

SEATON
(Seaton) 09/2108/FUL Target Date: (16/12/09)

Applicant: Southern Healthcare (Wessex) Ltd

Location: The Seaton Nursing Home, Fore Street, Seaton

Proposal: Demolition of existing single storey block and erection of two storey extension to provide 8 bedrooms and new lift to service block.

CONSULTATIONS

County Highway Authority

Does not wish to comment

South West Water

Comments from previous application:

I understand concerns have been raised by neighbours, we have no objection to the application or any drainage problems that would result in our raising any objections. The increase in foul flows from the development is nominal and we will not any allow any additional roof water in to the public foul sewer. This element with either need to be dealt with on site by soakaways or connected to the dedicated public surface water sewer in Clapps Lane or Fore Street.

Environment Agency

Not received

Contaminated Land Officer

Comments from previous application:

There is an area of filled ground within 250m of the development site. Because of the low potential risk of gas migration a suitable gas proof membrane should be installed in conjunction with the damp proof course membrane and in accordance with recommended procedures, including appropriate validation.

There is an identified former/current potentially contaminative site use within 50m of the development site.

Having considered the proposed scheme, there is no requirement to undertake a detailed contaminated land risk assessment.

TOWN/PARISH COUNCIL

Refuse - lack of parking - over development - serious effect over neighbouring properties.

WARD MEMBER(S)

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

Councillor Jones

“Following an initial review of the above application I recommend the following:
Object to the application.

Relevant planning observations on the planning application to support my recommendation above:

In January 2008 Planning Application 08/0242/FUL was submitted for the demolition of single storey extension and erection of a two storey extension to provide eight en-suite bedrooms. This application was refused planning permission in June 2008 as it did not comply with the requirements of national and local planning policy and guidance. This was subsequently taken to appeal by the applicants and the Planning Inspector dismissed the appeal in April 2009 as they considered the main issue to be the effect of the extension upon the character and appearance of its surroundings.

The Planning Inspector wrote that to the south of the site is an access road leading to Manor Gardens from where the rear and side of the appeal building, where the development is proposed, can be easily viewed. The area of Manor Gardens, including the ancillary buildings at the rear of the nursing home, is characterised by low key buildings within substantially open areas. The proposed development is for a two storey rear and side extension with a pitched roof that would replace a smaller single storey extension with a mono-pitch roof. The extension would break the skyline and block out the more dominant principal two storey part of the appeal building, and would be a prominent and visually discordant feature within the street scene. The proposed development would extend the existing two storey element of the building further into the rear of the site and would significantly intrude into the existing open area of this part of the street scene. The proposed development would not accord with the provisions of policy CO6 of the Devon Structure Plan 2004 and policies S4 and D1 of the East Devon Local Plan 2006 which require new development to be compatible with the character of the site and its surroundings, and seek a high quality of design.

Planning application 09/2108/FUL is again for the demolition of the existing single storey block and erection of two storey side extension to provide eight en-suite bedrooms and new lift to service block. The only difference in this application is the height to eaves which has been reduced by 1.3 metres and to the ridge by 1.25 metres.

Therefore I feel that this application still does not accord to policy CO6 of the Devon Structure Plan 2004 and policies S4 and D1 of the East Devon Local Plan 2006 and would like to see it recommend for refusal.”

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

5 letters have been received raising the following points:

- Insufficient parking on site leading to parking/turning of vehicles in Manor Garden
- Unsuitable access road for construction traffic
- Effect on land stability
- Potential damage to adjoining properties
- Disruption from construction
- Overdevelopment of site
- Overloading of sewage system
- Overlooking

- Loss of light
- Noise from residents
- Overbearing impact
- Light pollution

Support

No letters have been received.

RELEVANT PLANNING HISTORY

App.No:	Proposal	Decision	Date
08/0242/FUL	Demolition of single storey extension and erection of two storey extension to provide eight en-suite bedrooms	Refused	06.06.08

PLANNING POLICIES

Government Guidance

PPS1 – (Delivering Sustainable Development)
 PPG13 – (Transport)
 PPS23 – (Planning and Pollution Control)
 PPG24 – (Planning and Noise)

Devon Country Structure Plan (2001-2016)

Policy ST15 – Development Priority 2001 to 2016
 Policy CO6 – Quality of New Development
 Policy CO16 – Noise Pollution
 Policy TR5 – Hierarchy of Modes
 Policy TR7 – Walking and Cycling
 Policy TR10 – Strategic Road Network

East Devon Local Plan (1995-2011)

Policy S4 – Development Within Built-up Area Boundaries
 Policy D1 – Design and Local Distinctiveness
 Policy EN15 – Control of Pollution
 Policy EN18 – Adequacy of Foul Sewers and Sewage Treatment Works
 Policy TA1 – Accessibility of New Development
 Policy TA7 – Adequacy of Road Network and Site Access
 Policy TA9 – Parking Provision in New Development

SITE LOCATION AND DESCRIPTION

The application property is a two storey villa to which has been added various single and two storey extensions to create a ring of buildings around a central courtyard area. The current footprint of the premises fills the plot (apart from a small gravel car park area fronting Fore Street) such that on its north, east, part west and part south sides the built form is constructed close to the boundaries of the site.

