

PLANNING APPLICATION REPORT

Case Officer: Chris Mitchell

Parish: Thurlestone **Ward:** Salcombe and Thurlestone

Application No: 1710/18/HHO

Agent/Applicant:

Mr John Edwards
Rose Cottage
Shernal Green
Droitwich
WR9 7JS

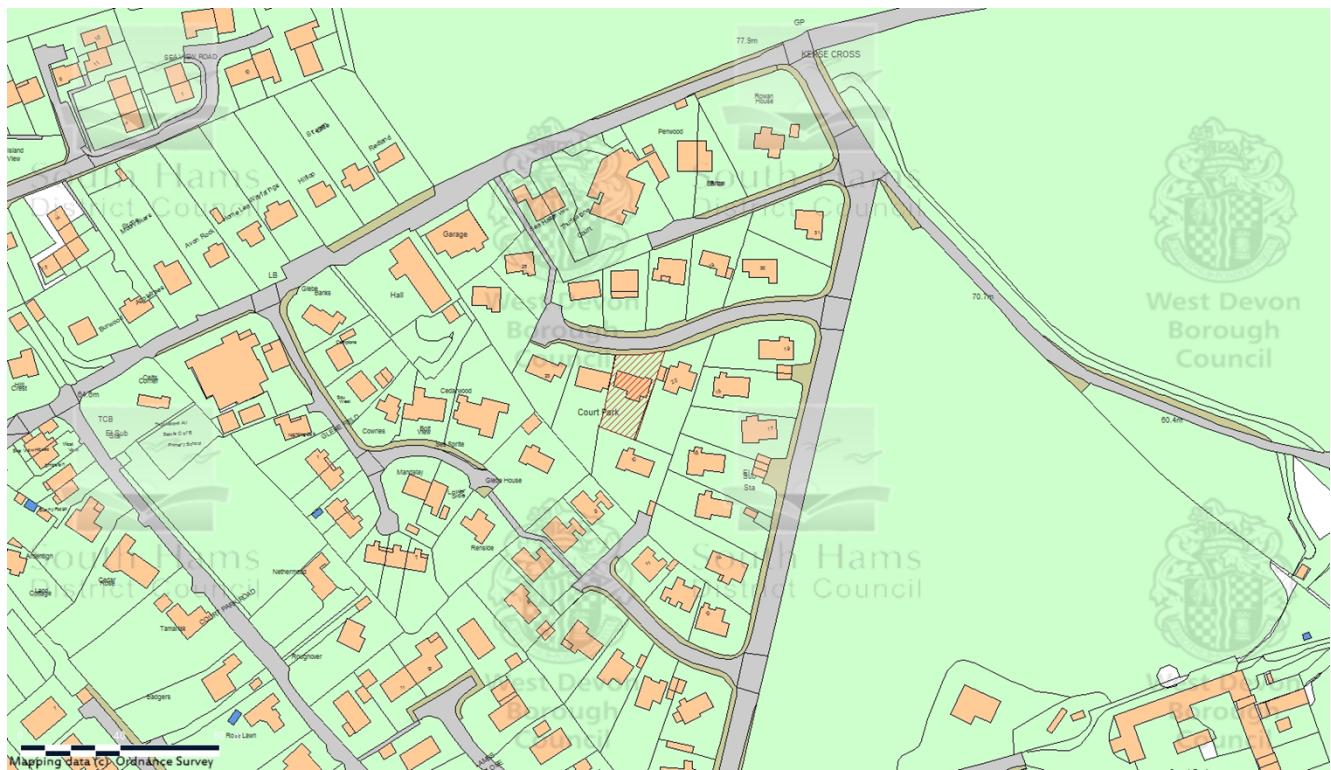
Applicant:

Mr & Mrs Paul Edwards
21 Court Park
Thurlestone
TQ7 3LX

Site Address: 21 Court Park, Thurlestone, TQ7 3LX

Development: Householder application for proposed alterations and extension.

Reason item is being put before Committee: The application was determined by Committee and therefore it is deemed that the Committee should determine the application with amendments submitted.



Recommendation: Conditional Approval

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 1330/07/E and 1330/13A(Location Plan), received by the Local Planning Authority on 26th June 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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building, unless amendments have been agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

4. The 1.8m high wall as detailed on drawing 1330/07E on the west elevation of the ground floor deck hereby permitted shall be installed prior to the use of the terraced shall thereafter be retained and maintained.

Reason: In the interests of the residential amenities of the adjoining occupiers.

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

Site Location

The site is located to the east of Thurlestone village centre on Court Park with access taken from Court Park Road. The property is a detached 1960's dwelling house with large gabled roof with dormers front and back and finished with rendered walls, UPVC windows and doors and concrete tiled roof.

Proposal

The proposal seeks a lower ground floor extension on the rear elevation to provide a TV room with a balcony above at ground floor level with access taken from the dining area and kitchen. The ground floor balcony has been extended out by 1m from previously submitted application 0421/18/HHO with access directly taken from the kitchen. The south eastern corner of the balcony has been angled on the corner to minimise overlooking to no. 20's rear garden and a 1.8m high wall has been proposed on the west (side) elevation of the proposed ground floor raised decked area.

