

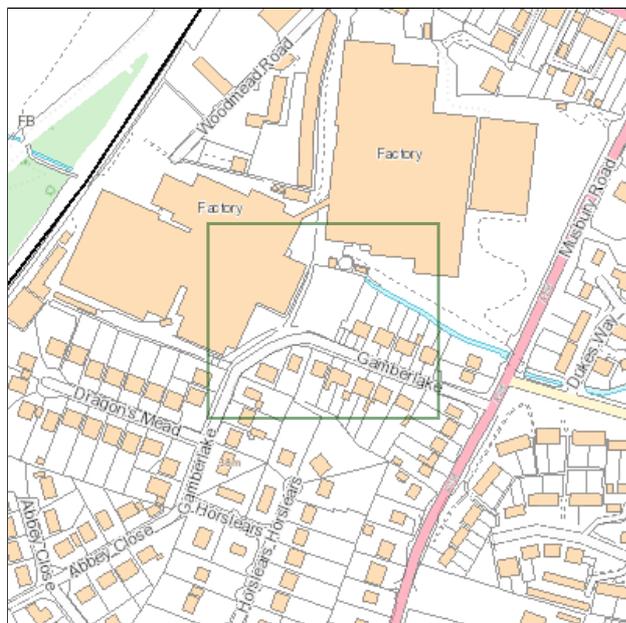
Ward Axminster

Reference 21/2869/RES

Applicant Josh Dufield

Location Land West Of Burnside Gamberlake Axminster

Proposal Reserved matters comprising access, appearance, landscaping, layout and scale for 18/1702/OUT (outline application for 4 No. (C3) residential dwellings with associated parking provision (all matters reserved).



RECOMMENDATION: Approval with conditions

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		Committee Date: 19th January 2021
Axminster (Axminster)	21/2869/RES	Target Date: 30.12.2021
Applicant:	Josh Dutfield	
Location:	Land West Of Burnside Gamberlake	
Proposal:	Reserved matters comprising access, appearance, landscaping, layout and scale for 18/1702/OUT (outline application for 4 No. (C3) residential dwellings with associated parking provision (all matters reserved).	

RECOMMENDATION: Approve with conditions

EXECUTIVE SUMMARY

This application is before Members as the officer recommendation differs from the view of one of the Ward Members.

The application site relates to the southern part of a former car park area that previously served the wider Axminster Carpets factory site. The site is accessed off Gamberlake which serves an established residential area to the south and east of the site, to the north and west is the wider Axminster Carpets site.

Outline planning permission was granted, under application 18/1702/OUT, for the erection of 4 no. dwellings on the site. The site does not incorporate all of the car park area as the area to the north of the site lies within Flood Zones 2/3 and as such was excluded from the site area at outline stage. As a result the plot sizes are restricted in relation to existing properties to the east.

In terms of the layout, form and appearance of the buildings these largely look to reflect that of existing properties in Gamberlake and there are no objections in this regard. Parking provision at a level of 2 no. spaces per property is provided forward of each unit and some boundary planting is proposed to subdivide and visually break up this space.

The Town Council has raised a number of matters where it is considered that there are details lacking and which are required to allow consideration of the application. Some details have been sought from the applicant with others proposed to be controlled by condition. Given the nature of the application where outline permission is already granted and where the additional matters raised could be secured by pre-commencement conditions it is considered reasonable to do so.

The application is otherwise considered to be acceptable and subject to the conditions set out at the end of the report is recommended for approval.

CONSULTATIONS

Local Consultations

Axminster - Cllr Andrew Moulding

I recommend that this application is approved

Further comments:

I agree with the recommendation.

Axminster - Cllr Sarah Jackson

I am inclined to echo the comments of the Town Council. There does not appear to be enough information provided to allow me to properly assess the application and the reserved matters that it should cover. Therefore I am unable to support this application at the present time.

Parish/Town Council

The Town Council regrets that it is unable to consider this RES application at the present time due to the lack of supplementary information, including:

Drainage Assessment (foul water and surface water)

Landscaping Assessment

Environmental Impact Study

Design and Access Statement

Materials schedule (to ensure that building integrates with existing streetscene)

Waste and recycling arrangements

Green Energy and SUDS proposals

Council welcomes sight of these documents whereupon members of the Planning Committee will consider this further.

Other Representations

None received.

Technical Consultations

Devon County Highway Authority

Observations:

The access is on the outer side on the concave bend of Gamberlake, the road is not classified and therefore will not require off-carriageway turning, the parking spaces are laid out to our current best practice guidance Manual for Streets 1 and 2.

The site layout ensures the adjacent public right of way remains un-prohibited, the dropped kerbs that form the frontage footway will require a dropped kerb license

should the planning application be approved. The license should be applied directly to Devon County Council and ensures the works will be carried out to our specification and standard.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Officer authorised to sign on behalf of the County Council
30 November 2021

Contaminated Land Officer

Should any contamination of soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority should be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the contamination is agreed upon in writing with the Local Planning Authority and/or other regulating bodies.

