

PLANNING APPLICATION REPORT

Case Officer: Chris Mitchell

Parish: Stoke Gabriel **Ward:** Dartmouth and East Dart

Application No: 0145/18/HHO

Agent/Applicant:

Mr Paul Rose
The Old Inn
Broadclyst Road
Whimble, Exeter
EX5 2TT

Applicant:

Ms Horton
21 Pound Field
Stoke Gabriel
TQ9 6QA

Site Address: 21 Pound Field, Stoke Gabriel, TQ9 6QA

Development: Householder application for rear single storey extension and loft conversion

Reason item is being put before Committee

Concern to the level of objection by neighbouring residents to proposed alterations to the property in respect of loss of light and privacy to neighbours.



Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

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 approved shall in all respects accord strictly with drawing number 17.34.02A (Location Plan) received by the Local Planning Authority on 25th January 2018 and drawing numbers 17.34.011_B (Proposed Plans) and 17.34.011_B (Proposed Elevations) received by the Local Planning Authority on 16th March 2018.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to their installation details / samples of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved. Reason: In the interests of visual amenity.

4. The flat roof area hereby created by the dining room and kitchen shall not be used as a terrace or balcony and the Juliette balcony shall be fitted with fixed balustrade to prevent access and use onto this area. Reason: In the interests of neighbour amenity.

5. The recommendations, mitigation and enhancement measures of the Ecological Report, by Mr D Wills date 12th December 2017, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority. Reason: To safeguard the interests of protected species

Key issues for consideration: Design, impact upon the amenity and privacy to neighbouring properties and impact upon Area of Outstanding Natural Beauty.

Site Description:

The site is located to the north of the village centre of Stoke Gabriel with access taken from Aish Road via Pound Field. The property is a semi-detached bungalow built with brick and rendered walls, UPVC windows and doors and concrete tiled roof.

The Proposal:

The revised proposal has removed the front dormer, reduced the width of the entrance hall and increased the depth of the single storey kitchen extension. The new proposal is for a conversion of garage and rear single storey extension to provide a new dining room and extension to kitchen built with rendered walls, dark grey aluminium windows and doors and grey flat roof with capping. It also proposes the construction of an entrance hall to the side of property over the existing front door that will be built with rendered walls, oak front door and grey flat roof and capping.

On the rear elevation at first floor level it is proposed to construct a three quarter length dormer to provide an additional bedroom with Juliette balcony and finished with dark grey metal finish with dark grey aluminium windows.

It proposes the replacement of front widow with white UPVC patio doors and side windows and insertion of three high level roof lights on the front roof elevation.

Consultations:

- County Highways Authority No objection
- Environmental Health Section No comments received
- Town/Parish Council
Support The dormer window must be sited in the centre of the roof. Juliet type balustrade must be in place to stop the possibility of using the new flat roof area as a terrace.
The drive levels should remain as they are and not be levelled.
Whilst the Parish Council appreciate the concerns of immediate neighbours in planning terms these revised plans are now acceptable.

Representations from Residents

There have been some fifteen letters of representation received to the revised plans and cover the following points:

- The proposed extension is out of character with the existing street in doubling the properties size and is overdevelopment;
- The rear dormer results in loss of privacy to neighbouring properties;
- The use of materials of the rear dormer is not in keeping with the character of local area;
- The proposed alterations results in the loss of daylight to No. 20 and therefore should be refused;
- The proposed rooflights change the appearance of the property as there are no others in the street;
- The rooflights would result in overlooking to neighbouring properties opposite the dwelling;
- The alteration to front window is out of keeping with character of the area;
- The conversion of the garage to accommodation would result in loss of off street car parking;
- A porch was constructed to the side of No. 23 and is of simplistic design and appropriate size and therefore sets a precedent for the area;
- The entrance hall would adversely impact on natural light upon the kitchen window of No 20.

Relevant Planning History

None

ANALYSIS

Principle of Development/Sustainability:

The proposed replacement of front window with patio doors and windows with white UPVC windows and insertion of three rooflights can be undertaken under the properties permitted development rights and therefore cannot be considered under this application.

The proposed amendments to rear dormer in centralising it and therefore balances it with neighbours dormer at No. 22 and it would only be glimpsed from the road so it does not result in any significant visual harm to character and appearance of the area. Whilst the use of dark grey metal cladding for the rear dormer is unusual though contemporary and it is not considered to adversely impact upon the character appearance of the local area due to it limited public views.

