

EXMOUTH LITTLEHAM
(Exmouth)

08/1073/MFUL

Target Date: 17.07.2008

Applicant:

Mr Oram

Location:

2 Elwyn Road, Exmouth

Proposal:

Development of 14 apartments

CONSULTATIONS

County Highway Authority

No objections to the original development or the current changes provided conditions imposed which control the site access width and visibility splay and the surface treatment prevents surface water discharging on to the carriageway.

TOWN COUNCIL

Objection because of lack of suitable car parking, contrary to the Avenues Design guide and over large not respecting the character of the area, affect of road parking will be significant and detrimental.

WARD MEMBER(S)

The initial comments of the Ward Member are

Councillor Mark Williamson

“Although I regret the building of yet more flats in The Avenues I am aware that this resubmission with the addition of two apartments follows a planning approval. The design is broadly sympathetic to the prevailing architecture in Elwyn Road and has some attractive features. I, therefore, cannot object to this development on planning grounds. I remain concerned that approval of this type of development will result in an unbalanced community within The Avenues with predominantly family houses being superseded by blocks of flats for an older age group”.

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

Objections

4 letters have been received raising the following points:

- Current plans represent over development with a density of 61 dwellings per hectare
- Site coverage is greater than the Avenues design statement
- Increase in building frontage at eaves level which disrupts rhythm with adjoining property
- Scale and massing is inappropriate with a poor relationship between buildings and space undermining the spacious character of the area contrary to national guidance and County and Local Plan Policy
- Pastiche development is poor replacement for the original villa
- Concern over capacity of the water and waste in the local area

- Development fails to accord with the Avenues Design Statement due to its size, height (3 storey is not typical of the area), scale (the building is 70% larger) and coverage (the building and associated car parking covers 35% of the site)
- Increase in roofline creates a more block like impression
- Provision of significant accommodation in the roof space is contrary to the Avenues Design Statement
- Additional flats have a low level of amenity
- No increased provision of car parking for the additional flats with the result of additional congestion and disruption in the area
- Parking and turning provision is in close proximity to private amenity resulting harm to the amenity
- 14 additional units would generate open space demand contrary to policy RE3 of the Local Plan.
- The addition of two units represents planning by the back door
- Rear boundary hedge has been removed contrary to landscaping

Support

No letters have been received raising the following points:

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
06/1473	Demolition of existing house & erection of 12 flats	Approved	21.11.2007
05/1991/MFUL	Demolition of existing house and erection of twelve flats with alterations to access	Refused	12.10.2005

PLANNING POLICIES

Government Guidance

PPS1 – Delivering Sustainable development
PPS 3 – Housing

Devon Country Structure Plan (2001-2016)

Policy CO6 (Quality of New Development)
Policy ST5 (Development Strategy)

East Devon Local Plan (1995-2011)

Policy S4 (Development within Built up Area Boundaries)
Policy D1 (Design and Local Distinctiveness)
Policy D2 (Sustainable Construction)
Policy D5 (Trees on Development Sites)
Policy TA7 (Adequacy of Road network and site Access)
Policy TA9 (Parking provision in New Development)
Policy RE3 (Open space provision in New Housing Developments)

Supplementary Planning Guidance

The Avenues Design Statement

SITE LOCATION AND DESCRIPTION

The site is situated in the Avenues area of Exmouth, where the predominant type and style of development is characterised by large Villas set in spacious landscaped grounds. Elwyn Road and this site in particular was typical of this form; a large Edwardian villa with attractive detailing under a steeply pitched roof. Despite already being demolished there remains extensive and dense planting to three boundaries (the rear boundary having been partly removed). The typical front boundary red brick wall also remain in place with vegetation immediately behind it.

Background

In 2007 following significant negotiation of the design and massing, the Site Inspection Committee granted planning permission for the demolition of the original villa and the erection of 12 apartments. In commencing the development the applicants have already cleared the site and undertaken the provision of the splayed entrance way in accordance with the Local Highway Authority requirements. However before they continue with the development, the current application has been submitted seeking amendments to the original permission.