At first floor level the existing rear dormer would be extended to the east of the roof to provide additional space to a bedroom with the insertion of a window to match existing.

The garage would be converted into additional living accommodation with removal of garage door and insertion of a window. The part of the front garden would have the construction of a low retaining wall with a hardsurfaced area to be laid to provide additional off street parking for 3 cars.

The extensions and alterations would be built in materials that would match that of the existing dwelling house.

Consultations:

- County Highways Authority No objection
- Environmental Health Section No comments received
- Town/Parish Council Object

Thurlestone Neighbourhood Plan Policy TP1.7 states that "A safe means of access and on-site parking should be provided." The Council considers that this extension will not leave enough room for 3 cars and it will result in on-street parking.

Representations from Residents

There have been no of letters of representation received to this application to date.

Relevant Planning History

0421/18/HHO	READVERTISEMENT (Revised Plans Received) Householder application for proposed alterations and extension (resubmission of 3075/17/HHO)
	Refused
3075/17/HHO	Householder application for proposed alterations and extension
	Refused

Analysis:

The previous application 0421/18/HHO proposed the installation of Juliet style balconies at first floor level an extension to ground floor terrace area and proposed hard surfacing of front garden.

The Committee refused the application for the following reason:

The proposed first floor full length windows with Juliet balconies would result in an unacceptable degree of overlooking and significant loss of amenity and privacy to the neighbouring properties within the immediate area and therefore would be contrary to Local Plan Policies Development Plan Document Policy DP3 (Residential Amenity) and emerging Plymouth and South West Devon Joint Local Plan policies DEV1 (Protecting amenity and the environment) and Thurlestone Neighbourhood

Plan Policy TP1 (General Development Principles) and the National Planning Policy Framework in particular paragraph 17.

This application seeks to remove the previously refused balconies and full height doors at first floor and therefore overcomes officer's previous concerns of overlooking to neighbouring properties and therefore make the application acceptable.

The increase in depth of the proposed decked area off the living room is considered to be acceptable as there is already an element of overlooking from the existing terraced area and it is over 6m from the boundary of the neighbouring property No. 20. The previous concerns raised by neighbour at No. 22 to overlooking and loss of privacy to the deck/terrace area if the boundary screening where to be removed has been addressed with the installation of 1.8m high wall along the entire length of the deck. Part of the boundary vegetation is not on the applicant's land and therefore not within their control hence the recommendation of installation of this wall would ensure that no overlooking or loss of privacy would occur and will be conditioned accordingly.

The increase in height of boundary screen on the west (side) elevation to the deck/terrace overcomes neighbours concerns of being overlooked during the winter months. The balcony has an angle section on the south eastern corner that would further reduce the ability of persons looking back into the living rooms of No. 20 Court Park and therefore this proposed balcony is in officer's opinion to be acceptable.

The proposed extension to the rear dormer to provide additional room to bedroom with a window is considered to be acceptable and would not result in any significant overlooking of neighbouring properties rear gardens than currently exists. It is acknowledged that the Design and Access Statement states that both neighbouring dwellings (No. 20 and No. 22), incorporate dormer windows along the full width of their respective rear elevations. Accordingly, the replacement of the Velux window with a dormer is in keeping with each of the immediate neighbours. No. 22 also incorporates dormer windows across the full width of its front elevation. Therefore this extension is in keeping with the existing and neighbouring properties.

These revisions overcome the concerns previously raised and therefore officer support would be given to this proposal.

The proposed alterations are not considered to adversely harm the character and appearance of the AONB and the site is located within the settlement boundary of Thurstlestone.

The Thurlestone Neighbourhood has been adopted and therefore policies TP1 – General Development Principles, TP2 – Settlement Boundaries and TP7 – replacement dwellings and extensions have been taken into consideration in determining this application.

Neighbour and Parish Comments:

At the time of writing this report there have been no letters of objection received to the application.

The Parish Council's objection to the provision of 3 cars on the front garden will not allow enough room for the parking and maneuvering of 3 cars and therefore it would be contrary to Thurlestone Neighbourhood Plan Policy TP1.7 states that "A safe means of access and on-site parking should be provided." This objection is noted though officers have measured the

distances of the front garden and compared this with submitted drawings and conclude that there is sufficient land to accommodate the 2 cars on the front garden and a further car on the existing driveway.

The proposed parking area complies with Highway Standing Advice and whilst there is no turning area provided the existing property benefits in having provision for 2 off street parking spaces with no turning area. Therefore it is considered that a safe means of access and suitable parking is provided.

Conclusion:

The amendments to this revised application are considered to be acceptable and address the previous concerns of overlooking and loss of privacy raised therefore officers 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:

DEVELOPMENT PLAN

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

DEV20 Place shaping and the quality of the built environment

DEV24 Landscape character

DEV27 Nationally protected landscapes

Neighbourhood Plan

This plan is adopted and is of material consideration:

POLICY TP1 – GENERAL DEVELOPMENT PRINCIPLES

POLICY TP2 – SETTLEMENT BOUNDARIES

POLICY TP7 – REPLACEMENT DWELLINGS AND EXTENSIONS

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.