

PLANNING APPLICATION REPORT

Case Officer: Rob Heard

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

Application No: 0545/19/FUL

Agent:

Mr Mark Evans
Mark Evans Planning Limited
Cedar House
Membland
Newton Ferrers,
Plymouth
PL8 1HP

Applicant:

Mr P Rodgers
Hill Cottage,
Herbert Road
Salcombe
TQ8 8HN

Site Address: Hill Cottage, Herbert Road, Salcombe, TQ8 8HN

Development: Demolition and rebuild of 2 existing dwellings



This application is being presented to the planning committee at the request of Cllr Pearce due to concerns over the scale and massing of the proposed dwellings.

Recommendation:

Planning Permission Granted subject to conditions.

Conditions:

1. Time Limit
2. Approved Plans
3. Materials

4. Obscure glazing
5. Surfacing
6. Boundary Treatment
7. Landscaping
8. Drainage details
9. Unexpected contamination

Key issues for consideration:

- Principle of development
 - Design
 - Residential amenity
 - Highways issues
 - Drainage
-

Site Description:

The existing property consists of a main house, 2/3 bedrooms, at the front and a two bedroom annexe to the rear. Herbert Road is suburban in character and consists of detached and semi-detached family houses, sited on generous plots with ample amenity space. The neighbour at Penn Torr, to the east, has been redeveloped approximately 15 years ago to provide 6 dwellings. The neighbour at Pinehurst, to the west, is a large detached dwelling set in a generous sized garden. Despite being located with an existing settlement and having an urban context the site is within the South Devon Area of Outstanding Natural Beauty.

The Proposal:

It is proposed to demolish the existing dwelling and annexe and redevelop the site with a pair of new 4 bed semi-detached dwellings. Car parking for 2 cars per dwelling is provided at the front of the site accessed directly from the road and each dwelling has a deep rear garden. There is some landscaping proposed within the front curtilage between the proposed parking areas.

Consultations:

- County Highways Authority – support
- Drainage – no comments
- Environmental Health Section – support subject to conditions.
- Town/Parish Council – objection due to conflict with Neighbourhood Plan policy SALC ENV7.

Representations:

Representations from Residents

Two letters of support received covering the following points:

- I live directly opposite Hill Cottage, as an all year resident I am very much effected by any development plans on this site. In my view the proposed plans are a vast improvement on the current building. It is very much in keeping with other developments in Herbert Road and close by.
- I live adjacent to the site and support the proposals as they will be an improvement on the existing development.

Four letters of objection covering the following points:

- The development is large scale and out of keeping.
- The development will create an over-hanging effect on Penn Torr.
- Salcombe will not benefit from such large scale property development.
- The resubmission is no different from the previous application and should be refused.
- This proposal would involve the loss of a front garden and increase housing density.
- The proposal is excessive in size and scale.
- The proposal will have an overbearing impact upon neighbouring properties.
- The proposal removes the front garden and replaces it with an ugly parking area.
- The proposal is not in keeping with the existing low density suburban character.

Relevant Planning History

- 3147/17/FUL; Rebuilding of 2no. existing dwellings; Refused 8/5/18
- 0395/17/FUL: Rebuilding of 2no. existing dwellings. Refused 5/5/17.
- 41/0968/99/F Extension to dwelling granted conditionally 28/07/1999. (It is not clear from the planning history when the extension was separated to become Bowcombe View Annexe)

The above applications made in 2017 (3147/17/FUL and 0395/17/FUL) were refused due to their excessive scale, height and massing and associated impacts upon the character of the area and neighbours amenities. A reason for refusal based on lack of drainage information was also attached.

This proposal has been reduced in scale, height and massing and is thus considered to have an acceptable impact upon the streetscene and neighbours amenities. The overall height and footprint of the dwellings has been reduced to an acceptable degree and planting has been introduced at the front of the site. Acceptable drainage information has now been submitted with the application. These issues are analysed in greater detail below in the main analysis section of the report.