PROPOSED DEVELOPMENT

The extant permission provides for the erection of 12 apartments located on, and extending away from, the footprint of the original dwelling such that the development would be angled obliquely to the road matching that of the host property. The original approval showed a building balanced in plan form but with offset design detailing particularly to the front (east) and side (north) elevation. The design utilised prominent gables to the front and rear mirrored but on a smaller scale over the front entrance porch. The roof structure was steeply pitched with strongly expressed eaves detail, fascias and bargeboards and decorative ridge lines. A car park provided spaces for 14 vehicles and was proposed behind the front wall and boundary vegetation. This provided a single space for each unit of accommodation and 2 for visitors parking. Mature trees and shrubs at the front of the site were to be retained.

The current application seeks to increase the number of units provided by 2 to a total of 14. This utilises a large roof void which was previously left undeveloped. While the form of the building remains largely the same the footprint of the building is extended by 0.3m in terms of width, and 0.4m in terms of the depth of the north elevation. In addition the main ridge height is increased by 0.5m and one gable on the rear elevation is raised by 0.7m. Fenestration would be retained as previously permitted although the development would utilise rooflights and insert vertical glazing panels within the apex sections of the respective gables. To either side these would utilise opaque glazing. Parking would remain unchanged providing one space per unit but without any visitor parking.

CONSIDERATIONS AND ASSESSMENT

This application must clearly be considered on the back of the extant permission for the erection of 12 apartments approved in the autumn of last year. In this respect it will be changes when compared to that permission that are the main considerations rather than the principle of redevelopment itself which it is recognised remains controversial. In this regard the main considerations relate to the impact that the current proposal would have on the character and appearance of the area, the parking provision within the area, the residential amenity for future occupiers and near neighbours, public open space, and sustainable construction techniques.

Character and appearance

In terms of the scale, massing and appearance the building will be of similar proportions to the previously approved scheme. While it has already been recognised that the external dimensions will increase slightly this scale of increase is insufficient to draw criticism or substantiate objections to. In addition it is noted that the slight dilution of detailing on the front elevation with the removal of a return to the left of the front porch is also to be regretted. However the loss of this element simplifies the building and makes the internal arrangement easier and cheaper to work with. It is again considered that no objections can be raised.

The most fundamental difference occurs in and to the roof area of the building where glazed panels are inserted into the projecting gables, a box is added to the roof area to house the lift and sun pipes and rooflights are also added. The number of sun pipes have been reduced during consideration to avoid clutter and in this respect these additions are not considered harmful to the character and appearance of the building or the wider area. They make full use of the space available and as such are appropriately detailed for the style of building that is already approved. While on plan form the lift box appears an awkward addition, this is set to the rear of the main flat roofed area and due to the height, positioning and angle of viewing is unlikely to be easily visible from the street scene. It is not considered that objections can be sustained to this addition.

In terms of vegetation and screening, this is an important element which helps to maintain the character of the area and the setting of the individual building. During the commencement of construction associated with the original approval, the rear boundary has been partly removed. The loss of this bank is unacceptable and reinstatement through the landscape condition (associated with either the original permission or the current application) will be made.

Parking provision

It is noted that within the representation received, parking and the lack of additional spaces for the development (despite the addition of two units) features prominently. The Local Highway Authority have considered the scheme and do not raise objections to the parking layout or the numbers proposed. Their main requirement concerns the access arrangement and the visibility splay that would be formed for the access onto Elwyn Road. These views are consistent with the previous application where conditions controlling this aspect of the work were imposed. It must be noted that the applicant has already undertaken the necessary work to the splay and has rebuilt the front boundary wall affected in reclaimed bricks. This provides interest and retains the character of the area. Numbers per se are based on a requirement of 1 space per flat which is in accordance with Policy TA9 (Parking provision in new development) where for dwellings (including flats) of 2 beds or more, there should be a maximum of 2 spaces per unit. Although it may be desirable to have more than 1 space per unit as in this case, there is no policy backing for this approach nor is there other material planning considerations of sufficient weight to resist the scheme on this aspect.

