

AXMINSTER TOWN
(Axminster)

08/0908/OUT

Target Date: 28.05.2008

Applicant: T Dyer and J Honeybourne

Location: 1 Kirby Close, Axminster

Proposal: Erection of attached dwelling

CONSULTATIONS

County Highway Authority

Recommends that the following condition should be incorporated in any grant of permission;

1. A consolidated and surfaced (not loose stone or gravel) parking space (5.0m x 3.0m) and access drive thereto shall be laid out and maintained for those purposes in accordance with the submitted plan.

TOWN/PARISH COUNCIL

Axminster Town Council opposes this application as it would disturb the scale, balance and intimacy of the streetscene. It constitutes over development and would involve the loss of amenity land.

WARD MEMBER(S)

No comments received

REPRESENTATIONS

Objections

Two letters of objection have been received;

- Overdevelopment
- Right of way and access issues
- Blocks an emergency route
- Will increase vehicular traffic and congestion
- Loss of light
- Loss of a view
- Loss of earth bank
- Loss of a natural wind break
- Detrimental levels of noise and inconvenience during construction
- No means of securing the affordability of the unit

PLANNING POLICIES

Planning Policy Statement 3 – Housing

Policy CO6 - Quality of New Development
Policy TR10 – Strategic Road Network and Roadside Service Areas
Policy ST15 – Area Centres

East Devon Local Plan (1995-2011)

Policy D1 – (Design and Local Distinctiveness)
Policy TA7 – (Adequacy of Road Network and Site Access)
Policy S2 – (Built-up Area Boundaries for Area Centres and Local Centres)
Policy S4 – (Development within Built-Up Area Boundaries)
Policy RE3 – (Open Space Provision in New Housing Developments)

SITE LOCATION AND DESCRIPTION

The property known as '1 Kirby Close' is situated within the Axminster built-up area boundary. The estate originally formed part of a low-cost housing project by East Devon District Council. However, the property has since passed into private ownership. This particular area of the residential estate is characterised by a generally tight knit layout.

The site includes a substantial hedge to the south which the applicants have control over.

PROPOSED DEVELOPMENT

The proposal seeks outline planning consent for the creation of an attached dwellinghouse. This permission seeks to extend an existing terrace of 3 dwellings, which includes No 1 Kirby Close, to create a fourth dwelling. Indicative plans for the design of the front elevation have also been submitted.

The application is for outline consent only, with all matters reserved, except for the layout which can be considered at this stage.

CONSIDERATIONS AND ASSESSMENT

The principle of the development is established under Policy S4 of the local plan which permits residential development in this location subject to the normal planning considerations. Due to the minor scale of the development it is not a policy requirement that the dwelling is secured as an affordable home.

Design, position and size of the dwelling

The design of the proposal is considered to be acceptable under Policies D1 and CO6 of the development plan. The proposal would continue the line of the existing development. An additional single dwelling, in this location, would not constitute overdevelopment of the locality taking into account surrounding density levels.

The size and the position of the dwelling seem appropriate within the context of the existing street layout. The application does indeed replicate the size and position of the houses in the existing terrace as shown on the illustrative drawing. It is felt that the partial removal of the hedge bank would not significantly harm the visual amenity of the area such as to preclude the development of the site.

The loss of amenity land is not considered to be an issue which would warrant refusal of the application, as the amenity land is within private ownership at present and does not provide a significant contribution to the street scene is worthy of preservation.

Therefore the proposal is considered acceptable under Policies D1 and CO6 of the development plan.

Impact on Amenity

It is considered, following development control practice guidelines, that the proposal does not create a detrimental loss of light or significant level of overlooking by reason of its distance from the surrounding properties. This consideration takes into account the position of windows on the existing buildings and the layout of the development.

Right of way issues regarding the proposal are a civil matter to be dealt with by the relevant parties, and this does not constitute a material consideration which would impact on the planning decision.

Highway Considerations

The Highway Authority has been consulted on the application and has no objection in principle to the development. However, they have recommended that a surfaced parking space and an access drive shall be laid out and maintained for those purposes, in accordance with the submitted plan.

There is no evidence to suggest that the creation of an additional unit would hamper or prevent access for emergency vehicles, as the adequacy of the adjacent highway network for service vehicles is considered acceptable.

Open Space Contribution

A contribution towards open space in line with Policy RE3 of the adopted local plan can be dealt with under a unilateral undertaking.

CONCLUSIONS

Due to these policy considerations, without overriding material planning considerations, the development is considered to be acceptable.

RECOMMENDATION

APPROVE subject to the applicant entering into a unilateral undertaking to secure the necessary open space contribution, and the following conditions:

1. In accordance with the accompanying plans, subject to the conditions specified hereunder:
 - A) In the case of any reserved matter application for approval must not be made not later than the expiration of three years beginning with the date on which this permission is granted; and
 - B) The development to which the permission relates must be begun not later than whichever is the later of the following dates:
 - i) the expiration of five from the date on which this permission is granted; or
 - ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.(Reason – The time limit condition is imposed in order to comply with the requirements of Section 92 of the Town and Country Planning Act, 1990.)

2. Approval of the details of the external appearance of the building, the landscaping of the site, scale, and means of access (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason - The application is in outline with one or more matters reserved.)
3. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order) express planning permission shall be obtained for any development within Classes A, B, and C of part 1, and Class A of Part 2, of Schedule Two of the Order.
(Reason – To protect the appearance and character of the development in the area.)
4. Prior to the commencement of the development hereby permitted details for the removal of the section of the hedge bank abutting the site, demonstrating a methodology of how the partial removal will take place and indicating the total amount of material to be removed, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the agreed details and retained in perpetuity.
(Reason – To ensure that the earth bank is partially removed in a sensitive manner that would not be detrimental to the street scene.)
5. A consolidated and surfaced (not loose stone or gravel) parking space (5.0m x 3.0m) and access drive thereto shall be laid out and maintained for those purposes in accordance with the submitted plan.
(Reason - To ensure the provision of adequate facilities within the site for the traffic generated by the development.)

List of Background Papers

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

Reasons for approval;

The proposal complies with the Devon Structure Plan 2001-2016 policies ST15 (Area Centres) CO6 (Quality of New Development) and TR10 (Strategic Road Network).

The proposal complies with the Adopted East Devon Local Plan 1995-2011 policies S2 (Built-up Area Boundaries for Area Centres and Local Centres), S4 (Development Within Built-up Area Boundaries), D1 (Design and Local Distinctiveness), RE3 (Open Space Provision in New Housing Developments) and TA7 (Adequacy of Road Network and Site Access).

The proposal does not adversely affect the privacy and/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.