

ITEM NO. 4

COMMITTEE DATE: 06/09/2010

APPLICATION NO: 10/0915/38

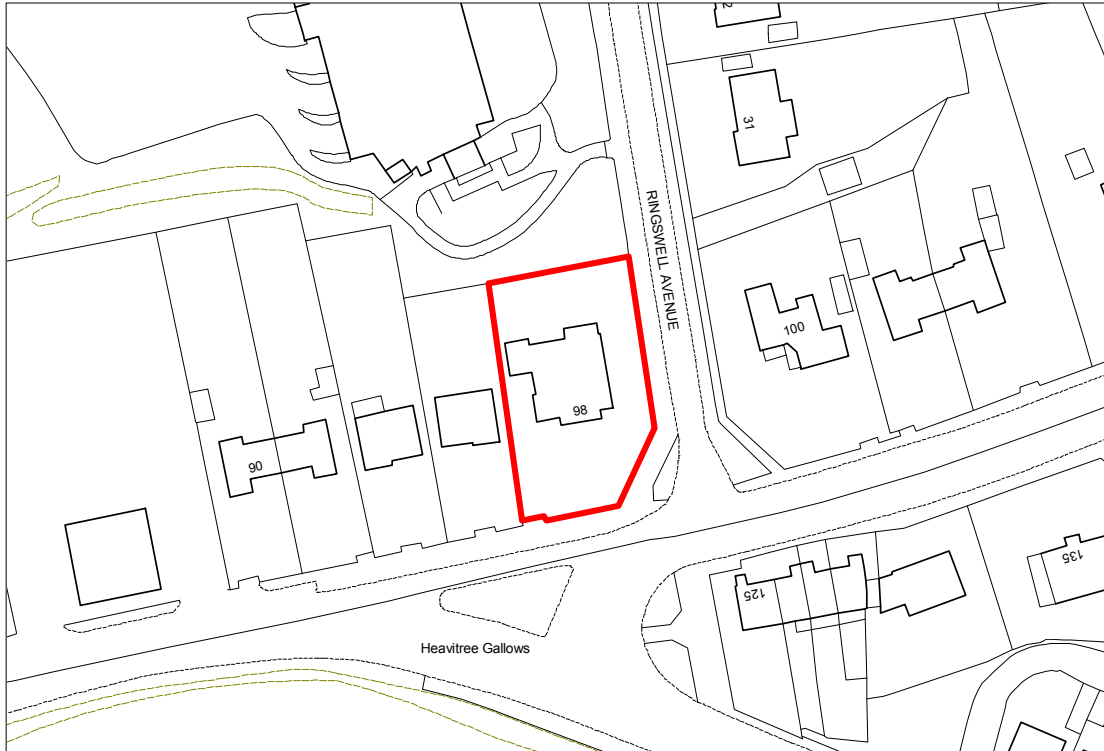
EXTENSION TO EXTANT PLANNING CONSENT

APPLICANT: South West Property Trading Ltd
PROPOSAL: Redevelopment to provide 8 self-contained flats, parking, cycle/bin store, access to highway and associated works (Extension of Time for extant Planning Permission Ref No 08/0267/03 granted 30 June 2008)

LOCATION: 98 Honiton Road, Exeter, EX1 3EE

REGISTRATION DATE: 07/06/2010

EXPIRY DATE: 02/08/2010



Scale 1:1250

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HISTORY OF SITE

08/0267/03 -	Redevelopment to provide 8 self-contained flats, parking, cycle/bin store, access to highway and associated works	PER	30/06/2008
08/1514/03 -	Amendment to application 08/0267/03 (approved 30 June 2008) to include living accommodation in roof, roof lights on east and west elevations and glass panels in gables	WDN	08/10/2008

DESCRIPTION OF SITE/PROPOSAL

The application relates to a site which currently comprises a bungalow on the corner of Honiton Road and Ringswell Avenue. It has a private entrance drive off Honiton Road. The site is bounded to the north by the new St Nicholas Primary School. To the west is a two storey detached dwelling fronting Honiton Road. There is a hedge and fence boundary with

this property. The site is screened from Honiton Road and Ringswell Avenue by a well-established hedge.

The area is characterised by detached and semi-detached dwellings with pitched roofs and faced predominantly with render.

