

EXMOUTH LITTLEHAM
(Exmouth)

07/2211/FUL

Target Date: 2nd October 2007

Applicant: Mr JT Humphreys
Location: 15 Hartley Road, EXMOUTH
Proposal: Retention of existing parapet of the boundary wall.

CONSULTATIONS

County Highway Authority

Does not wish to comment

South West Water

No comments received

Environment Agency

No comments received

TOWN/PARISH COUNCIL

No objection

WARD MEMBER(S)

No comments received

REPRESENTATIONS

Objections

One letter has been received from the immediate neighbour (No 17 Hartley Road) referring to previous correspondence sent to the Local Planning Authority. No issues have been raised in writing but verbally this neighbour has discussed his concerns about overlooking and noise if the flat roof was used as a terrace.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
1999/0233	Garages	Approved	12.03.99
1998/P1735	Extension to dwelling	Refused	07.01.99

PLANNING POLICIES

Devon Country Structure Plan (2001-2016)

Policy CO6 – Quality of New Development

East Devon Local Plan (1995-2011)

Policy S2 – Built-Up Area Boundaries for Area Centres and Local Centres

Policy S4 – Development within Built-Up Area Boundaries

Policy D1 – Design and Local Distinctiveness

Policy H7 – Residential extensions

SITE LOCATION AND DESCRIPTION

The host dwelling is a three storey semi-detached property sited within the built up area boundary of Exmouth. The site is located to the east of the centre of the town within a solely residential area. Hartley Road is characterised by two and three storey properties of the Edwardian period with generous gardens to the back and front. The area has no specific designations, although the style and appearance of the dwellings in the road result in a very attractive and harmonious area.

PROPOSED DEVELOPMENT

The development to which this application relates is sited on the roof of a garage granted permission in 1999 (See 1999/0233). When the scheme for the garage was implemented a parapet wall was added abutting the co-boundary with No 17 Hartley Road to a height of 80mm above the flat roof of the garage.

This parapet wall is in brick with a castellated top.

CONSIDERATIONS AND ASSESSMENT

Background

The application is being reported to the Development Control Committee as the applicant is a Member of East Devon District Council. This is a retrospective application in that the parapet wall does not conform to the approved plans for the garage. This has been investigated by the Enforcement Team and an application requested to attempt to regularise the discrepancy.

The previous consent for the garage was issued with a condition restricting the use of the roof of the garage stating:

The roof area of the garages hereby permitted shall not be used as a balcony, roof garden or similar amenity area without grant of further specific permission from the Local Planning Authority. Reason – To protect the privacy and amenity of the adjacent properties.

The following issues are considered relevant in the determination of this application:

- Any impact on the amenity of neighbouring properties
- Any Impact on the character and appearance of the dwelling and immediate locality
- Highways

Highway Issues

Devon County Highways have been consulted but did not wish to offer any comments. The application in any case refers to the roof of the garage and is not considered to have any affect on highway issues or the parking of vehicles within the garage underneath.

Impact on the character and appearance of the dwelling and immediate area

The parapet wall, projecting 80mm above the flat roof of the garage, is considered a modest feature when viewed in the context of this three storey dwelling. It is not readily visible outside the site except from the immediate neighbour. As such it is not considered an inappropriate addition to the dwelling; the wall is constructed of good quality materials, which compliment the rear façade of both No 15 and 17 Hartley Road, and the older boundary wall between the two dwellings.

In summary the wall is considered appropriate in design terms, and relates well to the existing dwelling and immediate area of Hartley Road.

Impact on Residential Amenity

The two relevant issues in relation to these works and the amenity of the occupant of No 17 Hartley Road, are firstly whether the heightening of the wall itself causes an impact, and secondly whether the heightening of the wall would enable use of the flat roof over the garage as a roof terrace or other space to be enjoyed by the applicant.

When viewed from the neighbouring dwelling, the section of the wall over the garage is 1.50m higher than the existing wall on the boundary, and as mentioned previously 80mm above the height of the flat roof of the garage. Notwithstanding these circumstances it is not considered that this significantly affects the amenity of the occupant of No 17 Hartley Road. The wall does not block light to any windows, nor is it considered to be sufficiently overwhelming in physical terms to the garden of No 17 Hartley Road to warrant an objection.

In terms of the use of the flat roof, as stated previously this is restricted via a condition placed on the previous consent, which prevents use of the area as a balcony, roof garden or other amenity area. Although there are views from this flat roof into a first floor bathroom at the rear of No 17 Hartley Road, it is considered that this previously imposed condition means that the amenity of the occupant of No 17 Hartley Road would be adequately protected for the future.

CONCLUSIONS

This is a retrospective application requested by the Council to attempt to regularise the works that have taken place heightening a parapet wall constructed at the same time as a garage. It is considered that the design, height, format and materials used are appropriate to the existing dwelling and the immediate area of Hartley Road. In addition notwithstanding the increase in height over the roof of the garage it is not considered that the parapet wall would lead to a significant loss of amenity to the occupant of No 17 Hartley Road.

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.)

Reasons for approval

1. The proposal complies with the Devon Structure Plan 2001 -2016, policy CO6.

2. The proposal complies with the East Devon Local Plan, Revised Deposit, September 2003, policies S2, S4, D1 and D7.
3. The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

CN04 – Drawing No 1669/07/010 received on the 7th August 2007