ANALYSIS

Principle of Development/Sustainability:

The site is located within the previous settlement boundary for Salcombe and the current boundary of the Neighbourhood Plan. It is also previously developed land and a brownfield

site. Furthermore, Salcombe is identified as one of the smaller towns and key villages in the recently adopted Joint Local Plan (JLP), where a proportionate amount of new growth is appropriate *to ensure that services and facilities are not lost, but can be sustained and enhanced where appropriate*. For these reasons, the principle of residential development at the site is considered acceptable. This is confirmed in Policy TTV2 (Delivering sustainable development in the Thriving Towns and Villages Policy Area), which states that:

The LPAs will support development proposals in the Thriving Towns and Villages Policy Area which reinforce the sustainable settlement hierarchy and which deliver a prosperous and sustainable pattern of development. In addition to the provisions of Policies SPT1 and SPT2, specific objectives of rural sustainability to be supported through development include:

- 1. The location of housing where it will enhance or maintain the vitality of rural communities.*

With regards to the Neighbourhood Plan (NP), whilst there are no policies that specifically address replacement dwellings, the supporting text in the housing section of the NP states in paragraph 6.6.1.2 that:

*Recent developments have encroached onto the countryside and AONB and has put pressure on the infrastructure of the town without any significant improvements. Future strategic growth in Salcombe is planned in the Plymouth and SW Devon Joint Local Plan (JLP). Therefore this plan does not promote any further housing development beyond the strategic allocation. **However the plan does not exclude replacement dwellings in the town as outlined in JLP Policy TTV 32.***

The NP clearly supports the principle of replacement dwellings at the site, subject to consideration of the proposals against the criteria set out in JLP policy TTV32. JLP policy TTV32 was replaced with policy TTV29 when the JLP was adopted. TTV29 refers to replacement dwellings in the countryside and is thus not relevant to this proposal (the site is not within the countryside).

With regards to the type of housing proposed, both dwellings will provide 4 bedrooms with integral garages and benefit from dedicated off road car parking at the front for 2 cars, with generous rear garden areas that are proposed to be laid to lawn. Policy DEV8 (Meeting local housing need in the Thriving Towns and Villages Policy Area) of the JLP considers the type, mix and quality of housing to be provided, also addressing specific housing needs such as those of students and travellers. The type of housing proposed is family housing that there is an identified need for in Salcombe. Paragraph 6.6.3.3 of the NP states that *The consequence of the high value placed on market housing which attracts primarily second home owners is **the lack of supply of properties for younger working people and families**. These families move away from the parish as evidenced in the population analysis in Section 5 of this plan.*

Whilst it is recognised that dwellings of this type in this location will probably not be relatively affordable, there is not a current imbalance of 4 bed family houses in Salcombe and the proposals will provide family housing in a residential area that is characterised by detached family housing that is not significantly different from that proposed within this application.

With regards to issues of principal residence, policy SALC H3 (Principal Residence) states that *New open market housing, **excluding replacement dwellings**, will only be supported where*

there is a planning condition, a Section 106 agreement or other planning obligation to ensure its occupancy as a Principal Residence.

The proposals are replacement dwellings and there is no requirement for them to be restricted by principal occupancy conditions or obligations under the current policy framework.

Design/Landscape:

The existing building is pleasant and fits within the street scene, but is not of intrinsic merit or worthy of protection or retention. The plot is currently occupied by the main house and its' annexe, which appears to be independently occupied and therefore can be considered an additional dwelling (previous planning reports recognise the annexe as a separate, independent residential unit). The existing layout is a tandem arrangement, which provides no frontage presence for the annexe unit and a somewhat hidden entrance. This is not a traditional arrangement and can be considered unorthodox and confusing with regards to the streetscene and its relationship with the surrounding townscape.

The division of the plot lengthways, as proposed, to create two formally separate dwellings does not represent an increase in the number of households occupying the plot and is arguably an improvement in terms of layout arrangement. There is thus no policy objection, in principle, to residential redevelopment of the site and as outlined above the proposal does not conflict with JLP policies TTV2 (Delivering sustainable development in the Thriving Towns and Villages Policy Area) and DEV8 (Meeting local housing need in the Plan Area).

The proposals consist of 2 new three storey properties that have a garage and entrance at first floor and the majority of living accommodation on the floors above. They are finished in a random stone at ground floor with timber cladding and render on the first floor and second floors. These materials are evident in the surrounding context and have been used extensively on recent development in Salcombe. The streetscenes submitted with the application show a proposed development that is in keeping with the neighbouring properties with regards to scale and massing, the development stepping up in height with the topography so that it sits neatly within the context.

Previous applications at the site (see Planning History section above) have been refused partly on design grounds (with respect to scale, bulk and massing). With regards to this, the proposals have been reduced in height by sinking the ground floors and stepping down the lower dwelling on the hill. The depth of the dwellings has also been reduced. These changes help to lessen the impact upon the streetscene to an acceptable level, and the reductions in height now present a development that appears more natural in the streetscene, reflecting the existing local topography. The proposals leave adequate separation distances between the proposed dwellings and those existing dwellings on either side, reflecting the suburban character and existing pattern of development.