In 2008, full planning permission was granted to demolish the existing house and redevelop the site with a two storey building comprising 8 flats. Two of the flats had two bedrooms and the remaining flats had one bedroom. The approved scheme required the existing access to the front of the site is to be filled in with additional planting, and a new access created off Ringswell Avenue to serve a car park of 8 spaces at the rear of the site. This area also included space for turning of vehicles, a bin and recycling store, and a cycle store.

This application is for an extension of time to implement the approval.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design and Access Statement

REPRESENTATIONS

Objections: 10. Principal planning issues raised:

1. Overlooking of children's nursery at St Nicholas School.
2. Overlooking of neighbouring properties.
3. The proposal would be out of keeping with the character and appearance of the area.
4. Overshadowing of school and dwellings.
5. Overdevelopment of the site.
6. Size and height of the proposal.
7. Poor design.
8. Light pollution.
9. Highway and pedestrian safety where vehicles cross the footway in Ringswell Avenue.
10. Additional traffic in Ringswell Avenue.
11. Loss of mature garden.

CONSULTATIONS

The Head of Environmental Health Services raises no objections subject to conditions relating to construction hours and noise.

The County Director of Children and Young People's Services confirms that an education contribution would not be required.

PLANNING POLICIES/POLICY GUIDANCE

Government Policy Guidance

PPS3 - Housing

'Greater Flexibility for Planning Permission' (November 2009)

Devon County Structure Plan 2001-2016

CO6 - Quality of New Development

TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

H1 - Search Sequence

H2 - Location Priorities

T1 - Hierarchy of Modes

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

OBSERVATIONS

This scheme was originally approved in 2008. National Government guidance as stated in 'Greater Flexibility for Planning Permission' (November 2009) introduced the ability to extend the time limits for implementing planning permissions. The Guidance states that the 'measures have been introduced in order to make it easier for developers and Local Planning Authorities to keep planning permissions alive for longer during the economic downturn so that they can more quickly be implemented when economic conditions improve'. The Local Planning Authority in making their decisions must focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of permission. The scheme remains identical to that approved in 2008. Although there have been letters of objection, the issues raised were assessed at the time of the approved application. One letter of objection cites the revised PPS3 which was issued in July 2010. However, this was only a minor modification to the 2006 version of PPS3, and the relevant advice remains unchanged.

Consequently given that there has been no relevant change in policy or other material considerations since the original approval, it is considered that this application for the extension of time for an additional three years is acceptable.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 24 April (*dwg. no(s). 5999-08B*), and 16 May 2008 (*dwg. no(s) 5999_06B, 07C and 10A*) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C38 - Trees - Temporary Fencing
- 7) The hedges on the boundaries of the site shall be retained to the satisfaction of the Local Planning Authority.
Reason: In the interests of visual and residential amenity.
- 8) The existing newly constructed footway/cycleway route on Ringswell Avenue shall be reinstated to a condition and standard acceptable to the Local Planning Authority as soon as possible following construction of the new access to the site.
Reason: To ensure that there is no detriment to existing public highway infrastructure as a result of the development.

- 9) No part of the development hereby approved shall be brought into its intended use until the parking facilities and visibility splays have been provided in accordance with full details that have first been submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of parking and highway safety.
- 10) The existing access shall be effectively and permanently closed as soon as the new access is capable of use.
Reason: To prevent use of a substandard access and to minimise the number of accesses onto the public highway.
- 11) Before the development hereby approved is brought into use the proposed windows in the west elevation of the property shall be permanently glazed with obscure glass and thereafter so maintained.
Reason: To protect the amenities of the adjoining property.
- 12) Construction work shall not take place outside the following times: 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of residential amenity.
- 13) The applicant shall undertake a background noise survey and development shall not begin until a scheme for protecting the proposed accommodation from noise from vehicular traffic has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied. The applicant should aim to achieve at least the 'Reasonable' standards for internal noise level in residential properties specified in BS8233:1999 Sound Insulation and Noise Reduction for Buildings – Code of Practice.
Reason: In the interests of the amenity of occupants of the development.
- 14) The existing hedge bounding the site shall be retained unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and to ensure that the proposed amenity space is screened to protect the privacy of the future occupants of the property.
- 15) No development shall take place until a Wildlife Plan has been produced by the applicant and approved by the Local Planning Authority. The wildlife plan should state how the proposed development will be managed in perpetuity to enhance wildlife.
Reason: In the interests of promoting opportunities for wildlife.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223