

SEATON
(Seaton)

07/0059/FUL

06.03.2006

Applicant:

Mr P Potter

Location:

Lane End, Harepath Road, Seaton EX12 2SX
(GR: 24332 91533)

Proposal:

Erection of 3 bedroom bungalow

CONSULTATIONS

County Highway Authority

Observations: The proposed access would be located close to the Harepath Road/Scalwell Lane junction, but given the slow traffic speeds of vehicles undertaking the manoeuvre turning into and out of the junction and access, I do not perceive a significant highway hazard arising from this development.

Pedestrian/vehicular inter-visibility splays should be provided at the point of access, but this could be conditioned. On-site turning facilities in this location would be essential. Any entrance gates would have to be set back 5 metres from the carriageway edge.

Recommendation: No highway objection is raised, subject to the following conditions being imposed:

1. The site access shall incorporate splays on both its sides to the rear of the existing footway/carriageway based on co-ordinates of 2.0m x 2.0m, which shall thereafter be maintained to that standard at all times.
(Reason: To safeguard pedestrians by providing adequate visibility.)
2. The site access and drive shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 5.0 metres back from its junction with the public highway. Any entrance gates shall be hung to open inwards and shall be set back a minimum distance of 5.0m from the carriageway edge.
(Reason: To prevent mud and other debris being carried onto the public highway and to prevent an obstruction of the public highway.)

TOWN/PARISH COUNCIL

Recommend Refuse.

Members [of Seaton Town Council] recommended Refusal. Members noted that the plans do not show the extremely close proximity of the present dwelling on the northern side of the site. They believe there is insufficient space and is therefore overdevelopment in the garden. Members also believe such a development would result in loss of privacy to the neighbouring property at 26 Boundary Park. They also believe that such a development would result in a danger to traffic and pedestrians because of the access point to the site. (One letter of objection).

REPRESENTATIONS

One letter of objection has been received raising the following points:

- The area of land is inadequate for the development, resulting in small distances from the building to the boundary and very little garden for a three bedroomed bungalow.
- Loss of privacy due to proposed dwelling being on ground level that is higher than at 26 Boundary Park and close to the boundary. The proposed patio/outdoor area abuts this property. May also cause loss of light and shadowing.
- The access close to the junction of Harepath Road and Scalwell Lane where there has been one accident appears to be dangerous.
- Concern about capacity and run-off from septic tank drainage system.

PLANNING POLICIES

Government Guidance

PPG3 - Housing
PPS1 - Delivering Sustainable Development

Devon Structure Plan 2001-2016

ST1- Sustainable Development
ST5 - Development Priority 2001 – 2016
CO6 - Quality of New Development

East Devon Local Plan 1995 - 2011

S1 - Built-up Area Boundary for Area Centres and Local Centres
S3 - Development within Built-up Area Boundaries
D1 - Design and Local Distinctiveness
D1B - Sustainable Construction
TA1 - Accessibility of New Development
RE3 - Open Space Provision in New Housing Developments

SITE LOCATION AND DESCRIPTION

The site, measuring approximately 14m x 24m in area, is formed by the division of the garden of the existing early 20th Century house, known as Lane End on the east side of Harepath Road. To the south of the site is a bungalow (116 Scalwell Lane) that was built on a previous division of the same garden during the 1990's. The site would have vehicular access from the Harepath Road at its junction with Scalwell Lane.

The site is well within the Built-up Area Boundary of Seaton in an area of housing estates developed over the last 20 years or so. Apart from the earlier houses at Lane End and adjacent Lion Villa (north and north-west of the site), the character of the surrounding area on both sides of Harepath Road is one of detached bungalows and houses in small plots.

PROPOSED DEVELOPMENT

The proposal is to fence off the southern part of the existing back garden to 'Lane End' and erect a detached three bedroomed bungalow in materials common to the area. The bungalow is shown with a conservatory and patio area, with existing small trees retained inside the southern boundary. The proposal includes solar water heating panels and a rainwater harvesting system. It is proposed to treat sewage on site with a private sewage treatment plant.

CONSIDERATIONS AND ASSESSMENT

Background

The main issue is whether or not the proposed site is large enough to accommodate the development having regard to the surrounding density of housing development, the impact on neighbouring dwellings and the appearance of the area, highway safety and adequacy of foul drainage.

Density and Design

The size of the proposed site is similar to a good number of the residential properties in the immediate area on both sides of Harepath Lane. From the Lane, modern bungalows are the dominant building form in this vicinity, apart from Lane End house itself. The proposed density and style of building is therefore in keeping with the surrounding area.

Impact on Residential Privacy and Amenity

The proposed bungalow is four metres from its eastern site boundary and three metres from its southern boundary. The land here falls very slightly to the south and east resulting in the site being no more than 0.5m higher than adjacent residential plots in this direction. The boundaries with these neighbouring dwellings are already fenced and windows in the proposed bungalow are not high enough to look into the adjacent gardens or windows. The nearest bungalow to the south presents its blank side elevation towards the site and also has its adjoining garage on this side. To the south-east the nearest bungalow is approximately nine metres from the site boundary. The occupants of this bungalow (26 Boundary Park) have written opposing the development (see above). The common boundary between the two properties is only five metres in length; this property having a longer boundary with 116 Scalwell Lane immediately to the west. The bungalow at No. 116 is also closer to 26 Boundary Park than the proposed bungalow.

