

SIDMOUTH TOWN
(Sidmouth)

07/1342/FUL

Target Date: (09.07.07)

Applicant: Mr N Hancock
Location: 11 Sidlands, Sidmouth
Proposal: Erection of chalet bungalow

CONSULTATIONS

County Highway Authority

No highway objection is raised, subject to the provision of adequate on-site parking and turning facilities as indicated on the application plans.

TOWN/PARISH COUNCIL

Approve.

WARD MEMBER(S)

The initial comments of the Ward Member(s) are -

Councillor G Liverton

"I regard the dwelling as overdevelopment and would create a precedent in this cul-de-sac and in my view would spoil the amenity of Sidlands also the access is not suitable and would put more pressure on not only what I see as the turning point at the end of a cul-de-sac but the access to the new dwelling does not sit with the dwelling already there and bearing in mind that an application for a dwelling opposite was turned down on appeal I fear that if this were to go ahead then I fear it could change the whole character of Sidlands.

This is my view at this moment, however I reserve my final view after listening to the debate at Development Control."

REPRESENTATIONS

Objections

10 letters have been received, including one from the Sid Vale Association, raising the following points:

- Density of existing and proposed houses much greater than all other houses on the estate.
- Parking area in front of existing house would be reduced.
- Access arrangements and proposed fence would be oppressive and would affect the amenity of both houses.
- Backland development not compatible with the area and would harm the character and amenity of the neighbourhood.
- Issues unchanged from the first application
- House would have no garage
- Allowing the development would create an unwelcome precedent.
- Repositioning of house further back within the plot makes the rear garden very small which is incompatible with the rest of Sidlands.
- Previous applications have been refused.

- Character and appearance of the area would be spoiled by infill development.
- Does not complement neighbouring buildings and local area in scale, density, layout or access.
- Development squeezed into a plot designed for one property only.
- Shared access could result in more on-road parking within the turning head.
- Owners of No. 12 made a similar application some years ago which was refused and turned down on appeal.
- Development would contravene covenants in place to limit density of buildings in Sidlands.
- Proximity of mains electricity sub station must be a health and safety hazard.
- Access/egress remains narrow and inadequate.

Support

1 letter has been received raising the following points:

- Location is tucked away at the end of the road.
- Cannot see why first application was refused.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
06/2448/FUL	New detached bungalow (Full)	Refused	27.02.07
06/1349/FUL	Erection of detached chalet bungalow and garage (Full)	Refused	12.07.06
95/P0002	Erection of bungalow (land adjacent to 12 Sidlands) (Outline)	Refused	07.03.95 (Appeal dismissed 18.01.96)

PLANNING POLICIES

Government Guidance

PPS3 - Housing

Devon Country Structure Plan (2001-2016)

Policy ST1 – Sustainable Development
 Policy ST3 – Self-sufficiency of Devon’s Communities
 Policy ST5 – Development Priority 2001 – 2016
 Policy ST15 – Area Centres
 Policy C06 – Quality of New Development
 Policy TR2 – Co-ordinating Land Use/Travel Planning
 Policy TR5 – Hierarchy of Modes

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

BACKGROUND

This application represents the third attempt in 15 months to secure planning permission for the construction of a chalet bungalow on a plot formed from the sub-division of the garden of 11 Sidlands, itself a chalet bungalow.

By way of background, Members' attention is drawn to the attached copy of the report relating to the most recent of the two previous applications, 06/2448/FUL, that was considered by the Development Control Committee and, subsequently, the Planning Inspections Committee in February this year. This sets out a description of the site and surrounding area together with a commentary with regard to the issues that were considered material to that application and which are also pertinent to this latest proposal.

PROPOSED DEVELOPMENT

The current submission relates to a further revised scheme that incorporates the following modifications to the scheme proposed under application 06/2448/FUL referred to above:

1. The setting back of the dwelling within the plot by 2 metres in order to allow for the provision of a larger turning area (and a larger garden) at the front of the property.
2. A reduction in the width of the dwelling. However, there is a discrepancy in the details insofar as the floor plans show a reduction of 1 metre whilst the site plan details suggest a reduction of only 0.4 metres. Nonetheless, this is an attempt to enhance the spaciousness of the setting of the dwelling so that it is more in keeping with the character of the area.
3. The inclusion of more detailed landscaping proposals for the site, relating to a strip of land to the west of the dwelling extending from the front boundary of the site to the rear boundary.
4. The substitution of a face brick finish to the whole of the eastern, and the majority of the western, gable end elevations of the building for the white painted render finishes previously proposed. This is intended to soften the effect of the development upon the area.
5. The painting of the existing timber fence along the western boundary of the site in a green colour so as to also soften its impact.
6. The setting back of the proposed 1.2 metre high fence along the prospective front boundary of the existing property by 0.5 metres to enable an evergreen hedge to be planted in front of it. This would be in order to both provide more of a sound barrier between the driveway serving the new dwelling and No. 11 and to obscure the fence.
7. The offer of supplementary tree planting within the strip of woodland between the western boundary of the site and Station Road on land that is within the Council's ownership.

These measures seek to address specific issues raised by Members of the Planning Inspections Committee following their site visit as well as the amenity objections to both of the previous applications.

A copy of the latest plans is attached for Members' information.

CONSIDERATIONS AND ASSESSMENT

Whilst the attempts made to address the issues raised by the Committee members are acknowledged, along with the Town Council's change of stance from their previous objections, it is still considered that the proposal fails to satisfactorily overcome the grounds for refusal of both of the previous applications, principally with regard to the width of the plot. This remains unchanged and therefore, irrespective of the size of the dwelling itself, it would still fail to relate to the character of the locality that is strongly defined by dwellings of generous proportions on

largely spacious plots. The construction of a dwelling of similar proportions to those around the site would be likely to occupy almost the entirety of its width giving rise to overdevelopment concerns, whilst a dwelling of reduced size, as proposed, would appear out of character with the proportions of the neighbouring dwellings.

Although it is accepted that a dwelling of the size proposed would sit comfortably in relation to the plot width when taken in isolation, it remains the case that this width is appreciably less than that of the majority of the existing plots in Sidlands, which has a particularly distinctive, well defined, mature and established character that would be wholly undermined by infill development such as that proposed and other sites nearby that may come forward in the event of this proposal succeeding. This was a point clearly recognised by the Inspector in dismissing an appeal against refusal of permission for a development of a plot of similar size in the garden of No. 12 Sidlands opposite the site (Planning History refers).

The constraints of the plot width are best illustrated by the absence of any garage at the side of the proposed dwelling in contrast to garages serving all of the other properties in the vicinity. Although not in itself objectionable, it highlights the inability of the site to accommodate a dwelling of proportions in keeping with those of the other properties in Sidlands without appearing to fill the plot.

With regard to the other main objection raised previously, the applicant's argument that the proposal would be 'linear development' and not backland development is accepted insofar as the building would occupy the end plot in a line of detached dwellings. However, to take No. 11 and the application site in isolation, the latter clearly occupies a backland location in relation to the former with the layout displaying characteristics consistent with developments of a backland nature in terms of the proposed use of a shared access arrangement but with the running of a separate driveway to the site alongside the existing dwelling. The layout arrangements are strongly characteristic of backland sites.

In this regard, although the proposed additional screening along the boundary of No. 11 with the driveway serving the plot is noted, the arrangements remain essentially unchanged and the relationship in spatial terms between the existing and proposed dwellings and their means of access is once again considered to be unacceptable.

CONCLUSIONS

It is not considered that any of the proposed revisions set out in this latest application overcome the basic objections to both previous proposals for a dwelling on the site since the plot width, backland character and access arrangements remain essentially unchanged. Although the size, design and siting of the dwelling, taken in isolation, and in relation to the plot itself, would appear reasonable, the plot is of inadequate width to allow a building that would be compatible in its proportions to the existing properties in Sidlands and the development would itself therefore appear out of character with the area. Moreover, the scheme still exhibits the characteristics of backland development that would result in an unacceptable amenity relationship between the existing and proposed dwellings.

Refusal is therefore once again recommended.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposed dwelling would, by reason of the inadequate width of the plot, appear of an unduly cramped and restricted form that would be out of keeping with the layout and character of the existing development Sidlands to the detriment of the character and

appearance of the area. As a consequence, the proposal would be contrary to the provisions of Policy C06 (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

2. The proposal would result in undesirable backland development that would adversely affect the amenities and privacy of the occupiers of the adjacent property, No. 11 Sidlands, and create difficulties and inconvenience with access arrangements. As a consequence, the proposal would be contrary to the provisions of Policy C06 (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.

List of Background Papers

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