Reason: To ensure that any contamination existing and exposed during the development is identified and remediated.

PLANNING HISTORY

Reference	Description	Decision	Date
18/1702/OUT	Outline application for 4 No. (c3) residential dwellings with associated parking provision (all matters reserved)	Approval with conditions	02.11.2018

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 3 (Sustainable Development)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 20 (Development at Axminster)

D1 (Design and Local Distinctiveness)

EN16 (Contaminated Land)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Government Planning Documents

National Planning Practice Guidance

NPPF (National Planning Policy Framework 2021)

Site Location and Description

The application site relates to part of a large hard surfaced parking area located to the south and east of the main factory buildings comprising the Axminster carpet site. The car park area is accessed via Gamberlake to the south and slopes down from south to north. It is enclosed by temporary security fencing on three sides and by a combination of walling, fencing and planting on the eastern boundary, where it adjoins the neighbouring property 'Burnside'. A public footpath linking Gamberlake with Woodmead road, to the north, runs parallel to the western site boundary, the other side of which there is a line of mature conifers.

The site lies within an area of mixed character, to the north and west are large industrial buildings, with which the use of the site was formerly linked, whereas to the south and east is residential development. The site is located within the built up area boundary of the town to the south of the town centre. The lower (northern) part of the car park area lies within Flood Zone 2/3 but the site itself lies entirely within Flood zone 1.

Proposal

The application seeks reserved matters consent for the four dwellings that are proposed as a pair of semi-detached dwelling with parking to their frontage and small gardens to the rear.

ANALYSIS

Outline permission has been granted under application 18/1702/OUT for the residential development of the site for 4 no. dwellings and associated parking provision. All matters were reserved for future consideration.

The principle of the residential development of the site for 4 no. dwellings is therefore agreed and it is only the reserved matters relating to the access, layout, scale and appearance of the development and the landscaping of the site that are subject to the consideration of the current application. These matters together with other relevant issues raised through the consultation process are considered below:

Layout

The scheme proposes a continuation of the existing line of properties located to the north side of Gamberlake where pairs of semi-detached properties are set back and

down from the adjoining highway, with in most cases parking provision provided within their respective sites forward of the dwellings.

The 2 no. pairs of semi-detached properties proposed would follow the existing building line with the pair to the west side set slightly further forward in the plot where the highway begins to curve away from the site.

The plot sizes are limited as the outline application restricted the development site to land within Flood Zone 1, the land to the north representing the remainder of the former car park falling within Flood Zones 2/3. As a result, the plots are small compared with adjoining development and provide for limited rear amenity space. Nevertheless, sufficient amenity space would be provided to serve each dwelling and the opportunity for alternative layouts that also respect the existing streetscene are limited.

Parking provision in the form of 2 no. spaces per dwelling is provided forward of each unit with screened bin/recycling storage areas providing level access for these at the rear of the parking spaces.

Scale

As with the proposed layout the submitted scheme seeks to respond to the form of existing development in the vicinity of the site. With this in mind the pairs of semi-detached properties proposed reflect the height and width of existing properties in Gamberlake and whilst they extend somewhat deeper into the site, no harm results from this.

Appearance

The submitted drawing indicates that the building would feature white painted rendered elevations under a hipped slate tiled roof. Windows and rainwater goods are indicated as white UPVC. These materials reflect the materials used on properties in the local vicinity and are appropriate in this context. Further specification details and where required samples of materials could be secured by condition where necessary.

Access

Each property would be served by an access direct to the highway with on-site parking provision of 2 no. spaces per property, in accordance with the requirements of policy TC9 of the Local Plan. Whilst such provision would prevent enclosure of the site from the public footpath to the south the extent and nature of boundary treatment along the front boundaries of properties in Gamberlake varies and on balance this approach is considered to be acceptable.

Landscaping

The Town Council has suggested that a landscaping assessment is required however landscaping is a reserved matter. Opportunities for soft landscaping of the site are, given its limited size, restricted. As discussed above the site frontage is proposed to be open plan but there is some hedge planting proposed to break up the space and provide subdivision of this for each unit. The surfacing of the site parking area

proposes a permeable solution of pavers which would provide drainage benefits as well as providing a visual upgrade on a tarmac finish. The other boundaries of the site are shown as close boarded fencing atop retaining walls where required to accommodate level changes to adjoining ground levels.

The submitted drawings indicate planting areas and type of planting but lack detailed planting specification, such information has been requested from the applicant but they have indicated a preference for such details to be secured by pre-commencement condition. If the reserved matters details were otherwise found to be acceptable such details could be secured by a suitably worded condition. In addition further details of the external finish/materials for retaining walls within the site and to external boundaries could be similarly secured.

