

SEATON 05/1282/OUT 04.07.05
(Seaton) (OUTLINE)

Applicant: Mr and Mrs R Cavanagh

Location: Harewood, 27 Marlpit Lane, Seaton
(Grid Ref: 323902/90257)

Proposal: New dwelling

Consultations

County Highway Authority
No objections

Environment Agency
No objections

Planning History

App. No.	Year	Proposal	Date and Decision
P2633	1988	Dwelling	27.02.89 Refused

Representations

3 letters of objection have been received.

Summary of Objections

1. Overlooking/loss of privacy
2. Devalue property
3. Vagueness of proposal

Town Council

Refuse on the grounds of overdevelopment of site and destroying the ambience of the area.

Location

The application site is the garden of Harewood, 27 Marlpit Lane, Seaton, which is a two-storey detached house set back from Marlpit Lane occupying an L-shaped plot with access onto both Marlpit Lane and Fremington Road. The site is within the built-up area of the town and Marlpit Lane is a direct route to the town centre and sea front and has a number of speed bumps as a traffic calming measure (as it does not have footpaths).

Planning Background

Planning permission was refused in 1989 for a dwelling in the north part of the plot with access off Fremington Road because it was considered that the plot was inadequate in size to accommodate a dwelling, the plot size would not be in keeping with the area, and the dwelling would be poorly related to Harewood.

The Proposed Development

It is now proposed to build a detached dwelling in the larger part of the plot with access onto Marlpit Lane and for a new access for Harewood to be provided from Fremington Road. Although submitted in outline, therefore, details are included at this stage of siting and access.

The new access to Harewood from Fremington Road itself is permitted development.

The total site area of Harewood is 0.15ha and the proposed plot will be 0.05ha.

Harewood is orientated in such a way that no principal windows will overlook the site.

Planning Policy

East Devon Local Plan Policies

- S3 – Development within Built-up Area Boundaries.
- D5 – Trees on Development sites
- TA6 – Adequacy of Road Network and Site Access

Comment

The proposed siting is generally in line with others on this side of the road and whilst objections have been received from neighbours on the opposite (north west) side of Marlpit Lane, the nearest property will be at least 25 metres from the proposed house and therefore far enough away to ensure satisfactory standards of privacy can be achieved.

In the context of the character of the area, properties are generally detached or semi-detached and predominantly two storeys in height. Density of development and plot size would also be in keeping with the proposed dwelling as can be seen from the attached site location plan. The proposal is not overdevelopment and the ambience of the area will be retained.

No felling of trees of amenity value will be necessary.

Conclusion/Summary

The proposed development is in accordance with local plan policies and Government guidance, and in keeping with the area. No road safety issues are raised and neighbours will not be affected to a degree which will justify refusal.

Recommendation

APPROVE subject to the following conditions.

Conditions

1. Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site (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.

2. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.

3. Prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the 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.

4. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area.

5. The foul drainage shall be connected to the public sewer and shall be kept separate from clean surface and roof water.

Reason - To avoid pollution of the environment.

List of Background Papers

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