

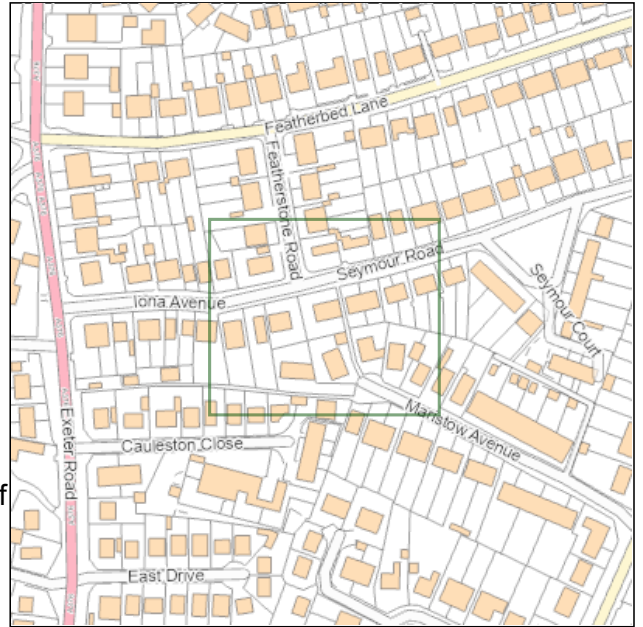
Ward Exmouth Halsdon

Reference 23/1659/FUL

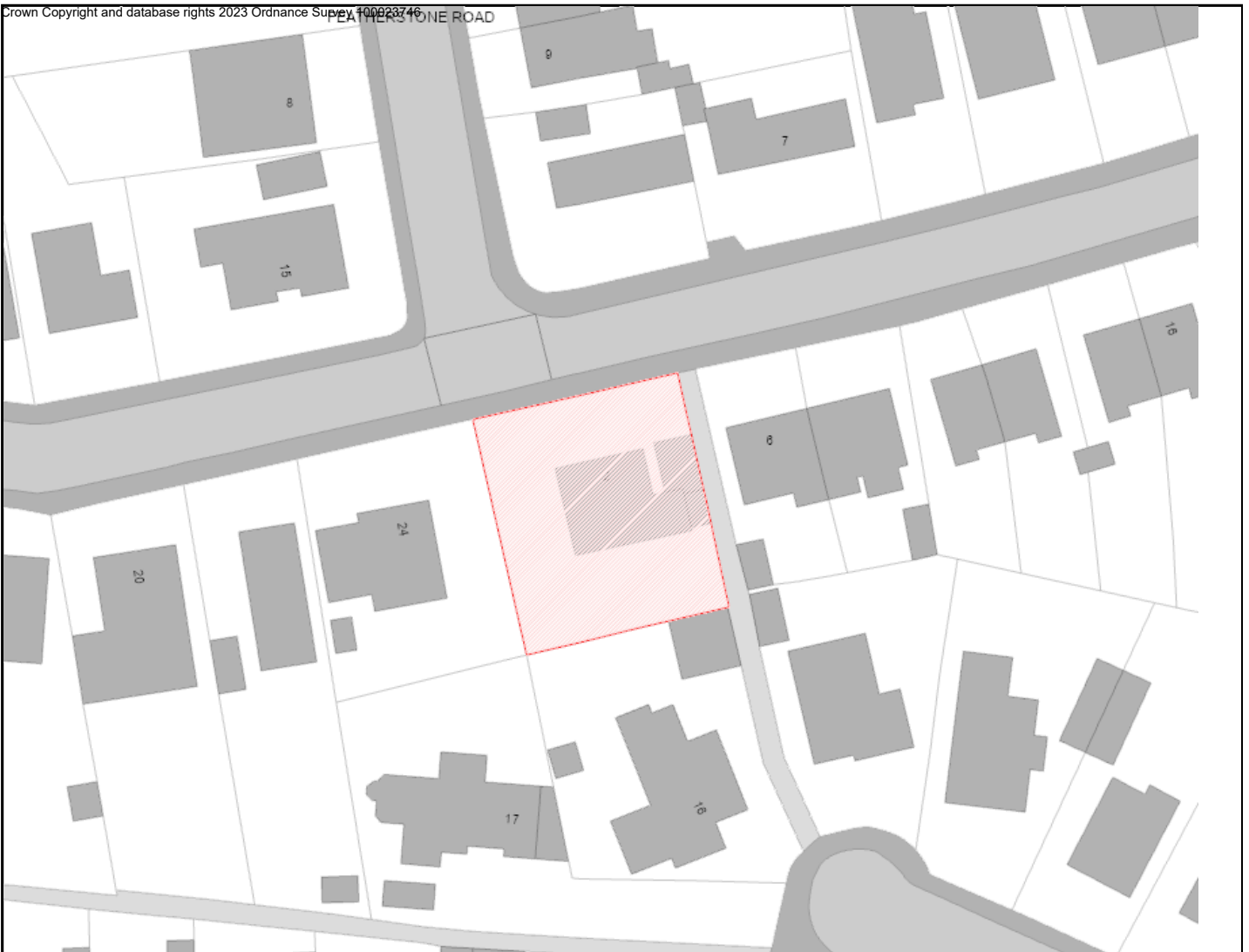
Applicant Ms Glina Deviell

Location 2 Seymour Road Exmouth EX8 3JG

Proposal Two storey 3-bed, dwelling with associated parking, external works and alterations to roof of existing dwelling



RECOMMENDATION: Approval with conditions



		Committee Date: 19.12.2023
Exmouth Halsdon (Exmouth)	23/1659/FUL	Target Date: 06.10.2023
Applicant:	Ms Glina Deviell	
Location:	2 Seymour Road Exmouth	
Proposal:	Two storey 3-bed, dwelling with associated parking, external works and alterations to roof of existing dwelling	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before members of the Planning Committee following its deferral from Chair delegation meeting.

The application site is located within the built-up area boundary of Exmouth in a highly sustainable location where the principle of new residential development is acceptable in location terms.

The proposed dwelling would be positioned within the side garden of 2 Seymour Road and whilst its contemporary design and materials would result in a degree of impact on the visual amenity of the site and the streetscene, the loss of the open space between the property and the boundary is not considered to make such a significant contribution to the character and appearance of the area that would justify refusal of planning permission. The proposal would introduce a contemporary dwelling into a streetscene already characterised by a wide variety of architectural styles and forms of properties in the vicinity of the site such that it isn't considered that it would result in any significant harm to the character and appearance of the area to sustain an objection. The proposal and would comply with policies D1 of the Local Plan and EB2 of the Exmouth Neighbourhood Plan.

Concerns about over development of the site are acknowledged however the proposed site plan demonstrates that sufficient space would remain for the provision of two off road parking spaces whilst retaining parking for the existing dwelling and for the provision of a modest amenity area at the rear of the property. It isn't considered that an objection could reasonably be sustained on these grounds.

Whilst introducing built form into the space between the existing dwelling and the boundary with no 24 Iona Avenue would result in a degree of impact to

outlook from the side windows and garden as a result of the footprint of the dwelling extending close to the side boundary of the site, its asymmetrical roof form and design serves to significantly reduce the bulk and massing and overall physical impact of the development, effectively in a single storey form and would ensure no significant harm to residential amenity.

In the absence of any harm to the character and appearance of the area, the residential amenities of the occupiers of surrounding properties and highway safety, on balance, the proposal is considered to be acceptable, in accordance with the East Devon Local Plan and Exmouth Neighbourhood Plan policies and is therefore recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

Meeting 11.09.23

Objection; members felt that the proposal was out of keeping with immediate vicinity and concerned about the loss of trees and highway safety.

