

SEATON
(Seaton)

07/1712/FUL
(Full)

13 August, 2007

Applicant: ANP Exton Ltd

Location: Land adjacent to Tregenna, Beer Road, Seaton, EX12 2PR
(GR: 23855 89934)

Proposal: Erection of two dwellings

CONSULTATIONS

County Highway Authority

Observations:

The Highway Authority was consulted on this planning proposal prior to its formal submission, following on from the previous application on this site – 06/3225/FUL.

I have no objection, in principle, to the proposals. The detail appears satisfactory. With regard to visibility, it would be important to ensure clear visibility between the access point (onto the carriageway) and the top of the drive so that should a vehicle be entering as one is exiting, the inbound vehicle can wait at the bottom in a 'holding area' (off the carriageway) – a 4.2m wide drive would be insufficient in width on a sweeping bend to accommodate two-way operation.

The access road widths (4.8m bellying out to 6.5m) as indicated should be acceptable for just two dwellings, plus the existing dwelling. I assume cycle storage would take place within the garages.

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. Visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 600mm above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 60 metres in both directions.
Reason: To provide adequate visibility from and of emerging vehicles.
2. The site access road shall be constructed in accordance with the dimensions shown on the approved plan. It shall be properly consolidated and surfaced (not loose stone or gravel) throughout its entire length and shall be no steeper than 1:20 for the first 6.0m and no steeper than 1:10 thereafter.
Reason: To provide a satisfactory access to the site and to prevent mud and other debris being carried onto the public highway.
3. A turning area, parking spaces, garages and access drive thereto shall be laid out and maintained for those purposes in accordance with the approved plan.
Reason: To ensure the provision of adequate facilities within the site for the traffic generated by the development.

4. In accordance with details that shall previously have been submitted to and approved 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.

PLANNING HISTORY

App. No.	Year	Proposal	Date and Decision
06/3225/FUL	2006	Erection of Six Flats	Refused 29 March 2007
06/1664/FUL	2006	Six flats, access and car park	Refusal 17 August 2006
P1186	2003	Dwelling (site 2 Res. Mat – appearance)	Approved 23 June 2003
P0452	2002	Dwelling (site 2 – Res. Matters)	Approved 3 May 2002
P1743	2000	2 Dwellings (Outline)	Approved 3 November 2000

REPRESENTATIONS

14 letters of objection have been received

Summary

- Development is out of keeping with the area, which is characterised by one and two storied family dwellings set in spacious plots;
- Contrary to Structure Plan and Local Plan policies and Planning Policy Guidance aimed at protecting the identity and character of an area;
- Contrary to applicant's statement, objectors have not 'expressed support for two dwellings of a similar scale to the adjoining Picton House'.
- The increased use of the shared access with Picton House will be a hazard to road users and pedestrians as it meets the highway at an acute angle;
- Lack of parking space forcing cars onto the highway;
- Overlooking resulting in loss of privacy, particularly from balconies;
- Loss of amenity and natural light to neighbouring residential property;
- Overdevelopment of plot that was intended for one dwelling;
- Removal of large quantities of soil from site will damage driveway;
- Protrudes beyond building line on Beer Road;
- Inappropriate appearance and design;
- Footprint and height out of proportion to the size of the plot;
- Loss of property values and views;
- Noise and light pollution.
- No significant change from the previous application refused in 2006. (06/3225/FUL). Proposed two houses are as high and of similar scale as previous flats proposal and the same footprint.

TOWN/PARISH COUNCIL

Recommend: Refuse. Objections for previous application still apply.

