

Committee Date 12.01.2010

WOODBURY & LYMPSTONE 09/2433/FUL
(Lympstone)

Target Date: 01.02.2010

Applicant: Communities Directorate, East Devon District Council
Location: Land North of Churchill Court, Lympstone
Proposal: Construction of 9no. terraced dwellings and associated parking

CONSULTATIONS

County Highway Authority

Comments currently awaited

PARISH COUNCIL

Comments currently awaited

WARD MEMBER(S)

No comments currently received

REPRESENTATIONS

Objections

4 letters have been received raising the following points:

- Loss of car parking leading to congestion (there is already insufficient parking provision)
- Green space will be lost which was originally left for children on the estate to play on
- Adjacent field has roaming dogs and is unsuitable for a play area
- Potential adverse impact on vulnerable sheltered community residents next to site
- Impact of construction noise on elderly residents affecting their health
- Potential adverse impact on surface water drainage
- Not acceptable to put this type of housing next to frail elderly residents

Support

No letters currently received

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
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None relevant

PLANNING POLICIES

Government Guidance

PPS 1 Delivering Sustainable Development
PPS 3 Housing

Devon Country Structure Plan (2001-2016)

CO6 Quality of New Development

East Devon Local Plan (1995-2011)

D1 – Design and Local Distinctiveness

TA7 - Adequacy of Road network and site Access

RE3 - Open Space Provision in New Housing Developments

Supplementary Planning Guidance

Lympstone Village Design Statement

SITE LOCATION AND DESCRIPTION

The area under consideration is currently an open grassed area on a slightly raised plateau above the road level. On the eastern edge of the site there is an existing area of hard standing used for informal parking. This measures 22m x 16m and while only partly used has the capacity to take approximately 14 cars. The buildings immediately adjacent to the site area comprise a series of flats in a staggered form with grassed and landscaped area to the south and an internal courtyard area on the north. Residential roads surrounds both the site and the flats and serve primarily a mixture of terrace and semidetached houses.

PROPOSED DEVELOPMENT

The application seeks permission for the construction of 9 houses split across two terraces which would front Meeting Lane and Glebelands respectively. The properties would have small front and rear gardens and be allocated a single parking space each with nine additional spaces for visitors. A rear service path would provide alternative access for each of the dwellings proposed.

CONSIDERATIONS AND ASSESSMENT

The application is being reported to committee as it is not only on Council owned land but is made by the Council's housing department for the provision of nine units of affordable housing. In this regard and because there are tight deadlines to ensure that if approved, secured grant money can be spent, the report is prepared before the end of the consultation period. Members will therefore be verbally updated with any additional correspondence that arrives after publication of the report.

The main issues with the application concern the principle of constructing nine units of affordable housing in this location, the design and appearance of the development, its impact on neighbour amenity, parking and access and the impact on existing facilities such as public open space.

Design and character

As already alluded to above the area is characterised by medium density residential accommodation in the form of terraced and semi detached housing and flats. There are three primary designs which are typical of their time but of limited architectural quality. The front boundaries comprise a similar mix of open plan, post and wire and dwarf walls.

The current application proposes the construction of relatively simple properties in terms of their design, appearance and form. The dwellings would be constructed in brick and render with infill panels formed in brick between the ground and first floor windows. Covered porches and bin stores would be sited on the front elevation. The roofs would be similarly simple in form being pitched with full height gable elevations. The materials used would be tiles. In this instance it is

considered that the form massing scale and design of the properties are appropriate for the context and character of the area.

One issue that is apparent and that will affect the character of the area is the proximity of the dwellings to the back edge of the pavement. While small front gardens would be provided, the front gardens of the existing dwellings are generally deeper. This would have the effect of increasing the impact of the proposed dwellings on the street scene. The layout however has been carefully considered in that the properties that would front Glebelands have had their parking positioned in front of the dwellings (giving greater relief to the street scene due to the degree of set back) and in so doing picking up the street pattern and position of dwellings in the street. The terrace fronting Meeting Lane forms a discrete section in its own right being between Glebelands and Gibraltar Road. Development onto Meeting Lane either side of these roads does not portray the style of street scene/degree of distinctiveness found elsewhere and therefore a reduced set back would not be harmful. For this terrace, parking would be located to the sides of the terrace. Both relationships identified are considered to respect the general form and character of the particular frontage and are acceptable.