Other considerations

The Town Council has raised a number of issues with the application and considers that there is a lack of supporting information on which to assess the application, one of the ward member councillors has supported this view. Officers have liaised with the applicant's agent to request such information, although not of all the matters referred to by the town council are considered to be relevant or necessary at this stage. In response the applicant has requested that such additional details be secured by pre-commencement condition. Having been given the opportunity to provide such information and requesting these matters are dealt with by condition it needs to be considered whether it is reasonable and necessary to secure details in this way, or alternatively whether the lack of such information would warrant refusal of the application. Each of the issues raised, and not already addressed is considered below.

Drainage Assessment (foul water and surface water) – The nature of the application as a reserved matters is such that permission has already been granted for the development (i.e. for 4 no residential units on the site) and it is only those matters reserved, as set out above, and any conditions on the outline permission that need to be addressed. At the time of the outline application it was indicated that surface water drainage would be by means of a 'sustainable drainage system' however no such further details were provided or secured by condition. The reserved matters details as set out on the submitted plans indicate provision of permeable paving to the proposed parking and patio areas with the rest of the rear gardens shown as lawn. Policy EN22 of the Local Plan requires, amongst other things, that the surface water run-off implications of a proposal have been fully considered and found to be acceptable and requires a drainage impact assessment on new development with potentially significant surface run off implications. In this case the existing site is entirely hard surfaced and as such the proposal is considered to represent a betterment in terms of potential surface water run-off, as more of it would be permeably surfaced. Nevertheless, it would be necessary to know how any flows would be directed, particularly given the level changes proposed it is considered that this and means of dealing with foul drainage could be secured by condition.

Environmental Impact Study – It is not clear what the Town Council means in this respect but the development is not of a type that requires an Environmental Impact Assessment. A condition requiring reporting of any contamination and agreement of

remedial measures to deal with this was included on the outline permission and remains to be complied with.

Design and Access Statement - This is not a requirement for reserved matters applications or development of this scale outside of conservation areas.

Green Energy and SUDs proposals – The issue of drainage is considered above. The proposal does not indicate any specific energy saving measures or use of renewable energy technologies, although the orientation of the properties would appear to support the use of solar PV panels. Whilst the use of sustainable means of construction and use of renewable energy are encouraged, through Strategy 38 of the Local Plan, there is currently no policy requirement for this or requirement to deliver beyond current Building Regulations requirements.

Permitted Development rights – given the limited extent of the site and the size of the dwellings proposed this would leave only limited amenity space to serve the dwellings as such it is considered reasonable to remove permitted development for further extension in order to retain control over any further extensions in the interests of amenity.

CONCLUSION

The proposal seeks approval of reserved matters relating to an earlier outline permission, it should be remembered that the outline consent is *the* planning permission. The layout is logical and compatible with the surrounding environment and the scale and appearance of the dwellings similarly seeks to reflect the local context. The size and nature of the site limits the opportunities for landscaping provision and thus this is largely restricted to suitable boundary treatment with some planting forward of the dwellings to soften the appearance of the parking areas. Overall the proposal is considered to be acceptable and to comply with the relevant policies of the Local Plan including policy D1 (Design and Local Distinctiveness).

RECOMMENDATION

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTERS of the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto:-
 - (a) Appearance
 - (b) Landscaping
 - (c) Layout
 - (d) Scale
 - (e) Layout

This Reserved Matters application numbered as shown above is made pursuant to the Outline Planning Permission 18/1702/OUT granted on 02.11.2018.

The following reserved matters have yet to be approved:

None

The following Conditions attached to the Outline Planning Permission (ref 18/1702/OUT) referred to above are discharged:

1, 3

The following Conditions attached to the Outline Planning Permission referred to above remain to be complied with:

2, 4, 5

The following additional conditions are attached to this reserved matters approval:

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No development shall take place until details of the means of dealing with foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before any dwelling on the site is occupied.
(Reason - A pre-commencement condition is required to avoid pollution of the environment and/or flooding during and after construction in accordance with the requirements of Policies EN14 – Control of Pollution, EN19 – Adequacy of Foul Sewer and Adequacy of Sewage Treatment Systems and EN22- Surface Run-off Implications of New Development of the East Devon Local Plan 2013-2031.)
4. Prior to their installation details of the external materials for use in the development (including the retaining wall) and relating to their colour, texture and finish shall be submitted to and approved in writing by the Local Planning Authority (including where so required provision of samples). The development shall be carried out in accordance with the approved details. (Reason - To ensure that the appearance of the development is compatible with the character and appearance of the area, in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan).
5. Notwithstanding the details illustrated on drawing P-100 C hereby approved, further details of the species, number, layout and size (at time of planting) of plants to be used shall be submitted to and approved in writing by the Local Planning Authority prior to their planting.
(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local

Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works within the Schedule 2 Part 1 Classes A or B for the enlargement, improvement or other alterations to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.

(Reason - The space available would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 – Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

P100 C	Proposed Site Plan	16.11.21
E100 A	Location Plan	15.11.21
P200 A	Proposed Combined Plans	15.11.21
P400 A	Sections	15.11.21

List of Background Papers

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