- a) That outline permission had been granted for 2 dwellings only, one of which has already been built.
- b) That the current proposal would be too dominant a mass and therefore overbearing, which was a reason for refusing 6 flats.
- c) It would cover too much of the site resulting in overdevelopment
- d) It was out of keeping with the area and the street scene
- e) The proposed plot 1 was in front of the building line of property on Highcliffe Crescent
- f) There is totally inadequate parking provision for plot 2
- g) The proposal would result in the dwellings being built too close to the site's perimeter

- h) Loss of privacy to neighbouring properties
- i) Balconies inappropriate
- j) The site must be investigated to establish route of sewer
- k) The proposals are for 3 storey dwellings similar in design to blocks of flats

PLANNING POLICIES

Government Guidance

PPG3 - Housing
PPS1 - Delivering Sustainable Development

Devon Structure Plan 2001-2016

ST1- Sustainable Development
ST5 - Development Priority 2001 – 2016
CO6 - Quality of New Development

East Devon Local Plan 1995 - 2011

S2 - Built-up Area Boundaries for Area Centres and Local Centres
S4 - Development within Built-up Area Boundaries
D1 - Design and Local Distinctiveness
D2 - Sustainable Construction
TA1 - Accessibility of New Development
RE3 - Open Space Provision in New Housing Developments

PROPOSED DEVELOPMENT AND LOCATION

The site lies within the Built-up Area Boundary of Seaton on the northern side of Beer Road as it reaches its highest part west of Seaton centre. The site comprises a vacant area of land of approximately 0.145 hectares that previously formed part of the garden of the detached house known as Tregenna. Outline permission was granted for two dwellings in 2000 in the garden of Tregenna and the first dwelling is now built and occupied to the east of the current site (known as Picton House.)

Picton House has its main two storey section adjacent to the boundary with the application site and a large single storey element to the rear. To the west of the site is the original detached dwelling known as Tregenna with its large detached garage structure adjacent to the boundary with the application site.

The application site is roughly rectangular with a site frontage of approximately 30 metres and an average depth of 40 metres. The land is elevated above the main road with a row of conifers along the top of the front bank. The site slowly rises up to the north where the site backs onto the rear gardens of three detached dwellings located at a higher level in Highcliffe Crescent.

Planning permission for the erection of a single block of six flats centrally positioned on the current application site was refused by the Planning Inspection Committee on 29 March, 2007, for the following reasons:-

1. That the proposed development by reason of its density, bulk and massing would over dominate the street scene and adversely affect the environment of the surrounding residential area contrary to Policies S3 (Development Within Built-up Area Boundaries) and D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 1995-2011 and Policies ST1 (Sustainable Development) and CO6 (Quality of New Development) of the Devon Structure Plan 2001-2016.

2. The proposed development by reason of its close proximity to neighbouring properties together with the car parking area would have a detrimental impact on the amenities of neighbouring occupiers contrary to Policies D1 (Design and Local Distinctiveness) and EN21 (Control of Pollution) of the adopted East Devon Local Plan 1995-2011.

Full planning permission is now sought for the erection of two three storey four bedrooled dwellings. The dwellings are staggered on the site with the front building line of Plot 1 three metres forward of Tregenna and Plot 2 further back just two metres forward of Picton House. The roof height of the dwellings is similar to that of Tregenna and Picton House respectively. The site is to be excavated up to almost two metres in depth in the centre of the site to achieve the proposed ridge heights. Due to the slope of the site up towards the north (rear) the dwellings appear as two storey buildings from the rear and the garden level of the existing dwellings to the north is roughly at eaves height on the proposed dwellings.

The width of each dwelling is respectively 10 and 11.5 metres wide with overall depths of 15 and 16.5 metres. Vehicular access is shared with Picton House off the Beer Road with all turning and parking areas at the front of the houses.

Both proposed dwellings have front gabled projections reflecting the front elevation of Picton House. External materials proposed are white render (with extensive glazing on the south elevation) and fibre cement riven roof slates.

CONSIDERATIONS AND ASSESSMENT

The main issues are: density of development, impact on the privacy and amenity enjoyed by neighbouring residential properties, how the design, size, massing of the dwellings relates to the area, highway safety and whether or not the reasons that previous proposals were refused have been addressed in the current scheme.