Technical Consultations

None

Other Representations

No letters received

PLANNING HISTORY

Reference	Description	Decision	Date
18/1739/FUL	Installation of side facing rooflight (west)	Approval - standard time limit	21.08.2018

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

D3 (Trees and Development Sites)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Exmouth Neighbourhood Plan (Made)

Government Planning Documents

NPPF (National Planning Policy Framework 2023)

Government Planning Documents

National Planning Practice Guidance

Site Location and Description:

The site refers to the side garden of no 2 Seymour Road, a detached hipped roof bungalow and garage which is located in a residential area of Exmouth. The site is set back from Seymour Road and occupies a prominent position opposite the junction with Featherstone Road. The front boundary of the site is defined by a low-level brick boundary wall and there are a number of ornamental trees within the front of the site which are not the subject of any statutory protection. The site is located within the built-up area boundary of Exmouth and is not the subject of any landscape or townscape designations and does not fall within a designated flood zone.

Proposed Development:

Planning permission is sought for the construction of a two-storey attached dwelling to the side of the property. The proposed dwelling would be formed as a side extension, extending from the ridgeline of the existing bungalow presenting its front façade to Seymour Road with a projecting gable feature with an asymmetrical roof form. The proposal would provide a 3-bedroom dwelling with living accommodation and a bedroom at ground floor and two additional bedrooms and a bathroom at first floor. The dwelling would have a rendered finish together with face brickwork under a tiled roof. The upper part of the northern and eastern elevations would have a horizontal grey weatherboard finish.

Two off road parking spaces would be provided and the existing car parking spaces for the existing dwelling inclusive of the garage would remain unchanged.

Issues and Assessment:

The main issues to consider in determining this application are in terms of:

- The policy context
- The principle of development
- The impact on the character and appearance of the area
- The impact on the residential amenities of the occupiers of surrounding properties
- The impacts on highway safety.
- Appropriate Assessment

ANALYSIS

Policy Context:

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Council formally adopted the East Devon Local Plan 2013-2031 on 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight. The Exmouth Neighbourhood Plan (NP) has been 'made' and also carries full weight.

Principle:

The site is located within the built-up area boundary of Exmouth, in a highly sustainable location where under the provisions of Strategy 6 (Development within Built-up Area Boundaries) of the East Devon Local Plan, the principle of a new dwelling on the site is considered to be acceptable.

Strategy 6 - Development within Built-Up Area Boundaries of the Local Plan states that within the built-up area boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows.
6. It would not prejudice the development potential of an adjacent site

Character and Appearance:

Policy D1- Design and Local Distinctiveness of the Local Plan states that proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

Policy EB2 of the Exmouth Neighbourhood Plan states that new development should be mindful of surrounding building styles and ensure a high level of design as exemplified in the Avenues Design Statement (2005).

The existing property occupies a prominent position facing towards the junction with Featherstone Road and at a point where Seymour Road becomes Iona Avenue. The existing plot has a wide frontage onto the road with a side garden area in which the proposed dwelling would be sited.

There is no discernible architectural style of property within the area where the streetscene is characterised by a mixture of bungalows, two storey dwellings with differing roof forms and designs such that it is considered that the attached design approach to this development would not give rise to any significant harm to the character and appearance of the area.

Whilst the proposed dwelling would take up the space between the existing bungalow and the side of the plot, the overall impact of the proposal on the streetscene would be reduced by virtue of the fact that the adjacent bungalow is set away from the boundary with a relatively discrete and a low-lying roof profile. This coupled with the asymmetrical roof form of the proposed dwelling would help to reduce the bulk and massing of the building despite the fact that it would introduce a two-storey dwelling into the site when viewed from the front.

The footprint of the proposed dwelling would project further forward than the existing bungalow by 1.7 metres but would remain set back from the front of the plot behind a pair of car parking spaces which would ensure that it does not appear unduly prominent or intrusive within the streetscene.

The asymmetrical roof form and more contemporary design approach to the dwelling would be at odds with the architectural styles of dwellings found within the area to a degree, however given the variety of architectural styles and forms of property within the streetscene, it is not considered that this in itself would amount to significant harm to the character and appearance of the area to sustain an objection.