Residential amenity

In terms of amenity for future occupiers of the development the layout and arrangement of the accommodation together with communal areas is considered of a good standard and acceptable. Although the density may be higher than average within the Avenues Area, the site on an individual basis is considered suitable for the number of apartments sought and the resulting demands on living space and communal outdoor space.

In terms of amenity for neighbouring properties, there are three aspects that need careful consideration; namely the degree of dominance resulting from the increased mass and form of the building, the design, overlooking from the additional apartments and the noise and disruption from car movements and the position of the car park.

The degree of dominance is not considered to change significantly from the approved scheme. It is acknowledged that the building's external dimensions have increased from the approved scheme, but these are of modest proportions and the difference when compared to the scale of the building will be difficult to perceive. Genuine concerns regarding overlooking have been raised by local residents. These are considered to be well founded when they arise/affect residential properties to either side of the development plot. Despite being well founded such concerns are not insurmountable and the previous permission imposed conditions on all side elevation windows. This can be reemployed and continued to include the vertical glazing panels on the north elevation. As these serve bedroom 2 of unit 13 the loss of light/loss of view from this bedroom will not be an unreasonable imposition. The new rooflights on the southern elevation also face towards a neighbour (4 Elwyn Road). These are south facing and serve a bedroom and study and are therefore considered slightly more sensitive than windows on the north. However these are rooflights set within the plane of the roof on an angle that makes direct overlooking significantly harder. In addition their height above the internal floor level of almost 1.7m further restricts overlooking. To condition that these are also fitted with obscure glazing would be unreasonable.

Additional windows to the front and rear of the development should not cause any harmful overlooking due to the height and separation distance between the development and nearest neighbours. In the case of the property known as 50 Salterton Road there is a distance of 28m to the side elevation including 18-25m to the dividing boundary between the respective curtilages, while to the property opposite (3a Elwyn Road) there is a distance in excess of 50m. Between the rear elevation of the proposed development and the property known as 52a Salterton Road there is again a distance of approximately 26m set at an oblique angle. While limited overlooking of the rear garden of 52a may occur, this is limited by the angles required and is not considered harmful. All remaining distances are adequate to prevent harmful overlooking occurring.

Public Open Space.

This is an important aspect when considering any existing or new development as open space provision and the associated play facilities help to make for a balanced and cohesive society. In this instance and under Policy RE3 it is recognised that new development places additional burdens on the existing facilities. As such, assistance towards management upkeep and renewal are sought from developers where the development is too small to provide such facilities within the development site. In this instance a commuted sum is sought and has been agreed to by the developer. This is subject to the signing of a Unilateral Undertaking which is currently awaited at the time of writing the report.

Sustainable Construction Methods

In terms of sustainable construction, the previous application included the provision of solar panels on the south west facing rear roof slope. The current application seeks to remove this requirement and instead proposes significantly improved insulation which will provide lower energy requirements for the building during its whole life. In addition with improved thermally efficient windows walls and ceilings together with under floor heating and a Condensing Boiler there are considerable energy requirement savings. Such considerations together with the means of providing surface water disposal and secure outside drying facilities are all included within the Code Sustainable Home against which a mandatory assessment came into force from the 1 May 2008. This accords with East Devon's own policy D2 and despite the loss of the solar panel is considered acceptable.

CONCLUSIONS

The amendments to provide an additional two apartments at 2 Elwyn Road within a previously approved redevelopment scheme, results in modest changes to the external appearance and the mass and detail. These changes coupled with the resulting increase in density are considered acceptable. The concerns regarding traffic parking and residential amenity are noted but are not considered materially harmful or sufficient to withhold permission for the additional two units. The development is considered to accord with development plan policy.

