

**ITEM NO.** 5

**COMMITTEE DATE:** 10/12/2007

**APPLICATION NO:** 07/1656/03 **FULL PLANNING PERMISSION**

**APPLICANT:** Wattson Holdings Ltd

**PROPOSAL:** Redevelopment to provide 10 dwellings and garages, parking, access to highway and associated works

**LOCATION:** 4-6 Countess Wear Road, Exeter, EX2 6LG

**REGISTRATION DATE:** 24/09/2007



Scale 1:2000

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### **HISTORY OF SITE**

88/01216/01 -	Residential development	PER	20/02/1989
96/0399/01 -	Demolition of existing building and erection of five detached dwellings with ancillary accesses (details of access and siting to be approved)	PER	30/07/1996
06/0275/03 -	Redevelopment to provide 10 dwellings and garages, parking, access to highway and associated works	PER	03/05/2006

### **DESCRIPTION OF SITE/PROPOSAL**

The site is located on the west side of Countess Wear Road about 30 metres from the Tally Ho Public house. The site has now been cleared but was formerly occupied by a range of buildings which were in use by a shop fitting firm.

Previous consent has been granted for the demolition of all existing buildings on the site and redevelopment with 10 town houses split into two terraces of 5 units set either side of a central access point. From Countess Wear Road the approved buildings would be 3 storey in

height with the top floor of the accommodation within the roof space. One parking space is provided for each dwelling in the form of garages situated towards the rear of the site.

The developer has since expressed a desire to include dormers on the rear and was advised that this could not be dealt with as a minor amendment. Hence this application is a revised version of that already approved with the main difference being the addition of dormer windows to the rear elevation of each dwelling.

### **SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT**

The application is accompanied by a Design and Access Statement.

### **REPRESENTATIONS**

21 letters of representation to the application have been received raising the following issues:-

- Lack of off-street parking - consequent impact on existing street parking
- Access issues - highway safety and emergency vehicle access
- the way in which previous application was processed
- design/visual impact
- impact on existing businesses/community buildings in locality
- compliance with approved drawings
- loss of privacy
- insufficient public consultation
- overdevelopment of site
- excessive height

The level of parking provision, access issues, impact on the locality, height and quantum of development were all considered in the context of the previous application and determined to be acceptable. There is nothing in the current submission which changes the merits in respect of these issues. Compliance with the approved drawings is something that would need to be dealt with as the development is implemented. The occupants of all properties directly surrounding the site, and those sharing a boundary with it, were consulted in accordance with the Council's adopted procedure. It is considered that this level of consultation is more than adequate for this application and that wider consultation would not have been justified (particularly in the context of the proposal essentially comprising the addition of dormers to the rear of a previously approved scheme). The impact of the current proposal from a design/visual impact perspective and impact on privacy is addressed later in this report.

### **CONSULTATIONS**

Cleansing Services - No issues - Bin storage area is considered appropriate.

Environment Agency - No comment.

Environmental Health - Recommend condition regarding hours of work, land contamination and drainage details.

County Director of Environment, Economy and Culture - Comments "This site has the benefit of a permission for 10 residential units that are currently under construction. However, this proposal seeks to amend the existing approval by adding dormer windows on the rear elevation. The revised proposal incorporates 10 garages to serve 10 residential units and when taking into consideration national advice relating to on-street parking, I am not able to

recommend a refusal in this instance. I therefore recommend that a condition is attached to any permission to secure the provision of the proposed off-street parking facilities and access to Countess Wear Road including visibility splays before the occupation of any residential units."

Head of Leisure and Museums - Recommends a condition regarding submission of a Wildlife Plan.

## **PLANNING POLICIES/POLICY GUIDANCE**

### Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development  
AP2 - Sequential Approach  
E3 - Retention of Employment Land or Premises  
H1 - Search Sequence  
H2 - Location Priorities  
C5 - Archaeology  
T1 - Hierarchy of Modes  
T2 - Accessibility Criteria  
T10 - Car Parking Standards  
DG1 - Objectives of Urban Design  
DG4 - Residential Layout and Amenity  
DG6 - Vehicle Circulation and Car Parking in Residential Development

### Devon Structure Plan 2001-2016

ST1 - Sustainable Development  
ST10 - Exeter Principle Urban Area  
CO6 - Quality of New Development  
TR10 - Strategic Road Network and Roadside Service Areas

PPS1 - Delivering Sustainable Development  
PPS3 - Housing  
PPG13 - Transport

## **OBSERVATIONS**

Whilst this is a full application in its own right it is necessary when considering the issues to have regard to the existing approval. The main difference is the addition of dormer windows to the rear elevation of each dwelling in lieu of the previously approved roof lights. In this context it is not felt that a condition in respect of the submission of a Wildlife Plan would be appropriate.

The currently submitted drawings also clarify the relative heights of the proposed dwellings in relation to No. 8 Countess Wear Road. The difference between the specified ridge heights now and those previously approved is negligible, with the nearest new dwelling being approx 7 centimetres higher than previously specified. Height is one of the main concerns raised in the objections. In the context of the previous approval and the character of the surrounding area the heights specified are considered acceptable.

