

ITEM NO. 7

COMMITTEE DATE: 06/09/2010

APPLICATION NO: 10/0975/38

EXTENSION TO EXTANT PLANNING
CONSENT

APPLICANT:
PROPOSAL:

Mr S Howard
Redevelopment to provide 13 dwellings, parking, access to highway and associated works (approval sought of reserved matters on Ref. No. 04/0618/01 granted 14 July 2004) for siting, design, means of access and external appearance (Extension of Time on extant Planning Permission Ref No. 07/1604/02 granted 21 September 2007)

LOCATION:

8-10 Church Road, Alphington, Exeter, EX2 8SB

REGISTRATION DATE:

16/06/2010

EXPIRY DATE:

15/09/2010



Scale 1:1250

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HISTORY OF SITE

Outline planning permission was granted for residential development with all matters reserved in July 2004. A reserved matters application was refused in March 2007 on the grounds that the scheme was considered inappropriate in terms of design and materials; included inadequate landscaping along the southern boundary; inadequate visibility splays on the Church Road frontage and insufficient details in respect of Flood Risk Assessment. A further reserved matters application was approved for 13 dwellings in September 2007 which incorporated a more contemporary design which was deemed acceptable subject to condition. This application seeks to extend the period of time for a further 3 years as the current permission lapses on 21 September 2010.

DESCRIPTION OF SITE/PROPOSAL

The site (0.136 ha) is at the junction of Church Road and Mill Lane in Alphington and backs onto residential development at the former Alphington Halt. The surrounding area is wholly residential in character and contains a variety of houses including two storey thatched cottages and a three storey listed building.

It is proposed to construct a two/three storey building fronting onto Mill Lane and Church Road to provide 13 two bedroomed self-contained flats. The development would be served by a total of 13 car parking spaces located to the rear and accessed from Mill Lane. In addition, this rear section includes cycle parking, a refuse storage building and communal amenity space. The existing commercial workshop/garage and the two storey cottage at No.10 Church Road will be demolished as part of the scheme.

The proposed buildings are predominantly two-storey which reflects the height of the existing buildings on this side of Church Road although a three storey element is proposed on the junction with Mill Lane.

REPRESENTATIONS

One letter of objection. Principal planning issues raised:-

1. The quantity of dwelling will not feasibly fit onto the area of land;
2. The pavement is well used by school children and would not for health and safety reasons be suitable as an access road for vehicles;
3. The road is heavily used and further access would cause further congestion;
4. It is unacceptable for properties to overlook/invoke the privacy the privacy of existing dwellings, these dwellings would directly impact on privacy;
5. The local schools are at capacity.

CONSULTATIONS

The Director of Environment, Economy and Culture comments that since the previous highway consultation in August 2007 the recommended visibility splay of 2.4 metres (minor road distance) by 60 metres (major road distance) in a north-westerly direction has been relaxed because of the introduction of a 20 mph speed restriction zone. A major road distance of 33 metres now applies to the splay, which can be accommodated in the existing highway area on the Church Road frontage. To accommodate the pedestrian traffic that is likely to be generated, it is still considered essential to provide a footway on the Mill Lane frontage to connect with the footway that was recently constructed on the adjacent development site at Alphington Halt. It is recommended that conditions are attached to any permission to secure the provision of the frontage footway in accordance with details to be submitted to, agreed and approved by the Local Planning Authority together with the proposed access and off-street parking facilities to be provided before the occupation of any residential unit.

The Head of Environment Health Services require conditions regarding the need for a contamination report, hours of construction, noise assessment, air quality assessment and details of refuse storage be attached if permission is granted.

The Environment Agency raise no objections to the proposed development provided that it conforms to the submitted FRA and associated addendum regarding the establishment of minimum floor levels on the site and an investigation is undertaken to account for any contamination on the site.

PLANNING POLICIES/POLICY GUIDANCE

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development
CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity

OBSERVATIONS

The principle of the demolition of the existing cottage and commercial garage for residential development was approved in July 2004. A detailed scheme for all aspects of the proposed residential units was approved in September 2007. National Government guidance as stated in 'Greater Flexibility for Planning Permission' 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 September 2007. Although there has been one letter of objection the issues raised were assessed at the time of the approved application. Consequently given that there has been no relevant change in policy or other material considerations since this date it is considered that this application for the extension of time for an additional three years is acceptable.

WESTERN AREA WORKING PARTY

The application was presented to the WAWP on 17 August 2010. Members were made aware of the context for the application in terms of recent central Government guidance in relation to such applications and understood that there had been no local policy change to warrant a different recommendation to that previously given.

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 10 September 2007 (dwg nos. CD 742 LP 01 rev C; CD 742 P 30 rev C; CD 742 P 31 rev D; CD 742 P 32 rev D; CD 742 P 33 rev D; CD 742 P 34 rev B; CD 742 P 35 rev C; CD 742 P 36 rev C; CD 742 P 37 rev C; CD 742 P 38 rev D & CD 742 SP 09 rev D), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials
- 4) C12 - Drainage Details
- 5) C35 - Landscape Scheme
- 6) C37 - Replacement Planting

- 7) C70 - Contaminated Land
- 8) C72 - Highway - Estate Roads etc
- 9) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
 - a) windows to include materials, means of opening, reveals, cills and headers;
 - b) external doors;
 - c) rainwater goods;
 - d) lighting;
 - e) treatment of boundaries;
 - f) refuse storage;
 - g) hours of construction and location of site compound;
 - h) noise assessment;
 - i) air quality assessment.

Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 10) No part of the development hereby approved shall be occupied until the on-site parking and turning facilities have been provided, surfaced and marked out in accordance with the requirements of this permission and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 11) The lowest floor level in the completed buildings shall not be less than 10.85m above ordnance datum.

Reason: To comply with the requirements of the Environment Agency.
- 12) C57 - Archaeological Recording
- 13) No part of the development hereby approved shall be occupied until the access, visibility splays and footway on the Mill Lane frontage have been provided in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.
- 14) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for the construction period.

Reason: In the interests of public safety and to minimise obstruction of and damage to the adjoining highway.

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