Density and Design

The proposed plots will be similar in size to some of the plots of dwellings in Highcliffe Crescent immediately to the north, but smaller than plots immediately bordering the site in Beer Road. Overall, it is considered that the proposed development does not deviate significantly from the general densities of the surrounding area. The proposed dwellings will be a similar distance from their side boundaries as Picton House is from its side boundaries. The density proposed does not lead to a compromise in standards of privacy or loss of amenity to neighbouring occupiers.

Having regard to external materials, building forms and layout the proposed dwellings relate well to their context and in particular to the recently built Picton House that formed part of the original outline approval for this site.

Although of similar overall height and character to the design of the previously refused application for six flats the current proposal differs from that scheme and addresses the refusal reasons. The separation of the building form into two dwellings has significantly reduced the former bulky appearance and divided the previous solid mass into two. This is helped by the front walls of the two dwellings being staggered in four different positions. (See also the refused site layout plan and street scene elevations from the previous application attached).

Relationship with the key characteristics of the area

For the above reasons (density, bulk and massing) the proposed two family dwellings now proposed appear more in keeping with character of the area than did a block of six flats. (See drawing no. 1393.3.9.7 Sketch scheme south elevation)

Impact on Residential Privacy and Amenity

Concern has been expressed over the loss of privacy and amenity enjoyed by occupants of residential properties to the north and east of the site. To the north, the dwellings and their gardens are high enough not to be overlooked by windows on the rear of the proposed dwellings. The nearest window (on plot 1) is 11 metres from the rear boundary. The main area of concern initially was the close proximity of the long side wall of plot 2 (two metres from boundary) being overbearing to the rear accommodation of Picton House and the loss of privacy caused by the small north facing balcony on plot 2. The applicant has since amended the scheme to reposition the rear portion of the dwelling on plot 2 six metres from the boundary with Picton House (the balcony is now 7 metres away from boundary and 14 metres from ground floor side windows at the rear of Picton House. The amended scheme also happens to show a former upstairs rear window deleted, which further reduces any sense of 'over-looking' to the north. Furthermore the car parking area to the north of the previously proposal has been abandoned in favour of parking and turning areas at the front of the houses. These are adjacent to neighbouring parking areas and are therefore unlikely to cause any harm to the quiet enjoyment of garden and bedroom areas on adjoining properties.

Highway Safety

Whilst the shared access to the highway is steep and not straightforward, the County Highways Authority is satisfied that subject to the conditions recommended below the proposed means of access and layout does not pose a threat to highway safety.

CONCLUSIONS

Overall, it is considered that the earlier reasons for refusal have been satisfactorily overcome and that no further planning issues have arisen which would warrant a refusal. The scheme relates well to the surrounding area and immediate neighbours without significantly harming the privacy and amenity enjoyed by residential occupiers. The character and scale of the development is in keeping with the area and access difficulties have been overcome to the satisfaction of the local planning authority.

RECOMMENDATION

APPROVE subject to the following conditions

1. Visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays provide inter-visibility between any points on the X and Y axes at a height of 600mm above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 60 metres in both directions.
Reason - To provide adequate visibility from and of emerging vehicles.
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Reason - To provide a satisfactory access to the site and to prevent mud and other debris being carried onto the public highway.

3. A turning area, parking spaces, garages and access drive thereto shall be laid out and maintained for those purposes in accordance with the approved plan.
Reason - To ensure the provision of adequate facilities within the site for the traffic generated by the development.
4. In accordance with details that shall previously have been submitted to and approved 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.
5. No development shall take place until details of a mechanism for the provision of formal and informal recreational facilities in Seaton to meet the needs of the development in accordance with Policy RE3 (Open Space Provision in New Housing Developments) of the adopted East Devon Local Plan 1995-2011 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a timetable for the provision to be made and shall be carried out in accordance with the approved details.
Reason - to ensure adequate provision of open space to meet the needs arising from the proposed development.
6. Notwithstanding the details submitted before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason - To ensure that the materials are sympathetic to the character and appearance of the area.
7. 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.

Reasons for approval

2. ST1, ST5, CO6
3. S2, S4, D1, D2, TA1, RE3
- 4.
- 5.
- 15.
- 18.

List of Background Papers

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