It is considered that although the proposal adds to the quantity of building surrounding 26 Boundary Park, the proposal and its garden area is no closer to it than other properties. The roof slope of the proposed bungalow will be visible from surrounding properties, but being only single storey it gives rise to no additional overlooking or loss of amenity. It is more likely to cut out some degree of overlooking from the existing 'Lane End' house. It might be argued that the proposed garden will be more intensely used than the existing larger garden of Lane End, but activities in the garden are not necessarily going to be any more intrusive or detrimental to amenity.

Highway Safety

The County Highways Authority is satisfied with the proposed access, parking and turning area subject to the conditions below being imposed.

Sewage Disposal

The proposed method of sewage treatment is on site using a new Klargest domestic treatment plant. The manufacturers have visited the site and found it to be 'more than satisfactory'; they state that the apparatus operates without noise or odour and the clean outflow can be dispersed through soil percolation. The applicant has stated that they can easily meet the criteria laid down by the Environment Agency and therefore no separate 'consent to discharge' is required. Copies of correspondence between EA and applicant have been submitted.

The treatment plant uses 60 watts of electricity to run (costing approx. £70 pa), but for this development to be connected to mains sewerage, running at a slightly higher level in Harepath Road, a pumping system would be required in any case. (no cost or power comparison available). Generally, the processing of sewage is more sustainable the closer it is treated to its source.

The quantity of clean water being discharged on site will be compensated by the proposed harvesting of rainwater for domestic use, thereby reducing rain water dispersed through

soakaways on site. This together with the proposed solar water heating panels to be installed, that will lower energy consumption, results in a development making a significant attempt at sustainability.

CONCLUSIONS

Overall, it is considered that although the site for the proposed bungalow is small, it not only matches many other plots in the immediate area, it also safeguards the privacy and amenity of surrounding dwellings. Access onto the highway is achievable and the applicant proposes a sustainable solution to surface water drainage and sewage disposal.

Whilst it is never the wish of neighbours to have a new dwelling appear on the other side of the fence where once there was garden, in this location the proposed building form and density is typical of the area.

RECOMMENDATION

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. No development shall take place until the applicants, or their successors in title, have entered into a Section 106 Agreement with the Local Planning Authority to secure an agreed contribution for open/play space provision/enhancement.
(Reason - In the interests of ensuring that satisfactory provision is made for the public benefit.)
3. The site access shall incorporate visibility splays on both its sides to the rear of the existing footway/carriageway based on co-ordinates of 2.0m x 2.0m, which shall thereafter be maintained to that standard at all times.
(Reason: To safeguard pedestrian safety by providing adequate visibility)
4. The site access and drive shall be hardened, surfaced, drained and maintained thereafter free of mud, stones and other debris for a distance of not less than 5.0 metres back from its junction with the public highway. Any entrance gates shall be hung to open inwards and shall be set back a minimum distance of 5.0m from the carriageway edge.
(Reason: To prevent mud and other debris being carried onto the public highway and to prevent an obstruction of the public highway.)
5. 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 works within Schedule 2 Part 1 Classes A or B for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.
(Reason - The space available would not permit such additions with detriment to the character and appearance of the area or to the amenities of adjoining occupiers.)
6. The dwelling hereby permitted shall not be occupied until the access, turning space and parking shown on the approved plan have been provided in accordance with the approved details. These shall thereafter be retained and kept available for those purposes at all times.

(Reason - To ensure that adequate and safe provision is made for the occupiers and in the interests of highway safety.)

7. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area.)
8. Prior to the commencement of the development hereby permitted details of the finished floor level of the bungalow in relation to surrounding ground levels and floor levels of adjacent dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
(Reason: To ensure that the development relates well to surrounding dwellings)
9. The dwelling hereby approved shall not be occupied until the solar panels and the rainwater harvesting system indicated on the approved plans are in permanent operation. This equipment shall be maintained in operation thereafter.
(Reason: To help offset the volume of water discharged within the site from the sewage plant and energy used in its operation, in the interests of sustainability.)

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO6 (Quality of New Development), ST1 (Sustainable Development) and ST5 (Development Priority 2001 to 2016).

The proposal complies with the Adopted East Devon Local Plan 1995-2011 Policies D1 (Design and Local Distinctiveness), S3 (Development Within Built-up Area Boundaries), S1 (Built-up Area Boundaries for Area Centres and Local Centres), **D1B (Sustainable Construction)**, RE3 (Open Space Provision in New Housing Developments) and TA1 (Accessibility of New Development).

The proposal does not affect the privacy or amenity of neighbouring properties.

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

The proposal is contained within the defined built-up area boundary of the settlement.

The proposal makes adequate provision for the disposal of foul/surface water in the interest of flood/pollution prevention.

The access to serve the proposal does not prejudice highway safety.

List of Background Papers

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