Surrounding properties comprise mainly housing, with St Claire's Adult Education Centre located across Fore Street. The main frontage is on to Fore Street although the side of the property is visible from Manor Gardens.

The site is located within the built up area of Seaton, but outside its Conservation Area.

PROPOSED DEVELOPMENT

Planning permission was refused for the demolition of a single storey extension and the erection of a two storey extension to provide 8 en-suite bedrooms. This decision was upheld at appeal.

The current proposal is a revised scheme for a two storey extension to provide 8 bedrooms and a new lift. The extension will cover the same siting and footprint to that which was previously refused but the ridgeline of the extension has been dropped level with the eaves of the main existing two storey gable element.

CONSIDERATIONS AND ASSESSMENT

The key issue to consider is whether or not the current proposal satisfactorily overcomes the concerns raised by the Inspector on the previous appeal decision (full copy attached to report). In the original submission the proposed extension had the same ridge height as the existing 2 storey gable element from which it projected off and in determining the appeal the Inspector was of the view that this proposal would break the skyline, block out the more dominant principal two storey part of the building nearer to the Fore Street frontage of the site and would appear as a prominent and visually discordant element within the street scene of Manor Gardens. The Inspector expressed concern that the development would extend the existing two storey element further into the rear of the site and significantly intrude into the existing open area of this part of the streetscene.

Although the current proposal would clearly still result in an extension of the two storey built form into the rear of the site, the ridge height has been lowered by between approximately 1.5 m – 2 m across the length of the proposed extension. It is considered that this set down, together with the overall reduction in the massing and bulk of the roof that results, sufficiently reduces the scale of the proposed extension such that it would appear as a more subordinate element in relation to both the main part of the building and the adjacent gable. The proposal would create a stepped effect with the extension itself appearing more visually appropriate and less dominant and intrusive than the refused scheme. It is considered that it would also result in a better visual relationship with the existing single storey eastern wing of the premises, the floor level of which is higher than that of the proposed development. With the ridge height being seen in line with the eaves of the existing gable element the extension would not break the sky line to the same extent as the previous submission and would not have the same level of prominence within the streetscene of Manor Garden. The existing single storey extension is almost fully visible from Manor Gardens and the proposed increase in height and massing that will result will not actually be significant when viewed against the existing two storey gable element. It is therefore considered that the proposed revised scheme satisfactorily addresses the visual objections upheld by the appeal Inspector in respect of the previous proposal for a two storey extension on this part of the site.

No objection was raised to the appeal scheme by the Inspector on the grounds that the development would adversely affect the living conditions of any neighbouring residents in terms of loss of outlook, overlooking, noise or the effects of lighting. Therefore while a number of objections raised relate to the amenity impacts of the development this current proposal would not result in any significantly different impacts than the previous scheme and an objection on these grounds is therefore not justified.

Similarly no objections were raised by the Inspector in terms of highway/parking impact or drainage and, again as the revised proposal would have a similar impact in terms of increased use of the site, the objections made on these ground would not justify refusal.

With reference to the comments of South West Water and the Contaminated Land Officer on the previous application these issues and requirements are valid for the current scheme. A condition will be imposed dealing with the issue of surface water but the installation of a gas proof membrane is considered to be a matter for Building Regulations but an informative will be added.

CONCLUSIONS

Notwithstanding the objections received it is considered that the revised proposal satisfactorily addresses the reasons for refusal identified by the Inspector and the application is acceptable.

RECOMMENDATION

APPROVE subject to the following 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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those of the existing building.
(Reason - To ensure that the materials are sympathetic to the character and appearance of the existing building.)
3. Clean surface and roof water shall be disposed in such a way that none drains into the public foul sewer.
(Reason - To prevent overloading of the public foul sewer.)

Reasons for approval

1. The proposal complies with the Devon Structure Plan 2001-2016 Policy ST15 (Development Priority 2001 to 2016) & Policy CO6 (Quality of New Development) & Policy CO16 (Noise Pollution) & Policy TR5 (Hierarchy of Modes) & Policy TR7 (Walking and Cycling) & Policy TR10 (Strategic Road Network)
2. The proposal complies with the adopted East Devon Local Plan 1995-2011 Policy S4 (Development Within Built-up Area Boundaries) & Policy D1 (Design and Local Distinctiveness) & Policy EN15 (Control of Pollution) & Policy EN18 (Adequacy of Foul Sewers and Sewage Treatment Works) & Policy TA1 (Accessibility of New Development) & Policy TA7 (Adequacy of Road Network and Site Access) & Policy TA9 (Parking Provision in New Development)
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 is contained within the defined built-up area boundary of the settlement.
6. The access to serve the proposal does not prejudice highway safety.

Approved plans

1621/08/010 Rev A

1621/08/011 Rev A

Note to applicant

You are advised that there is an area of filled ground within 250m of the development site and because of the low potential risk of gas migration a suitable gas proof membrane should be installed in conjunction with the damp proof course membrane and in accordance with recommended procedures, including appropriate validation.

List of Background Papers

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