

Committee Date:

YARTY
(All Saints)

09/2447/FUL

Target Date: 02.02.2010

Applicant:

Communities Directorate, East Devon District Council

Location:

Land adjacent Sewage Treatment Works, Waggs Plot, Colston, Axminster

Proposal:

Erection of 4 affordable dwellings

CONSULTATIONS

County Highway Authority

Comments awaited

South West Water

Comments awaited

Environment Agency

Comments awaited

TOWN/PARISH COUNCIL

Comments awaited

WARD MEMBER(S)

Comments awaited

REPRESENTATIONS

Objections

One letter received raising concerns regarding the impact on the character of the area, loss of important open space, increased parking problems, loss of potential children's play space used informally, other sites may be more suitable.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
08/1145/FUL	Construction of replacement sewerage treatment works	Approved	08.08.2008

PLANNING POLICIES

Government Guidance

PPS3 – Housing

PPS7 – Sustainable Development in Rural Areas

Devon Country Structure Plan (2001-2016)

Policy ST1 – Sustainable Development
Policy ST5 – Development Priority 2001-2016
Policy ST16 – Local Centres and Rural Areas
Policy ST18 – Affordable Housing
Policy C04 – Areas of Great Landscape Value
Policy C06 – Quality of New Development
Policy TR10 – Strategic Road Network

East Devon Local Plan (1995-2011)

Policy S5 – Countryside Protection
Policy D1 – Design and Local Distinctiveness
Policy D5 – Trees on Development Sites
Policy EN2 – Areas of Great Landscape Value
Policy TA7 – Adequacy of Road Network and Site Access

SITE LOCATION AND DESCRIPTION

Waggs Plot is a small group of houses located in the countryside approximately 2km north of Axminster. Waggs Plot is approximately 400 metres from the A358 Axminster to Chard Road and is a short distance from the village of Smallridge. Waggs Plot is a mix of privately owned houses with a number of houses still in Local Authority ownership. The site is contained within a defined Area of Great Landscape Value.

The site itself is located at the end of a cul-de-sac serving a number of residential properties. The site is an open grassed area with a hedgerow along the western and southern boundaries, with residential properties to the north and east. On the land to the east, a private sewerage system was recently installed. There is open farmland to the west and south of the site. Towards the southern boundary of the site are three mature trees within the boundary hedgerow. There is a slight slope on the site with an approximate drop of three metres from the highest point towards the northern boundary to the low point adjacent to the southern boundary.

PROPOSED DEVELOPMENT

Full planning permission is sought to construct four semi-detached dwellings on the site each with its own access and parking onto the end of the Waggs Plot cul-de-sac. Each dwelling would be two bedroomed in size with a frontage of approximately 5.25 metres and the maximum depth of approximately 9 metres.

The design of the proposed dwellings is a simple symmetrical form with a pitched roof clad in an interlocking concrete roof tile. The walls would be a mix of facing brickwork, render and horizontal boarding.

Each dwelling would have its own parking space to the front with an access directly onto an extended Waggs Plot. The two sets of dwellings would be staggered and set forward slightly from the dwelling to the north, no 29 Waggs Plot.

The dwellings are to be constructed on Council owned land as affordable dwellings for rent. The dwellings would be constructed under the Code for Sustainable Homes to level 3 and would be provided with airsource heat pumps.

The proposed dwellings are to connect in to the recently upgraded septic tank, the surface water drainage to be taken to soakaways.

CONSIDERATIONS AND ASSESSMENT

This application is before the Committee as the Council is the applicant and landowner. In addition the proposed development is a Departure from the adopted East Devon District Council Development Plan.

Waggs Plot is not a defined settlement within the Local Plan, rather it is a small group of houses with no facilities. Waggs Plot is therefore defined as being open countryside where the general policy of the Council is to resist housing development unless there are strong overriding reasons. Accordingly, the application has been advertised as a departure.

The planning application also cannot be considered under the exception site policy H5 operated by the Council for affordable housing as this requires developments to be located within or on the edge of a village.

Despite the basic policy objection to the scheme, there are, however, several factors which weigh in favour of the development. These are described below:

- 1 The main corporate priority of the Council is to provide more affordable housing. Delivery has so far been low and it is right and proper that the Council should look at all its available land to see whether it is suitable for development for affordable housing.
- 2 The site relates closely to the existing development at Waggs Plot and whilst open it has a maintained domestic appearance that is separated from the surrounding countryside by a mature hedgerow. The proposed development would therefore be seen as closely related to existing development rather than isolated, sporadic development and there would be very little adverse impact upon the Area of Great Landscape Value.
- 3 Although located in the countryside, the site has reasonably good links to public transport and some local facilities. It is a short walk to the main Axminster to Chard Road where there is a footpath with a bus stop with easy links into Axminster or Chard. There is also a school at All Saints only a short distance away which is realistically within walking or cycling distance. Whilst inconvenient, nevertheless it would be possible to occupy the proposed dwellings without owning a private car as there is at least a reasonable access to public transport and services within the local village and nearby towns.

