

EXMOUTH WITHYCOMBE
RALEIGH
(Exmouth)

09/1811/FUL

Target Date: 10.11.2009

Applicant: No. 10 Developments Ltd
Location: Land adjoining 55 Hawthorn Grove, Exmouth
Proposal: Construction of two storey attached dwelling

CONSULTATIONS

County Highway Authority

Refer to standing advice.

TOWN/PARISH COUNCIL

No objection.

WARD MEMBER(S)

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

Cllr Geoff Chamberlain:

"I have yet to look at the plans but have visited the site this morning. A corner site on sloping land it does seem to be difficult to squeeze even the smallest house on such a site and to leave any kind of amenity space."

In the event that this application comes to Committee I would reserve my position until I am in full possession of all the relevant facts and arguments for and against.

REPRESENTATIONS

Objections

1 letter has been received raising the following points:

- Increased pressure on off-road parking

PLANNING POLICIES

Government Guidance

PPS 3 - Housing

Devon Country Structure Plan (2001-2016)

Policy CO6 – Quality of New Development
Policy ST10 – Strategic Road Network

East Devon Local Plan (1995-2011)

S4 - Development Within Built-up Area Boundaries

Policy D1 – Design and Local Distinctiveness
Policy TA – Parking Provision in New Development
Policy RE3 - Open Space Provisions in New Housing Developments

SITE LOCATION AND DESCRIPTION

55 Hawthorn Grove is a semi-detached property located on an estate which probably dates from the early 1970s. The area exhibits a mixture of short terraces and semi-detached buildings and retains a spacious and open character despite the construction of extensions and siting of fences over time. The application site is a triangular piece of land situated between number 54 and 55 Hawthorn Grove which are orientated perpendicular to one another.

PROPOSED DEVELOPMENT

The application proposes the construction of a two storey dwelling to adjoin the south elevation of no.55. The new dwelling would be set back from the front elevation of the adjoining property to follow the building line around the corner plot. There is no specific parking allocated for the new house but Hawthorn Grove does benefit from on-street parking opportunities and nearby Dinan Way is well served by public transport. The main issues to consider are the potential impact on the amenity of residents of 54 Hawthorn Grove and the impact on the character and appearance of the area.

CONSIDERATIONS AND ASSESSMENT

Impact on the Character and Appearance of the Area

The proposed siting of the dwelling would help to preserve the spacious character of Hawthorn Grove despite the position on a corner plot. The pronounced set back from the front elevation of number 55 would ensure that when viewed from the south west or north east, the new dwelling would not project past the existing building line. The porch to the south elevation would correspond with similar features on the short terrace of dwellings between 49 and 54 Hawthorn Grove, whilst the fenestration and materials would match with the adjoining building. It would therefore be difficult to argue that the built form and proposed design of the development would result in any significant harm to the character and appearance of the area.

The one area of concern with regard to the original drawings related to the boundary treatment and the proposed siting of a 1.5 metre close boarded fence adjacent to the pavement. The agent was contacted to request the repositioning of the fence to ensure the provision of an open space next to the pavement. Due to the prominence of the corner and the particular character of Hawthorn Grove it was considered that a means of enclosure at this height would be visually harmful. The agent has submitted amended plans as a result of discussions which are considered to have addressed the concern. The proposal now shows a 1.8 metre fence set back 1.2 metres from the edge of the pavement which would provide space for future planting. The plans also show a more open front garden area which would correspond with the areas to the front of existing properties facing Hawthorn Grove.

Highway Issues

The Highways Authority referred the Local Planning Authority to published standing advice. The proposal would not provide for off-road parking and this has been the subject of a letter of representation received. The concern is that the additional demand for cars generated would exacerbate problems with vehicles being parking on the road. The proposal would, however, comply with the maximum parking standards within Policy TA9 of the East Devon Local Plan and there is no reason to presume that extra on-road parking would be prejudicial to highway safety. The site is well within the built-up area boundary of Exmouth and is served by public transport on Dinan Way.

Impact on Residential Amenity

The property would be sited close to the boundary with 54 Hawthorn Grove which is arranged perpendicular to no.55. The development would retain a distance of 5 metres between the rear elevation of the new dwelling and the side of no.54. Importantly, however, the new dwelling would not 'overlap' the side elevation which would allow natural light into the garden area. The development would also be to the immediate east of no.54 such that any loss of light would only occur very early in the morning. Due to this orientation, the limited width of the new property and the siting, it is not considered that the proposal would significantly detract from the amenity of residents in 54 Hawthorn Grove. Similarly, the impact on the host dwelling no.55 is marginal, with no direct overlooking of the remaining garden area of no.55 and no significant loss of light to habitable rooms.

Other Considerations

The application is accompanied by a unilateral undertaking to secure the necessary open space contributions under Policy RE3 of the Local Plan.

Notwithstanding the limited curtilage provided for the new dwelling, it is not considered reasonable or necessary to remove permitted development rights. Any side extension would require permission by reason of the fact that this elevation fronts a highway whilst the land previously belonged to no.55 and an outbuilding could therefore be sited at the current time without permission. Furthermore the roof slope is too shallow to be utilised for additional accommodation and it is not considered that there are extenuating circumstances which would justify the removal of any rights.

The Ward Member has raised a concern with regard to the lack of amenity space which would be provided with the new dwelling. The submitted plans do show a formal rear garden area which would benefit from a strong degree of privacy as a result of the 1.8 metre fence. The proposal is also for a modestly sized dwelling and it is not considered that the development would be disproportionate with the amenity space. Furthermore, the application is accompanied by a unilateral undertaking to secure the necessary open space contribution towards recreation areas near to the site.

CONCLUSIONS

The proposed development is considered to respect the open plan character of Hawthorn Grove and the design would correspond with the existing pattern of development. The revised boundary treatment would also ensure that provision is made to soften the visual impact of the additional dwelling. The new property would impact to some extent on the amenity of occupants of 54 Hawthorn Grove but the impact would not be such that refusal of the application could be substantiated. The new dwelling would be set in from the rear boundary and the orientation is such that any loss of light into the rear garden would only occur very early in the morning. Notwithstanding the comments of the Ward Member, the rear garden area is considered to be commensurate with the size of the dwelling and recreation space is available in the vicinity of the site. An agreement to secure a contribution towards the provision of open space accompanies the application.

RECOMMENDATION

APPROVE subject to the following planning 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).

2. Notwithstanding the submitted details, the first floor window to the west elevation shall be obscure glazed and non-opening unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To protect the amenity of neighbouring residents)
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no windows, doors, rooflights or other openings other than those shown on the plans hereby permitted shall be formed in the west elevation of the new dwelling at first floor level
(Reason - To protect the privacy of adjoining occupiers.)

Reasons for approval

The proposal complies with the Devon Structure Plan 2001-2016 Policies CO6 (Quality of New Development) and ST10 (Strategic Road Network).

The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S4 (Development Within Built-up Area Boundaries), D1 (Design and Local Distinctiveness), TA9 (Parking Provision in New Development) and RE3 (Open Space Provision in New Housing Developments).

The proposal does not adversely affect the privacy and/or amenity of neighbouring properties.

The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.

Approved plans

Location plan, 1609.1, 1609.5.a, 1609.6.a

List of Background Papers

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