It has been suggested that the development provides an opportunity to enhance the area though on a limited budget and without undermining the delivery of important affordable housing this has to be carefully managed. In this instance brick boundary walls rather than post and wire fencing have been sought and bright vibrant colours for the render panels suggested. The colours to be used have not been finalised and in the event that permission is forthcoming, can be managed through condition.

Neighbour amenity

The proposed position of the development is such that it should not cause dominance or overshadowing to neighbouring residents. This is due to the two storey nature of the development reflecting the scale and massing of the surrounding property and the separation distance which at their closest points are approximately 13 and 10m away. In the first instance the development would be fronting onto a blank side elevation of the existing flats, while in the second the development would itself present a blank side gable elevation to a primary elevation of flats with a significant amount of fenestration. In this instance while the outlook would be partially obscured from the flats, the separation distance and the narrow profile of the terrace (only 8m wide) would not cause sufficient harm to withhold or refuse permission.

It is considered that the positioning and relationship of the development to the neighbouring flats has the potential to cause a limited amount of oblique overlooking. However where there is a direct window to window relationship the separation distance of 20m is adequate to prevent harm. From the proposed block B the distance reduces to nearer 16m (which would be unacceptable) but at such an oblique angle to mitigate against the potential harm. While the existing flats would cause some overlooking into the gardens of the proposed dwellings this remains an acceptable relationship and is not being forced on existing tenants – occupiers of the new dwellings would be aware of the situation prior to taking on the property.

Parking and access

This is one of two issues that have raised concern in respect of the application as the development site would remove an existing informal parking area that has been used for a number of years. Taking approximately 14 car parking spaces (although not all currently used) this development would result in additional on street parking. While this situation is regretted, the area is characterised by a residential road network that appears capable of accommodating the small increase in on street parking without causing significant harm or resulting in unacceptable congestion. Although the concerns of local residents are noted therefore, it is not of sufficient harm to refuse permission. In addition the Local Highway Authority has considered the application and in looking at this aspect in particular, has not sought to raise any objections.

The development itself would provide 1 space per dwelling with a further 2 for visitors parking. This complies with the parking standards in the adopted East Devon Local Plan and is considered acceptable. It is again noted that while local concern seeks additional parking for the development it would be unreasonable to seek this in this instance given the standards adopted and the proximity to services and a bus route.

Open space

For new development within the town and villages in the District it is standard practice to require a financial contribution towards public open space provision where this cannot be provided on site. In this instance the development proposed would be constructed on existing informal play space and therefore reduces the amount available locally. Given that the application proposes the construction of 9 affordable dwellings which would be located on Council owned land and the applicant is the Communities Directorate, it is not reasonable in this instance to seek a commuted sum payment for offsite works.

The Recreational Area Strategy which is a study that sets out the location of existing facilities and highlights any shortfalls, recognises that the existing play space in Trafalgar Road is of poor quality but with no scope for extension. Formal recreation, which for the development site is provided in Candys Field, is assessed as being adequate but with scope for extension. The report further suggests that the existing play space which (located on Trafalgar Road) would more usefully be relocated to Candys Field and upgraded to a NEAP (Neighbourhood Equipped Area for Play) rather than LAP (Localised Area for Play) at present.

The information gleaned from the Strategy demonstrates that while the development would not contribute to the identified improvements sought for formal play provision, it would not undermine the strategy by building on identified land. Equally both the LAP in Trafalgar Road and the formal recreation at Candys Field are within the required distance to serve the new development and are considered reasonable. Therefore while the loss of an area of informal grassed area is regretted, it is considered that the benefits accruing from the development of 9 affordable houses outweigh these concerns.

CONCLUSIONS

The issues of design siting and appearance have been considered and are acceptable. While local concern regarding the loss of informal parking and the loss of an area of informal green space have been highlighted in the objections received, it is considered that this would not lead to significant highway danger (in terms of parking) and that there is suitable alternative recreation provision within the area (in terms of the loss of the green space).

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. 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.)

3. Prior to the first occupation of the dwellings hereby permitted a landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, shrubs, and areas to be grassed. 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.)

Informatives

Reasons for approval

1. The proposal complies with the Devon Structure Plan 2001-2016 Policies CO6 (Quality of New Development).
2. The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies D1 (Design and Local Distinctiveness), TA7 (Adequacy of Road network and site Access) and RE3 (Open Space Provision in New Housing Developments).
3. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
4. The proposal does not adversely affect the privacy or amenity of neighbouring properties.

Approved plans

Location Plan
Survey
09.43.PL/01A, 02, 03, 04A, 05A, 06A

List of Background Papers

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