The proposed rear ground floor extensions would not adversely impact upon either of the neighbouring properties and the site can comfortably accommodate this development. The reduction in width of the

entrance hall has brought the proposal away from No. 20 window therefore providing more light into this room and the rear dormer is set 1.2m away from the roofs edge therefore ensuring that sufficient light can still be permitted into the neighbour's kitchen.

It is recommended that following neighbour and the Parish Council concerns that a condition would be placed on any permission that the flat roof area of the kitchen and dining room shall not be used as a terrace or balcony in the interests of neighbour amenity.

Neighbour issues:

The proposed rooflights on the front roof elevation are permitted development and so the Local Planning Authority has no control over their placement on the roof providing they are less than 150mm above the existing roof slope. The concerns to be overlooked is not founded as these rooflights are proposed to be high level and only serve a storage space to the property.

The objection that the alterations and extensions to the property would constitute overdevelopment of the property is noted though the overall increase of floor space is less than half of the existing building and the property is sited on a piece of land that can easily take these extensions without causing any adverse impact upon neighbouring properties.

The comment that the entrance hall is too large and dominant upon No. 20 is noted though the revised entrance hall has been set back from the boundary by 0.4m following the objection received by the neighbouring property and thereby reducing the issue of dominance upon No 20 kitchen window. The further objection that the porch at No. 23 sets a precedent is noted though there is no such thing as precedent in planning as each case is judged on its own merits. The reduced entrance hall is considered to be acceptable and would not significantly impact upon the loss of light to the neighbouring property's kitchen as it benefits from secondary light sources via two glass doors one from the driveway and the other into the rear garden along with kitchen window and secondary light from the adjoining dining room.

The objection to the proposed rear dormer would significantly reduce light into No, 20 kitchen is noted though it is set 1.2m away from the western edge of the roof of the property and ensures that sufficient day light will still be permitted into No. 20 kitchen window. The finish of the dormer in a dark grey metal would not as claimed by the neighbours significantly reduce light into their kitchen. It is accepted that there will be a reduction in the level of light to this window, however, the kitchen is served by a glazed side door and another window from a dining room that permits light into this room and therefore in officer's opinion it is not a reason to refuse the application on these grounds.

The concern that the rear dormer would result in visual detriment upon the local area and harm the neighbouring properties is noted though there are also other rear dormers along Pound Field that can be seen from the applicant garden therefore the principle of rear dormers is acceptable. The concern that the dormer would result in unacceptable overlooking to the neighbouring properties is acknowledged, however No. 22 already benefits from a rear dormer that provides overlooking of No. 21 garden so this dormer would increase overlooking though it overlooks their own back garden with oblique views of the bedroom.

In respect of No. 20 the existing garages of both properties and planting ensures that no significant overlooking can occur to the rear garden from the proposed dormer. It should also be noted that the proposed dormer would house a bedroom that is a secondary habitable room and has lesser use than a primary living area and therefore is acceptable in planning terms.

The previous concerns raised to the rear dormer being built onto the roof boundary have been taken into consideration and the revised stepped 0.5m from the boundary of No. 22 thereby centralising it and therefore ensures that the impact upon the part wall would not be affected by this development.

The objections to the conversion of the garage into additional accommodation and entrance extension would result in a loss of off street car parking that would adversely impact upon the local area is noted

though the property has a long driveway that can accommodate up to 2 cars off street and the standing advice only requires the need for one so these objections would not be reasons to refuse the application.

Parish Council:

The Parish Council has supported the application with the revised amendments and states that the driveway should be retained as existing the rear dormer should be centrally set into the rear roof and the Juliette balcony balustrade to be fixed so that the flat roof areas cannot be used as terrace or balcony.

Conclusion:

The amendments to this revised application are considered to be acceptable and address the concerns raised to the proposal are not considered to be overriding reason to refuse this application. Officers therefore recommend that this application be approved subject to recommended conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

South Hams Local Plan (please delete as necessary)

SHDC 1 Development Boundaries

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

**PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION
(as considered by the Full Councils end Feb/Early March 2017)**

DEV1 Protecting amenity and the environment

DEV2 Air, water, soil, noise and land

DEV3 Sport and recreation

DEV20 Place shaping and the quality of the built environment

DEV24 Landscape character

Neighbourhood Plan

A plan area has been agreed though no detail policies have been submitted and therefore it has no material weight.

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.