The space at the side of the existing property is limited however the proposed site plan demonstrates that sufficient space would remain for the provision of two off road parking spaces whilst retaining parking for the existing dwelling and for the provision of a modest amenity area at the rear of the property. It would accommodate the proposed dwelling in a form that would appear as an extension to the existing dwelling

Whilst the proposed dwelling and its contemporary design and materials would result in a degree of impact on the visual amenity of the site and the streetscene, the loss of the open space between the property and the boundary is not considered to make such a significant contribution to the character and appearance of the area that would justify refusal of planning permission. The proposal would introduce a contemporary dwelling into a streetscene already characterised by a wide variety of architectural styles and forms of properties in the vicinity of the site such that it isn't considered that it would result in any significant harm to the character and appearance of the area to sustain an objection. The proposal and would comply with policies D1 of the Local Plan and EB2 of the Exmouth Neighbourhood Plan.

Residential Amenity:

Policy D1- Design and Local Distinctiveness of the Local Plan requires that development proposals do not adversely affect the amenities of existing residents.

The proposed dwelling would have its greatest impact on the amenities of the occupiers of no 24 Iona Avenue, a bungalow to the west of the site through the

introduction of a two-storey dwelling in the space at the side of the property. In this respect it is noted that there is a side porch and secondary windows on the side elevation facing the site, the boundaries of which are defined by a close boarded fence and trees. 24 Iona Avenue is set back from the side boundary of the site.

Whilst introducing built form into the space between the existing dwelling and the boundary with no 24 Iona Avenue would result in a degree of impact to outlook from the side windows and garden as a result of the footprint of the dwelling extending close to the side boundary of the site, its asymmetrical roof form and design would ensure that the impact in terms of the bulk and massing would be reduced whereby the roof of dwelling has been designed to be at its lowest point closest to the boundary, sloping away from no 24 Iona Avenue. This would significantly reduce the bulk and massing and overall physical impact of the development, effectively in a single storey form and would ensure no significant harm to residential amenity. Amended plans have been received which have changed a ground floor kitchen window on the side elevation to a high-level window (1.7 metres above the finished floor level of room) which would ensure no overlooking or loss of privacy to no 24.

The proposed dwelling would result in no significant harm to the amenities of other surrounding properties given the distance from the boundaries and its modest form and proportions.

In respect of standards of amenity for future occupiers of the building, the applicant has demonstrated that the building as a 3-bedroom, 5-person home would meet Nationally Prescribed Space Standards provided an internal floor area of 93.2 sqm. The applicant has also provided a breakdown of all of the bedrooms within the dwelling which would comply with the minimum floor areas and dimensions of the rooms inclusive of internal cupboard storage space.

The Council's Building Control Officer has advised that the proposals would comply with fire safety regulations on the basis that fire doors are fitted to rooms on the first floor and the kitchen on the ground floor can be closed off. Amended floor plans have been submitted to this effect such that officers are satisfied that the proposal would comply with building regulations.

On balance, it isn't considered that the proposed dwelling would give rise to significant harm to residential amenity to sustain an objection and that the proposal would comply an adequate standard of amenity for its future occupiers.

Highway Safety and Parking:

Policy TC7 - Adequacy of Road Network and Site Access of the Local Plan states that planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

The proposal would create a new vehicular access and parking area at the front of the dwelling in a manner and form similar to that of other properties in the street. Vehicles would have to reverse onto the highway however having regard for the fact

that Seymour Road is a residential road with low vehicle speeds it isn't considered that there would be any highway safety concerns.

Policy TC9- Parking Provision in New Development of the Local Plan states that Spaces will need to be provided for Parking of cars and bicycles in new developments. As a guide at least 1 car parking space should be provided for one-bedroom homes and 2 car parking spaces per home with two or more bedrooms. At least 1 bicycle parking space should be provided per home.

The submitted site plan demonstrates that two car parking spaces for the existing dwelling would remain and that the development would make provision for two additional car parking spaces for the proposed dwelling.

The proposal would comply with policies TC7 and TC9 of the East Devon Local Plan.

Appropriate Assessment:

The site is located in close proximity to the Exe Estuary and the East Devon Pebble bed Heaths Special Protection Areas (SPA's) which provide an important recreational resource for the local community. However, these are sensitive environments which are important to nature conservation and are subject to European wildlife site designations.