One of the other principal concerns raised in the objections relates to the level of parking provision and its implications in terms of further congestion and pressure of existing on-street

parking. The approved proposal provided for 10 parking spaces in the form of garages. The County Director of Environment, Economy and Culture suggests that there is a reduction in parking provision compared to the previous approval. However, he has been reminded that this is not the case as the level of parking provision was amended during the processing of the previous application. Consequently, the current proposal does not change the level of parking provision proposed which remains as 10 garages (i.e. one/dwelling). Given the existing approval it would not be appropriate to seek greater off-street parking provision as part of this proposal. In any event, the Highway Authority have acknowledged that in the context of national advice the level of parking provision proposed is acceptable and could not be used to justify a refusal.

The main issue in respect of this application relates to the addition of dormer windows to the rear of each dwelling. The main considerations in this respect relate to their visual impact and the potential impact on surrounding properties in terms of overlooking. It has to be borne in mind that the existing approval provided for living accommodation within the roof space, albeit lit by roof lights on the rear (and dormers to the front). Therefore the substitution of the roof lights with dormers is what needs to be assessed. Visually, given the previous approval for dormers of the same design on the front of the new dwellings, it would be difficult to argue that similar dormers on the rear would have an unacceptable visual impact.

With regard to privacy impact it is fair to say that there maybe a greater perceived level of overlooking from dormers as opposed to roof lights, and indeed dormers do provide a more direct view out from a room. The neighbouring properties to the rear of the site are also at a lower level than those proposed. However, they are also some distance away from the rear face of the proposed properties. The nearest neighbouring building at the rear of the site to the new dwellings is approximately 30 metres away. These properties are also at a significantly lower level than the proposed dwellings and allowing for intervening boundary treatments and garages the main view will be over the top of these dwellings. Given these distances, and the difference in levels, it is not considered that the level of overlooking would have such an adverse impact upon the amenity of those residents such as to justify a refusal.

#### **SOUTHERN AREA WORKING PARTY (17/10/07)**

Members noted the objections and the fact that officers required further clarification of the heights of the buildings and sections showing the relationship with surrounding properties.

#### **SOUTHERN AREA WORKING PARTY (21/11/07)**

Clarification that the height of the buildings are comparable with the previous approval has been received. Further objections were reported to Members along with the formal consultation response from the Highway Authority. Notwithstanding the issues raised in the objections, many of which had been previously considered in the context of the approved scheme, Members noted the sections showing the distance of the proposed dwellings from surrounding properties and supported the officer recommendation of approval. Members noted that the application would be placed before the Planning Committee for determination.

#### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings

- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) C23 - Permitted Development Restriction
- 7) C12 - Drainage Details
- 8) C57 - Archaeological Recording
- 9) C70 - Contaminated Land
- 10) No part of the development hereby approved shall be occupied until the access to Countess Wear Road, off-street parking facilities, access courtyard and visibility splays have been provided in accordance with the requirements of this permission and retained for those purposes at all times unless otherwise agreed in writing by the Local Planning Authority.  
**Reason:** To ensure that adequate facilities are available for the traffic attracted to the site
- 11) The development hereby approved shall be constructed in accordance with detailed drawings, which shall previously have been submitted to, and approved in writing by, the Local Planning Authority, showing the datum level at which it is to be constructed in relation to an agreed fixed point or O.S. datum  
**Reason:** To ensure that the development is constructed at levels appropriate to the surroundings in terms of visual impact and relationship to adjoining properties.
- 12) The development hereby approved shall not be commenced until details of all proposed boundary walls and fences have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until these have been provided in accordance with the approved details.  
**Reason:** In the interests of the amenities of the area.
- 13) The development hereby approved shall not commence until sections and elevations to a scale of not less than 1:20, indicating the following details, have been submitted to and approved in writing by, the Local Planning Authority:
  - (i) rain water goods;
  - (ii) eaves overhang;
  - (iii) reveals to window/door openings;
  - (iv) glazing bars and window frames.The buildings shall not be occupied until it has been completed in accordance with these details. The above-mentioned details will be expected to show sash opening windows.  
**Reason:** To ensure that the architectural detailing of the development is completed to an appropriate standard.

- 14) 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) hours of operation of construction works,
  - b) site compound and,
  - c) railings.
- Reason:** Insufficient information has been submitted with the application and in the interests of visual amenity.
- 15) No part of the development hereby approved shall be occupied until the access, visibility splays and frontage footway have been provided in accordance with details that shall previously have been submitted to 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 traffic attracted to the site.
- 16) Notwithstanding condition No. 2 no work shall commence on site under this permission until visibility splays have been provided and laid out at the site access to Countess Wear Road in accordance with the attached Diagram C where the visibility splays provide intervisibility between any point on the X and Y axes at a height of 0.6 metres above the adjacent carriage way level and the distance back from the nearer edge of the carriage way of the public highway (identified as X) shall be 2.4 metres and the visibility distances along the nearer edge of the carriage way of the public highway (identified as Y) shall be 60 metres in both directions.
- Reason:** To provide adequate visibility from and of emerging vehicles.
- 17) The existing accesses shall be effectively and permanently closed in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority as soon as the new access is capable of use.
- Reason:** To prevent the use of substandard accesses and to minimise the number of accesses onto the public highway.
- 18) H03 - Highways - Drainage
- 19) 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 during the construction period in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority.
- Reason:** In the interests of public safety and to avoid 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