Some concern has been raised in relation to the proposed hardstanding at the front of the site to accommodate the off street car parking. However, this is a feature of the area and a significant amount of dwellings on Herbert Road and in the surrounding streets have areas of hardstanding between their front elevations and the highway to accommodate off street car parking. Landscaping is proposed in 2 large planters that separate the driveways and introduces some soft planting, breaking up the perceived lack of soft features at the front of the property and introducing an appropriate level of landscaping given the urban context.

The application is considered to be in accordance with policy DEV20 (Place shaping and the quality of the built environment) and Policy SALC B1 Design Quality and safeguarding Heritage Assets of the NP. Given the urban setting there is no conflict or adverse impact upon the AONB and the proposal is in accordance with policy DEV25 (Nationally protected landscapes) of the JLP.

Neighbour Amenity:

The proposed semi-detached houses would extend across most of the width of the site, be of similar depth to the existing and be slightly higher than the existing ridge. However, the reduced height when compared to the previous application, and reduction in depth, ensure that the proposals do not result in over development. They would sit neatly on the site and leave enough curtilage space for a full range of amenities to be provided.

'Torr Penn', the neighbour to the east, is a large building with a deep floorplan, of comparable size to the proposed development and comprises a block of 6 dwellings, the result of an earlier redevelopment. It is two storeys in height with a pitched roof, located on lower ground, and contains small individual garden/patios close to its' rear elevation, with a residents car parking area beyond the private patios. The height of the proposal has been significantly reduced when compared to previous applications and this has helped mitigate impacts in relation to the overbearing and dominant impact upon the amenities of the closest Torr Penn dwelling, associated with the previously refused application (3147/17/FUL). The windows in the east elevation are now either bathroom windows or high level windows, with a condition attached requiring them to be obscure glazed. This also helps to lessen the impact upon Torr Penn.

With regards to loss of privacy, there is currently some overlooking from the existing application property. It has a number of windows serving habitable rooms and raised decking on the east side elevation, and raised decking on the rear elevation, which provides opportunity for views and direct over-looking of the neighbouring property.

The proposed development has a reduced number of openings on its east elevation, with those openings above ground floor level being either high level windows or obscure glazed bathroom windows. The proposals result in betterment when considering residential amenity impacts on the existing development to the east of the site, and a reduction in overlooking and loss of privacy to an acceptable level that creates appropriate levels of residential amenity at both sites.

Some overlooking, at a distance, is an accepted feature of urban areas, and in many hilly locations is unavoidable. It is considered that the proposal represents a reconfiguration of the site, rather than intensification, and significantly reduced overlooking arrangements between the existing site and the nearest neighbours.

In terms of the relationship to 'Pinehurst' to the west of the site, it was noted in the previous application that the impact upon this dwelling is less, due to it being on higher ground and occupying a somewhat elevated position in relation to the site, whilst also benefitting from increased separation distances. The relationship with this dwelling is considered acceptable. It has a large garden that is well screened from the site to the rear by existing mature foliage that will block any overlooking potential. Even if the mature foliage were to be removed, at a future date, the part of the garden exposed to view from the terraces would be the north east

corner, not the most sensitive part. The relationship between the proposal and this property is considered to be satisfactory in relation to overlooking and impact upon privacy.

Overall, the proposed development brings about a reconfiguration of the existing development that vastly reduces residential amenity conflicts between the site and the nearest neighbours, and the application is considered to be in accordance with policy DEV1 (Protecting health and amenity) of the JLP.

Highways/Access:

Access to the houses would be directly off Herbert Road. Herbert Road is suburban in character, not heavily trafficked and is not a classified road. In terms of providing a safe access for the proposed houses, the proposed access arrangements are considered to be acceptable in relation to highway safety.

Two off street car parking spaces per dwelling, plus an integral garage, are provided for future residents and this will provide appropriate levels of off road car parking for the proposed dwellings. As there is no intensification of use there is unlikely to be an increase in trip generation associated with the proposed development. The proposals are considered to be in accordance with Policy DEV29 (Specific provisions relating to transport).

Drainage:

There are 2 existing dwellings at the site, therefore the proposed development will not have a significantly different impact than the existing with regards to surface water disposal. Soakaways are proposed to deal with surface water and this is considered to be appropriate, subject to further details being agreed via planning condition. A condition requiring permeable paving be used to surface the car parking area to the front is also proposed.

Foul drainage is proposed to be connected to the mains sewer as per the existing arrangements. The previously refused applications contained no information on surface water disposal and the soakaways proposed within this application provide an acceptable strategy to adequately address surface water disposal, subject to further technical details being agreed by planning condition. The application is considered to be in accordance with policy DEV35 (Managing flood risk and water quality impacts).