On balance, therefore, whilst there are policy objections to the proposal, the scheme would be low key in nature, causing very little harm to the landscape yet making a valuable contribution to the provision of affordable housing within East Devon. It is considered that the principle of developing the site for affordable housing is acceptable subject to the detailed considerations made below and to the Council providing a legal agreement to secure the development as affordable housing in perpetuity.

In terms of the details of the scheme, the following issues are considered:

Layout

The layout of the proposed development is largely within the centre of the plot and slightly staggered to reflect the staggered nature of the existing houses at Waggs Plot.

Design

The design of the proposed dwellings is simple and symmetrical and largely reflects the development already constructed in the area, particularly those to the north in terms of the materials used and the general form. The design is not of a high quality but nevertheless is in keeping and reflects the development in the area.

The dwellings have to be constructed to level 3 under the Code for Sustainable Homes which will provide an improvement over current building regulation standards and this element should be welcomed.

Privacy/Amenity

All openings for the proposed dwellings are on the front and rear except for a first floor landing window on the side of each dwelling. The nearest properties that could be affected are numbers 17 and 18 (to the north east) and number 19 (to the north). The front to front separation distances between the proposed dwellings and numbers 17 and 18 Waggs Plot is nearly 30 metres and this is adequate to preserve a reasonable level of privacy. Number 19 Waggs Plot has three windows and a door on the side elevation facing the plot. However, the proposed dwelling adjacent to number 19 is staggered forward and due to the orientation and ample separation, there would be no unreasonable loss of amenity for the existing occupiers to the north.

Trees

There are three important trees within the southern boundary of the site which would have some impact on plot 4. There is a reasonable separation between the dwelling on plot 4 and these trees to ensure that, subject to a suitable condition, damage is not caused to the long term health of these trees.

Access

The cul-de-sac at the end of Waggs Plot would be extended slightly to provide access for parking within the front garden of each property. The traffic generation at this end of Waggs Plot is very low and accordingly the parking and manoeuvring arrangements would not prejudice highway safety.

Foul and Surface Water Drainage

The site is located adjacent to a newly installed septic tank which has capacity to take the additional four dwellings proposed. The surface water drainage would be to soakaways and due to the relief of the land the general drainage is away from other neighbouring dwellings.

CONCLUSIONS

The proposed site is within open countryside where the policy is to generally resist additional residential development unless there are other considerations which override this basic objection. As outlined in the report, the proposed development would make a valuable contribution to the affordable housing stock yet have little visual impact upon the landscape and does have reasonable access to public transport and local services. The general layout and design reflects the existing development at Waggs Plot and there would be no adverse impact upon the amenity of adjoining residents. Any comments received will be reported verbally at the meeting. The final date for comments is 6 January 2010.

Whilst the application has been advertised as a Departure from the Development Plan, on this occasion the departure from policy is not considered significant so does not need to be referred to the Secretary of State.

RECOMMENDATION

APPROVE subject to the applicant entering into an agreement under Section 106 of the Town and Country Planning Act 1990 to secure the development as affordable housing in perpetuity and 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been 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 commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Local Planning Authority. These shall adhere to the principles embodied in BS 5837 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be strictly observed:

- (a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.
- (b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in National Joint Utilities Group (NJUG) Publication Number 10 1995.
- (c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the area.)

4. The fences shown on the submitted drawing number 09:39:PL-01 shall be erected prior to the first occupation of the dwellings. Thereafter and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no further fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse which fronts onto a road.
(Reason – In the interests of the visual appearance of the development and to retain the open character of the landscape frontage.)

Reasons for approval

1. The proposal complies with the Devon Structure Plan 2001-2016 Policies ST1 (Sustainable Development), ST5 (Development Priority 2001-2016), ST16 (Local Centres and Rural Areas), ST18 (Affordable Housing), C04 (Areas of Great Landscape Value), C06 (Quality of New Development) and TR10 (Strategic Road Network).
2. The proposal complies with the adopted East Devon Local Plan 1995-2011 Policies S5 (Countryside Protection), D1 (Design and Local Distinctiveness), D5 (Trees on

Development Sites), EN2 (Areas of Great Landscape Value) and TA7 (Adequacy of Road Network and Site Access).

3. The proposal does not adversely affect the privacy or amenity of neighbouring properties.
4. The design and external appearance of the proposal does not harm the visual amenity of the site and surrounding area.
5. The proposal does not harm the particular landscape qualities and characteristics of the landscape designated an 'Area of Great Landscape Value'.
6. The development helps towards achieving the aim of the corporate priority for affordable housing which outweighs the basic policy objection for development in the countryside.

Approved plans

09:39:LP – Location Plan – 4 December 2009
09:39:PL – 01 – Site Plan – 4 December 2009
09:39:PL – 02 – Plan Proposed – 4 December 2009
09:39:PL – 03 – Plan Proposed – 4 December 2009
09:39:PL – 04 – Proposed Elevations – 4 December 2009
BS1412/11.09/01/CS – Survey – 4 December 2009

List of Background Papers

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