

AXMINSTER TOWN
(Axminster)

07/1641/FUL

Target Date: 02.08.2007.

Applicant:

D & J Mew Developments

Location:

Prospect Workshop, Lyme Road

Proposal:

Demolish existing store and erect workshop/store

CONSULTATIONS

County Highway Authority

“The Planning Officer will be aware of the Highway Authority’s comments in respect of the previous planning application on this site which sought a residential unit under 04/3257/OUT.

Essentially no objection was raised subject to the construction of a 2 metre wide footway over the frontage of the site and adjoining frontage of Prospect House prior to the commencement of development in accordance with details of the layout and construction of the footway and site access which shall have been submitted to and approved by the Local Planning Authority. It was necessary for the applicant to enter into an Agreement with the Highway Authority for the construction of the offsite works, which are all contained within the highway boundary.

In addition, it was stated that no other part of the development shall be brought into its intended use until the access, parking and turning facilities have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by the LPA and retained for that purpose at all times.

The same requirements in respect of the footway are still applicable for the current planning submission. The means of access, parking, turning and position of entrance gates as shown on the submitted plans are acceptable. Therefore in the event of permission, the following conditions are recommended to be imposed. It will still be necessary for the applicant to enter into a Legal Agreement with the Highway Authority for the construction of the offsite works.”

These comments and the recommended conditions are still applicable and should be applied to the current submission.

Recommendation:

THE DIRECTOR OF ENVIRONMENT, ECONOMY AND CULTURE, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION:

1. A 2.0 metre wide footway shall be constructed over the frontage of the site and adjoining frontage of Prospect House prior to the commencement of development in accordance with details of the layout and construction of the footway and site access which shall have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.
(Reason – To provide appropriate visibility splays at the point of access and ensure pedestrian safety.)
2. The site access road shall be hardened, surfaced, drained and maintained thereafter to the satisfaction of the Local Planning Authority for a distance of not less than 6.0 metres back from its junction with the public highway.
(Reason – To prevent mud and other debris being carried onto the public highway.)

3. In accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway.
(Reason – In the interest of public safety and to prevent damage to the highway.)

TOWN/PARISH COUNCIL

Recommends approval.

REPRESENTATIONS

1 letter has been received indicating no objection in principle to the proposed development provided the use to be made of the workshop is restricted to activities which will not result in further noise, traffic and/or pollution. If such restrictions cannot be imposed we object to the proposal.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
07/0027/FUL	Renovate existing workshop and erect double garage ancillary to dwelling	Approved	09.02.07.
06/2093/FUL	Demolition of outbuildings and erection of cottage and car space	Refused	31.10.06.
06/1794/RES	Erection of chalet bungalow and detached garage indicating alterations to site access	Approved	20.09.06.
06/0978/FUL	Erection of a chalet bungalow and 2 cottages to replace derelict workshop building	Refused	09.06.06.
05/1636/OUT	Erection of 2 houses and 1 craft workshop	Refused	08.08.05.
04/3257/OUT	Residential Development (1 dwelling)	Approved	28.01.05.
03/P3093	Demolish Buildings, erect dwelling and alter access to highway	Refused – Appeal dismissed	29.11.04.
03/P0389	Bungalow	Refused	08.04.03.
01/P2221	2 houses	Refused	19.12.01.

PLANNING POLICIES

Government Guidance

PPS1 – Delivering Sustainable Development

PPG4 – Industrial and Commercial Development and Small Firms

Devon Country Structure Plan (2001-2016)

Policy ST1 – Sustainable Development
Policy CO6 – Quality of New Development
Policy TR10 – Strategic Road Network
Policy ST20 – Re-assessing and Safeguarding Employment Land

East Devon Local Plan (1995-2011)

Policy S4 – Development within Built-up Area Boundaries
Policy D1 – Design and Local Distinctiveness
Policy E3 – Safeguarding Employment Land and Premises
Policy TA7 – Adequacy of Road Network and Site Access
Policy TA9 – Parking Provision in New Development

SITE LOCATION AND DESCRIPTION

The site is located on the south-west side of Lyme Road (B3261) between an existing garage and petrol filling station and an existing dwelling, Prospect House. A new dwelling lies to the rear and this rectangular piece of land alongside the access drive to the house measures approximately 17 metres x 6.4 metres.

PROPOSED DEVELOPMENT

The proposal involves the erection of a building 9.6 metres x 6.4 metres with a parking area to the front alongside the adjoining garage premises. The applicant seeks a commercial use of the building with a workshop on the ground floor and storage accommodation above. The building would be 4 metres to eaves and 6 metres to ridge and would be faced in natural stone block on its front and side elevation.

CONSIDERATIONS AND ASSESSMENT

Background

Prior to the nine applications set out above, the site and buildings were used as a workshop/store for a fencing business.

The appeal for the erection of a dwelling under 03/P3093 was considered against the refusal of planning permission on a number of grounds, viz, effect on character of area, Area of Great Landscape Value, loss of employment land and poor access. The appeal was dismissed on access grounds only when the Inspector was not convinced he could impose an appropriate condition for a new footpath and visibility improvements.

Following discussions to meet the County Highway Authority's requirements a further outline application, 04/3257/OUT, was received and permission granted for one dwelling only on the whole of the site. The reserved matters for this dwelling were approved under 06/1794/RES and the dwelling is now built and occupied. Part of the site, however, where some of the previous buildings stood, has remained within the applicant's ownership and not been incorporated within the site of the residential permission. It is noted, too, that a number of applications to increase the residential density of the site and/or incorporate further residential development have been refused.

In connection with the erection of the dwelling a new footpath has been constructed and a safety audit is waiting to be carried out.

It will be noted that the part of the site which is the subject of the current application was also the subject of a planning permission (07/0027/FUL) for the renovation of the existing workshop and the erection of a double garage with both buildings remaining ancillary to the new dwelling. It is considered that this is the only likely development that the Local Planning Authority would accept on this limited area of land. In this respect the Committee's attention is drawn to application 05/1636/OUT for the erection of 2 houses and one craft workshop, and 06/2093/FUL for the erection of a cottage and car space. The craft workshop and the cottage in each application were to be erected on the same site as the building which is the subject of this application. In refusing the applications the Local Planning Authority was concerned about the over-development of the site and the cramped nature of both schemes.

Issues

The main issue in the current proposal is, therefore, its impact on the character of the site and its surroundings and any possible overdevelopment of the site the proposal effectively involves the construction of a narrow industrial unit alongside the drive to the dwelling, taking up broadly a similar area of land to the above refused applications. It is considered that such an arrangement would create an inappropriately cramped arrangement of buildings and uses.

CONCLUSIONS

Despite the former buildings which existed previously in this part of the site and following the site's authorised development by the erection of a dwelling it is felt that the proposal would lead to an over-development of the whole in a cramped form. The site, as envisaged by the permission granted, should form part of the residential curtilage.

RECOMMENDATION

REFUSE for the following reason:

The proposal to erect a new commercial workshop and store alongside the access drive to the existing dwelling would result in over-development of the site in an extremely cramped form seriously incompatible with the character of the site and its surroundings contrary to policies ST1 (Sustainable Development) and CO6 (Quality of New Development) of the Devon Structure Plan 2001 – 2016 and policies S4 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 1995 – 2011.

List of Background Papers

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