RECOMMENDATION

APPROVE subject to the applicant submitting a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 to secure:

- public open space contribution

and the following planning 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. All the windows shown on the north and south elevations at first floor level and above on the plans hereby permitted shall be fitted with obscure glass before the development is brought into use and shall be permanently fixed as non-openable below a minimum height of 1.75 metres above the level of the floor. The obscure glazing and opening limitations required by this condition shall be retained thereafter.
(Reason - To protect the privacy of adjoining occupiers.)
3. No development shall take place until a landscaping scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall include provision for tree and shrub planting, hard landscaping and any walling, fencing or other boundary treatment. Notwithstanding the approved plans the landscaping scheme shall also include provision for the regrading of the land to the south of the building, including details of proposed levels. The landscaping scheme shall be implemented in accordance with the approved details within one year of the substantial completion of the development. Any plants or trees which, within five years from the date of the substantial completion of the development, die, become in the opinion of the local planning authority irrecoverably diseased or damaged or are removed, shall be replaced during the next planting season following their demise with specimens of a similar size and species unless agreed otherwise in writing by the Local Planning Authority.
(Reason - In the interests of preserving and enhancing the character and appearance of the area.)
4. The approved refuse storage facilities shall be made available before any of the approved flats are occupied and retained thereafter.
(Reason - To ensure that adequate refuse provision for the residents is made available in the interest of health and hygiene.)
5. No satellite dishes or any other types of signal receiving devices shall be installed on the building without the prior written consent of the Local Planning Authority.
(Reason - In the interests of the character and appearance of both the building and the area.)

6. No external lighting of the site shall be provided without the prior written agreement of the Local Planning Authority.
(Reason - In the interests of the character and appearance of both the building and the area, and to limit potential light pollution.)
7. The development shall be undertaken in accordance with the method statement submitted under reference 06/1473/MFUL concerning Condition 9 of that planning permission and titled Energy and Sustainability. There shall be no deviation from the statement unless the consent is first obtained in writing from the Local Planning Authority.
(Reason - To ensure the development is undertaken using sustainable construction techniques.)
8. Prior to the commencement of the development hereby permitted, full details of the typical balcony design (including obscure glazing), at a scale of not less than 1:20 shall be submitted to and approved in writing by the local planning authority.
The development shall be undertaken in accordance with the agreed detail and those previously approved concerning the main entrance, eaves and fascia, chimney, windows including the decorative banding, and the entrance splay walls.
(Reason - To ensure the preservation of the character and appearance of the area.)
9. No development shall commence until details of an appropriate means of access for and a bat roost provision within the permitted development has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed details
(Reason - To ensure that suitable facilities for protected species exist within the development.)
10. The site access shall be provided at a width of 4.8 metres in width along with 45 degree splays for at least 2.0metres on either side
(Reason - To minimise congestion at the access, provide a satisfactory access to the site and increase visibility of pedestrians.)
11. The site access shall be suitably hardened with provision made for the disposal of surface water such that none discharges onto the adjacent highway
(Reason - To prevent loose material and surface water discharging onto the public highway.)
12. The proposed cycle store shall be erected prior to the first occupation of any of the dwellings hereby approved and shall thereafter be retained for the storage of cycles associated with the dwellings.
(Reason – In the interests of the appearance of the development and to promote sustainable forms of transport.)
13. No work shall commence until details of the screening for balconies on both side elevations (north and south) including materials and details for fixing, have been submitted to and agreed in writing by the Local Planning Authority. The screening shall be erected before the first occupation of the respective accommodation and shall be permanently retained thereafter.
(Reason - To ensure the privacy and amenity of adjoining neighbours.)

Reasons for approval

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

The proposal complies with the East Devon Local Plan Policies S4 (Development Within Built-up Area Boundaries), D1 (Design and Local Distinctiveness), D5 (Trees on Development Sites), TA8 (Safeguarding of Land Required for Highway and Access Improvements) and RE3 (Open Space Provision in New Housing Developments)

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 development would not prejudice highway safety.

Approved plans

D104-07-101, 102, 103, 104, 105, 106, 107, 109

List of Background Papers

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