projection is now 5.6 metres at 1½ storey height (the ridge line having been reduced by 300mm). The original proposal showed an extension of 7.1m from the rear wall of the dwelling. This extension would cut into the sloping rear garden and would not be visible within the streetscene. However, some glimpsed views may be possible from Higher Marley Road to the rear. In terms of its form and massing the proposal would represent a substantial extension to the property but given its limited visual impact is considered to be acceptable in design terms.

Impact on neighbouring amenity

The main potential impact of the proposal would be on the occupiers of No. 5 to the immediate east of the site. The impact would be in the form of the proposed large extension at two and 1½ storey level along the boundary and within 2 metres of it.

The angled arrangement of the properties means that the impact of the extension is lessened slightly and the reduced eaves height of the rear projection (together with the reductions in size, as amended) further reduces the impact of the proposal. Although no windows are indicated at first floor level the proposal would be prominent on the boundary with no. 5. The occupiers of this neighbouring property have objected on the grounds that the proposal would result in a loss of light to their conservatory and rear garden. However, due to the orientation of the properties, the height of the extension and its distance from the boundary it is not considered that it would result in any significant loss of light. Furthermore, there is at present some plant screening to approximately 3 metres in height along the boundary on the neighbours side, that would soften the impact of the proposal. It would though be necessary to remove permitted development rights for the insertion of windows/dormer extensions facing this property.

The neighbouring occupiers to the west at no. 3 have also objected to the proposal on the grounds of overlooking from the proposed first floor window on the west elevation of the rear projection which would serve the living room of the proposed annexe. It is considered that those windows, due to the layout and relationship between the properties, would primarily view out across the garden area of the applicants property and toward Marley Road and would have minimal impact on No. 3 to the south west of the site.

Impact on protected trees

There is an area Tree Preservation Order in place which covers the trees to the south of Higher Marley Road that bounds the rear of the site. The proposed extension would bring the property nearer to these and is likely to be within 5 metres of their mature crown spread. However, the officer view is that subject to suitable tree protection measures the proposal could be constructed without detriment to these trees.

Other issues

Concern has also been raised in relation to parking provision for the site. Currently this is provided in the form of a double garage and the driveway forward of this, which in total would appear to provide 5 no. spaces. It is noted that the application would involve a reduction in the width of the garage, however, it would appear that adequate space would remain for the parking of two cars with a further three spaces available on the driveway. Parking provision is considered adequate for the proposed use.

CONCLUSIONS

The application proposes a large annex extension to the existing property, which would extend the property to the side and rear. Although the extension is substantial it is subordinate to the main house and its use could be tied to that by means of a suitably worded condition. Furthermore, whilst it is recognised that there have been other concerns relating to the proposal not least in terms of the impact on neighbours and the adequacy of parking provision, it is considered that these elements are satisfactory, accordingly the application is recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.

(Reason – To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building.)

3. The annex extension hereby approved shall only be used as ancillary accommodation to the main house, known as No. 4 Dorchester Way, and shall at no time be used as a independent unit of accommodation separate from that dwelling.

(Reason – The site lies in a rural area where the provision of an independent dwelling would result in an unsustainable form of development contrary to national guidance and local plan policy)

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order, with or without modification), no windows or rooflights shall be inserted at first floor level or above in the northeast elevation/roofslope .

(Reason – In order to safeguard the privacy and amenities of neighbouring residents)

5. Prior to commencement of any works on site, tree protection details, to include the protection of hedges and shrubs (and specifically the mature trees to the north of the site), shall be submitted to and approved in writing by the Local Planning Authority. These shall adhere to the principles embodied in BS 5837 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be strictly observed:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in National Joint Utilities Group (NJUG) Publication Number 10 1995.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area.

Any other conditions as appropriate to be delegated to the Head of Planning and Countryside Services

Reasons for Approval

The proposal complies with the Devon Structure Plan 2001-2016 policies: C06

The proposal complies with the East Devon Local Plan 1995-2011 policies: D1 and H7

The proposal does not adversely affect the privacy and/or amenity of neighbouring occupiers

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

Approved plans

CN04: site location plan, 522.01, 522.02A

List of Background Papers

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