Despite the introduction of the Community Infrastructure Levy (CIL) where a proportion of CIL goes towards infrastructure to mitigate any impact upon habitats, contributions towards non-infrastructure mitigation are also required as developments that will impact on a protected habitat cannot proceed under an EU directive unless fully mitigated. Evidence shows that all new dwellings and tourist accommodation within 10 kilometres of the Exe Estuary and/or the Pebblebed Heaths Special Protection Areas (SPA's) will have a significant effect on protected habitats which is reflected in Strategy 47 (Nature Conservation and Geology) of the Local Plan. This proposal is within 10 km of the Exe Estuary and the Pebblebed Heaths and therefore attracts a habitat mitigation contribution towards non-infrastructure at a rate of £367.67 per dwelling which has been secured as part of this application.

Other Issues:

The Town Council's concerns in relation to loss of trees is noted and whilst some ornamental trees within the garden are likely to be lost to the development, it is not considered that these are of amenity value or worthy of a tree preservation order in favour of a what would be a sustainable form of residential development on the site. The proposal would not conflict with the provisions of policy D3- Trees and Development Sites of the Local Plan.

Conclusion

The application site is located within the built-up area boundary of Exmouth in a highly sustainable location where the principle of new residential development is acceptable in location terms.

The proposed dwelling would be positioned within the side garden of 2 Seymour Road and would result in no significant harm to the character and appearance of the area having regard for the character and variety of styles of property in the vicinity of the site coupled with the asymmetrical design approach to the dwelling. Concerns about over development of the site are acknowledged however the proposed site plan demonstrates that sufficient space would remain for the provision of two off road parking spaces whilst retaining parking for the existing dwelling and for the provision of a modest amenity area at the rear of the property. It isn't considered that an objection could reasonably be sustained on these grounds.

Whilst introducing built form into the space between the existing dwelling and the boundary with no 24 Iona Avenue would result in a degree of impact to outlook from the side windows and garden as a result of the footprint of the dwelling extending close to the side boundary of the site, its asymmetrical roof form and design serves to significantly reduce the bulk and massing and overall physical impact of the development, effectively in a single storey form and would ensure no significant harm to residential amenity.

In the absence of any harm to the character and appearance of the area, the residential amenities of the occupiers of surrounding properties and highway safety, on balance, the proposal is considered to be acceptable, in accordance with the East Devon Local Plan and Exmouth Neighbourhood Plan and is therefore recommended for approval.

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 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. Notwithstanding the submitted details, no development above foundation level 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 considered at an early stage and are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

4. Prior to first occupation of the dwelling hereby approved, the car parking spaces shall be provided in accordance with the details shown on drawing no SAEX-23-102A. The parking spaces shall thereafter remain in perpetuity for that use unless otherwise agreed in writing by the Local Planning Authority.
(Reason: To ensure adequate parking facilities are provided in the interests of highway safety in accordance with policies TC7- Adequacy of Road Network and Site Access and TC9- Parking Provision in New Development) of the East Devon Local Plan 2013-2031).
5. In accordance with the details shown on drawing no SAEX-23-105A, the ground floor window on the west elevation of the dwelling hereby approved shall be positioned no lower than 1.7 metres above the finished floor level of the room it is intended to serve.
(Reason: To protect the privacy of adjoining occupiers in the interests of residential amenity in accordance with policy D1- Design and Local Distinctiveness of the 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 windows, doors, rooflights or other openings other than those shown on the plans hereby permitted shall be formed in the western elevation of the dwelling hereby approved.
(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
7. 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 shall be undertaken within the Schedule 2 Part 1 Classes A or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme]
(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.)
8. In accordance with the details shown on drawing no SAEX-23-105B, the Swift brick shall be provided within the eastern elevation of the dwelling hereby approved. The swift brick shall thereafter remain in place in perpetuity.
(Reason: In the interests of ecology and biodiversity in accordance with policy EN5- Wildlife Habitats and Features of the 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:

	Location Plan	07.08.23
SAEX-23-102 A	Proposed Site Plan	26.10.23
SAEX-23-106 B	Proposed Floor Plans	16.11.23
SAEX-23-105 B	Proposed Elevation	16.11.23

List of Background Papers

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

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.