Other matters

It is considered that there are only very limited ecology impacts associated with the proposals as the site is brownfield land. There is thus no conflict with policy DEV26 (Protecting and enhancing biodiversity and geological conservation).

The rearrangement of the dwellings on the site to a more formal linear layout provides improved orientation with regards to maximising natural daylight and the more contemporary design and modern construction will see an improvement in heating, cooling and lighting and will reduce heat loss, all controlled through the building regulations process. It is considered that these improvements will ensure there is no conflict with policy DEV32 (Delivering low carbon development).

Letters of representation:

Planning issues raised in the letters of objection received refer primarily to the impact upon nearby properties residential amenity and the impact on the character and appearance of the area. These issues are analysed in detail above in the main section of the report. The conclusion reached is that the proposals will not cause significant harm to either the streetscene or residential amenity.

Two letters of support refers to the positive impact the proposed development will have on visual amenity.

Town Council Comments

The Town Council have stated that they object to the application due to conflict with Neighbourhood Plan SALC ENV7, being infill development. However, the site is outside of the areas identified as being affected by Policy ENV7, so this policy is not relevant to the consideration of this application.

Conclusion

The proposals will provide replacement dwellings within the settlement boundary of Salcombe. The principle of development is considered acceptable and there is no conflict with the policies that address new residential development in either the JLP or NP.

The division of the plot lengthways is in keeping with the established pattern of development in the area and will create two formally separate dwellings that will not represent an increase in the number of households occupying the plot and is arguably an improvement in terms of layout arrangement.

The design of the development is considered to be acceptable and will improve the streetscene and local visual amenity. There are no adverse impacts associated with any of the relevant technical matters such as highways and drainage issues and the application is recommended for approval subject to 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. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a

whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

TTV1 Prioritising growth through a hierarchy of sustainable settlements

TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area

TTV24 Site allocations in the Smaller Towns and Key Villages

TTV25 Development in the Sustainable Villages

TTV27 Meeting local housing needs in rural areas

DEV1 Protecting health and amenity

DEV2 Air, water, soil, noise, land and light

DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area

DEV9 Meeting local housing need in the Plan Area

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV23 Landscape character

DEV24 Undeveloped Coast and Heritage Coast

DEV25 Nationally protected landscapes

DEV29 Specific provisions relating to transport

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV32 (Delivering low carbon development)

DEV35 Managing flood risk and water quality impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF).

Neighbourhood Plan

Policy SALC Env1 Impact on the South Devon Area of Outstanding Natural Beauty (AONB)

Policy SALC B1 Design Quality and safeguarding Heritage Assets

Policy SALC H2 Market Housing

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.

Conditions in full

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(s) 16146 L0402 (Proposed Elevations), 16146 L0201 (Proposed Ground and First Floor Plans), 16146 L022 (Proposed Second and Roof Plans), 16146 L0401 (Proposed Elevations and Section), 16146 L0101 Block Plan/Site Location Plan), 16146 L.04.10 (StreetScene - Proposed), 16146 L.01.02 (Site Plan), 16146 L0403/P2 (Street Scenes/Boundary Wall), 16146 L.01.03 (Site Plan - Survey Overlay) received by the Local Planning Authority on 12th March 2019, 30th September 2019 and 20th November 2019 respectively.

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 window(s) shown on the proposed eastern elevation at first floor level shall be obscure glazed and permanently retained as such

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

5. Prior to commencement of development, details of surfacing for the car parking areas at the front of the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure an acceptable form of development

6. Details of the proposed boundary treatment shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation and shall be implemented prior to first occupation/use.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

7. The development hereby approved shall not be implemented until a landscaping scheme has been submitted to and approved by the Local Planning Authority, indicating the boundary treatment of the proposed development.

The scheme submitted shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of five years following the date of the completion of the planting.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

8. PRIOR TO COMMENCEMENT

Prior to the commencement of the development, details of the surface water design including percolation test results and supporting calculations shall be submitted to and approved in writing by the local planning authority. Details of maintenance and management responsibility for the drainage system must be submitted to and approved in writing by the local planning authority prior to commencement on site. Such approved drainage details shall be completed and become fully operational before the development first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter. Surface water drainage systems design and installation shall be accordance with CIRIA C697 The SuDS Manual and CIRIA C698 Site Handbook for the Construction of SuDS.

Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained. A pre- commencement condition is considered necessary to safeguard the environment in the interests of the amenities of the area.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.