

PLANNING COMMITTEE



Application Address	7 Malmesbury Close Christchurch BH23 1NU
Proposal	Construct Bin Storage at the front of Property (Retrospective)
Application Number	8/20/0046/HOU
Applicant	Mr Adam King
Agent	Mr Adam King
Date Application Valid	13 February 2020
Decision Due Date	9 April 2020
Extension of Time Date (if applicable)	
Ward	Christchurch Town
Report status	Public
Meeting date	21 May 2020
Recommendation	Grant, subject to conditions
Reason for Referral to Planning Committee	This application is brought to the Planning Committee at request of Cllr Hall as; <ul style="list-style-type: none">• it may be contrary to policy H12, HE2;• it may be out of keeping with the established street scene
Case Officer	Alison Underwood

Description of Development

1. Construct Bin Storage at the front of Property. The application is retrospective.

	Proposed
Height of unit (approx. m)	0.9 - 1.23m
Width of unit	1.35m
Length of unit	3.78m

Materials	Timber, natural finish
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Key Issues

2. The impact on character of the dwelling, terrace and street scene.
The impacts on residential amenity.

Planning Policies

3. Development Plan:

Christchurch and East Dorset Core Strategy 2014

- KS1 Presumption in favour of sustainable development
- HE2 Design of new development
- H12 Residential Infill
- ME6 Flood Management, Mitigation and Defence

Supplementary Planning Documents:

Christchurch Borough Wide Character Analysis (2001)

The National Planning Policy Framework (2019)

Paragraph 11 Sets out the presumption in favour of sustainable development.

Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

Section 12 Achieving well-designed places

The requirement for good design set out in section 12; paragraph 127 requires that development should add to the overall quality of the area. Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions (para 130).

Relevant Planning Applications and Appeals

4. 8/18/2533/HOU - Proposed roof conversion to provide accommodation with additional velux windows – Granted 04.12.18

8/19/0985/CLP - Proposed single storey rear extension – Lawful 12.08.19

Representations

5. A site notice was posted in the vicinity of the site 10/03/2020 with an expiry date for consultation of 31/03/2020.

5 letters of objection received with concerns summarised below;

- Restricts light and view from living room window at no.5
- Noise disturbance from banging lids & doors
- Will attract vermin
- Large and ugly and out of character with the Close
- Will set a precedent for front garden construction
- Contravenes the Highways Act of 1980, section 153

Consultations

6. Christchurch Town Council

No response received

7. BCP Highways

The bin store proposed at the front and side of the property has no impact on the footpath or any highway aspects concerning the dwelling or other dwellings - No objection.

Constraints

8. Flood Zone 2 (2019)

SSSI Impact Risk Zone

Areas Benefiting from Flood Defences

Heathland 5km Consultation Area

Coastal Area (Policy)

Contaminated Land - Refuse Disposal

Planning Assessment

9. Site and Surroundings

10. The site is occupied by a two storey mid terrace house within a residential area of Christchurch. The property has a small L-shaped open-plan style frontage laid to gravel bordered by the pavement, and there are allocated parking bays on the roadway adjacent. There is an enclosed garden at the rear, and a single-storey extension attached to the rear of the property.

11. The Close comprises two storey dwellings of similar scale and design set in staggered terraces around a small residential cul-de-sac.

Key Issues

12. Impact on character and appearance of the area

13. Malmesbury Close has a relatively hard, urban appearance with the street dominated by hard surfaces and car parking. The properties are relatively close to the street frontage and their frontages are mainly gravelled with some shrub planting to varying extents across the properties. The storage unit appears as well designed and constructed, with a timber framework clad with hit-and-miss timber slats with a natural finish. The unit is relatively low-level with hinged doors, and hinged lids on the top and is used as storage for a general waste wheelie bin, a food waste bin, a recycling wheelie bin and glass recycling box belonging to the property. There is some additional space within the store behind the bins which it is believed is used to store surfboards.
14. As the dwelling is a mid-terraced property there is no direct access into the rear garden other than through the house or via a pathway around the western edge of the terrace. This means that bins kept in the rear garden at the premises would have to be wheeled in excess of 50m from the rear garden onto the frontage for collection.
15. The unit is considered to meet a good standard of design and utilises quality materials in the exterior finishes. It is sturdy in construction and does not overhang the footpath at the front of the site.
16. Whilst clearly visible at the front of the property, this type of storage facility disguises potentially unsightly refuse/re-cycling bins that could otherwise be kept on the frontage of the dwelling. It is noted that during the site visit and from viewing street view that bins are understandably being kept on the frontage of neighbouring properties. It is noted there are no other similar storage units currently on the frontages in the close. Nonetheless a feature which is novel in the street scene is not unacceptable as a matter of course. Wheelie bin storage units are an increasingly commonplace feature in many urban areas where space is at a premium and it is considered that the structure is of a quality that does not compromise the appearance of the dwelling.
17. The unit has an acceptable impact on the visual amenity of the surrounding area and due to its modest and minor nature does not compromise the character of the terrace as a whole.

18. Impact on residential amenity

19. Whilst the objections of the neighbouring occupant are acknowledged with regard to reduction in light and outlook at the front of no.5 Malmesbury Close, the storage unit measures between 0.9 – 1.2 m in height. It is visible from the front window of this neighbour. However, a feature which is visible does not mean that it is causing an overriding harm which warrants refusal of the scheme. The structure is only marginally higher than the cill height of the adjoining property's front window and is offset. By reason of its siting and height, it is not therefore

considered to be of a scale that would create an overbearing impact, or unacceptably curtail the outlook from the windows at adjacent properties.

20. Accordingly, the storage unit has a minor impact on the residential amenity and living conditions currently enjoyed at neighbouring properties. It complies with the tests in Policy HE2 to be compatible in its relationship to nearby properties including minimising general disturbance to amenity

21. Other Issues

22. The site lies in an area of flood risk and the application is accompanied by a householder Flood Risk Assessment which confirms floor levels will be set no lower than the existing dwelling. There is considered to be no increase in flood risk at the site or material impediment of the flow of flood waters elsewhere.

23. The Highways Authority has been consulted and has raised no objections to the structure with regard to public safety or highway issues.

Summary

24. Each application must be considered on its merits. The proposal involves a small external storage building to be used in connection with an existing dwellinghouse in the urban area. This is acceptable in principle.

25. There is no adverse impact on the character of the dwelling, or on the visual amenity of the surrounding area. There is no substantial overriding harm to the living conditions of neighbouring residential properties. Highway safety is not compromised by the structure.

Planning Balance

26. It is considered that the structure does not harm the character of the dwelling or otherwise impact the visual amenity of the street-scene. The scheme has an acceptable impact on the living conditions of neighbouring properties.

RECOMMENDATION

It is recommended that this application be granted subject to the conditions below, which are subject to alterations/additions by the **Head of Planning** provided any alteration/addition does not go to the core of the decision:

Conditions:

1. The materials to be used in the external surfaces of the proposed development shall be as specified in the approved application unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of design and amenity.

Informatives:

Background Papers

Case file – Ref 8/20/0046/HOU

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website