

Committee Date: 20.10.2009

SIDMOUTH SIDFORD
(Sidmouth)

09/1531/FUL

Target Date: (29.09.2009)

Applicant:

Mr Greenslade

Location:

Land adjacent 47 Livonia Road, Sidmouth

Proposal:

Erection of New Dwelling and Car Port with New Vehicular Access

CONSULTATIONS

County Highway Authority

Standing advice required.

Environment Agency

Does not wish to be consulted. Apply standing advice.

South West Water

South West Water has been consulted on the application and are prepared to accept the development subject to the following;

- Foundations for the new dwelling where they fall within 3 metres of the sewer being taken to a depth below its invert; and
- The proposed carport being open sided to give access to the sewer where it passes below, with no strip foundations being involved in the construction.

TOWN/PARISH COUNCIL

Support

WARD MEMBER(S)

No comments received.

REPRESENTATIONS

7 Letters of objection have been received;

- Detrimental highway impact on the junction visibility.
- Overdevelopment in relation to plot size.
- Drainage problems.
- Out of keeping/Poor design.
- Loss of amenity and Visual Intrusion.
- Loss of view and impact on property value.
- Impact on trees.

1 letter of support has been received;

- In keeping, improve qualities of the area.

1 Letter of Representation received neither supporting nor objecting stating the issues and constraints of the site.

PLANNING POLICIES

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 25 (Development and Flood Risk)

Devon Structure Plan 2001 - 2016
C06 (Quality of New Development)

East Devon Local Plan 1995 - 2011
S4 (Development Within Built-up Area Boundaries)
D1 (Design and Local Distinctiveness)
RE3 (Open Space provision in new Housing Developments)

SITE LOCATION AND DESCRIPTION

This application relates to a wedge-shaped parcel of land located adjacent to the junction of Livonia Road and Coulsdon Road. The plot would appear to have once formed part of the garden area of 47 Livonia Road, a detached chalet bungalow located adjacent to the immediate south. The land itself is physically separated from the remainder of the original property by an established hedge and section of timber panel fencing. A watercourse runs adjacent to, and parallel with the southern boundary of the land with number 47 Livonia Road itself.

PROPOSED DEVELOPMENT

The application proposes the creation of a chalet style bungalow with adjoining car port and new vehicular access.

The proposed dwelling would have an external foot print of 87 square metres, a total height of 7 metres, a total width of 5.3 (for the main proportions of the dwelling), and have a total length of 15.1 metres (taking into account the car port structure) – all measurements approx.

Internally the dwelling will contain 2 bedrooms at first floor level.

Revised plans had been received on the 17th August 2009 repositioning the proposed dwelling and relocating the existing public sewer.

CONSIDERATIONS AND ASSESSMENT

The main issues concerning this application are the impact on local amenity, the design of the proposal, and the impact on the street scene and the contribution for open space.

Background

Outline planning application ref; 03/3186/OUT which sought permission for a detached dwelling had been refused on the same site. There was no objection to the principle of the proposed development given the location of the site within the built-up area boundary of Sidmouth as defined in the emerging local plan. However, the EA requested that a seven metre buffer zone should be left free of development from the top of the bank of the water course, together with the Highways Department requirement for the provision of a 1.8 metre wide footway along the

highway frontages of the site, would in practical terms preclude the construction of a dwelling of any realistic size on that plot.

During the validation stage of the current application the agents were contacted due to the omission of a Unilateral Undertaking securing the requisite sum for the provision of open space. The agent made it clear that they would not be willing to contribute to open space after they were offered informal advice on policy RE3 (Open Space provision in new Housing Developments) of the adopted Local Plan.

Design and impact on the character and appearance of the area

The design is not assimilated comfortably within the street scene or the grain of the surrounding development. The design is not of particular merit and produces a cramped form of infill development.

The standard consultees have been satisfied with the proposal in terms of the highway arrangement and provision, the piping of the stream and arrangements with South West Water. However, the resulting dwelling is considered to be cramped within the resulting useable area. The surrounding area is characterised by chalet bungalows centrally positioned in the plot with rear private amenity space. Due to the restriction in usable plot size the proposed dwelling cannot continue this established character. The alternative that the proposal offers is not considered to be compatible with the established urban grain. That said a smaller better designed unit may be acceptable.

The steepness of the roofs are out of character with other buildings in the general area, with the top heavy dormers exaggerating this roof slope which produce unnecessarily prominent features. The impact of these incongruous design features are exacerbated due to its high visibility of the corner plot.

Traffic

In terms of impact on traffic the proposal is considered acceptable. The Highways Department has stated standing advice is required and in this respect the proposed access and impact on the existing junction is considered acceptable.

Provision of Open Space

The coastal town of Sidmouth has a population of approx. 13,524 people, and provides a range of services and facilities to surrounding settlements. Outward expansion has been limited by the risk of encroachment into the AONB. The RAS predicted that development would therefore consist of small-scale infill plots within the existing built-up area boundary.

The 2003 RAS for Sidmouth identifies 7 play areas of existing provision which could be expanded. Due to the location of the proposal, the nearby 'Byes' has been specifically highlighted as a high priority area for provision. In all instances site areas will be interpreted to be not just the area of any individual planning application but also any adjoining, abutting or clearly related undeveloped land area where approval for new residential development, would, in principle be granted.

The application does not include a contribution to the provision of open space as required under policy RE3 of the Local Plan. The agent's justification for non contributions was requested during the validation stage. The agent claims that the creation of a footpath and the value of this land would exceed the normally required financial contribution for open space provision. Additionally the agent objected to paying the £50 administration fee to process the application. The agent has claimed that the plot is worth £50,000, which equates to £8000 in land which the council would be gaining by adoption of the proposed pavement.

Policy RE3 makes it clear that where small scale developments do not warrant direct on site provision of open space the Local Planning Authority will seek commuted payments. Developer provision will be required in the form of a specific area of land to accommodate an appropriate type of open space use and/or a commuted payment. It is considered that the Highway Authority would (and indeed did on the previous application) request the provision for a pavement area surrounding the site. This requirement is not considered overly onerous or suitable to replace the need for offsite contribution for open space in line with the adopted policy, as is argued by the developer in this case.

Environment Agency and South West Water

Environment Agency has been consulted on the application and considers that standing advice contained in PPS25 should be applied. South West Water has no objections subject to two stipulations. In this respect the proposal would be considered acceptable.

CONCLUSIONS

For the reasons outlined above the proposal is considered contrary to the adopted development plan with no overriding material circumstances presented.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposal, by reason its site layout, design and form would constitute a cramped form of development, and would appear out of keeping with the dominant style of development in the locality, to the detriment of the environment of the area. The application is therefore considered contrary to the aims of PPS1 and PPS3, Policy CO6 (Quality of New Development) of the Devon Structure Plan 2001 to 2016 and Policies D1 (Design and Local Distinctiveness) and S4 (Development within Built up Area Boundaries) of the adopted East Devon Local Plan.
2. The proposal fails to make adequate provisions for open space to meet the needs generated by the development and is therefore contrary to the requirements of Policy RE3 (Open Space Provision in New Housing Developments) of the adopted East Devon Local Plan.

Refused plans

001
002
003
004 rev A
010 rev A
030 rev A

List of Background Papers

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





