

# PLANNING APPLICATION REPORT

**Case Officer:** Wendy Ormsby

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

**Application No:** 2992/16/FUL

**Agent/Applicant:**

Mr Phillip Pawsey  
10 Moor Farm  
East Portlemouth  
Salcombe  
TQ8 8PW

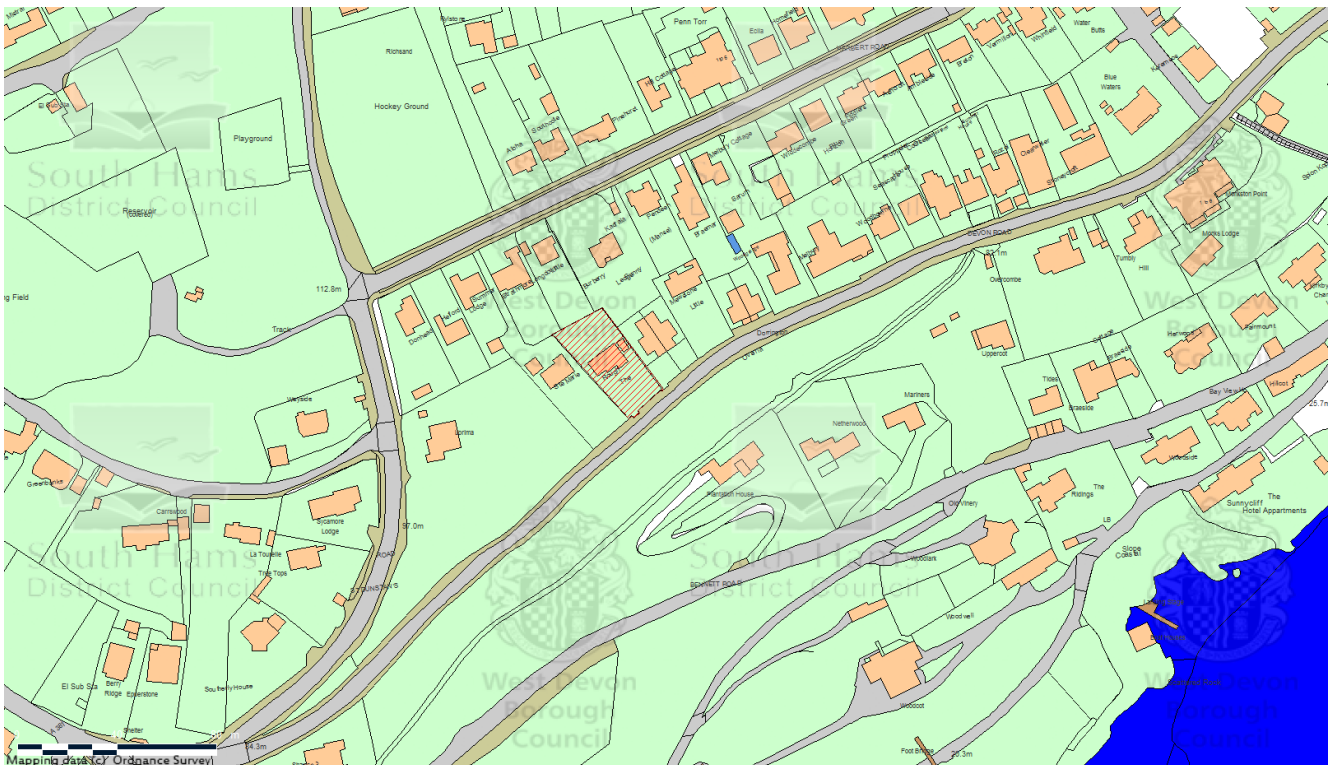
**Applicant:**

Mr & Mrs Richard Tudor  
46 Park Avenue North  
Harpenden  
Hertfordshire  
AL5 2ED

**Site Address:** The Rough, Devon Road, Salcombe, TQ8 8HJ

**Development:** Demolition of existing house and building of new dwelling with associated works

**Reason item is being put before Committee:** The previously withdrawn application was put before committee who attended a site visit; the application was then withdrawn. Having regard to the level of interest of members at that time it is appropriate for the revised scheme to be considered again by Committee



## **Recommendation:** Conditional Approval

### **Conditions:**

Time

Accords with plans

Details of materials to be agreed

Natural roof slates to be used

Details of hard and soft landscaping to be agreed including boundary treatment

Details of drainage to be agreed

Recommendations of Ecology Report to be adhered to.

Windows indicated as obscure to be retained as such

Permitted Development rights removed – extensions, roof alterations.

1.8m privacy screen to be provided on north east end of first floor balcony

### **Key issues for consideration:**

Impact on neighbours, impact on the street scene and the AONB.

### **Site Description:**

The Rough is a vacant house sited towards the western end of Devon Road in Salcombe. The eastern end of Devon Road is included within the Conservation Area and is notable for its substantial Victorian dwellings set in spacious plots. As Devon Road continues westward and upwards the character of the road changes; many of the plots on the central, north side of the road have been redeveloped or modernised and the development density is much higher. There are a number of 3 storey dwellings set above a parking areas in this part of the road, therefore presenting the scale of a 4 storey property.

As you continue further west, upwards and away from the heart of the town the development density drops again; architectural styles are very varied including some modern redevelopments. The north side of Devon Road is elevated as the land drops down, north south, towards to estuary. The majority of the dwellings at the western end of Devon Road are elevated above the road and set well back from the road. Older properties, including The Rough have no vehicular access from Devon Road. Due to the houses being set well back in their plots the character of this part of the road is green and leafy. The southern side of Devon road at this western end is not developed due to the steep gradient of the land and the road is tree lined but offering some views through across the estuary.

The Rough is a two storey dwelling of no particular architectural merit set back from the road and elevated from the road. Access is via a steep set of steps leading up from Devon Road. Part of the rear (north) garden of The Rough has recently been separated from the plot and now forms part of the gardens to the neighbour, Ste Marie, to the south west. Until recently the front garden of The Rough was heavily vegetated, much of the land has recently been cleared.

To the south west of the site is the property Ste Marie which is set well behind the building line of The Rough. To the north east are a pair of modern semi-detached houses, Burberry (the closest to The Rough) and Sunny Ledge. These are a pair of three storey houses with parking at the lower level. This modern development has been set at a lower level than the majority of dwellings in the area. Further east is Little Mewstone, an elevated, substantial dwelling set above and back from two levels of retaining walls which have allowed a garage and parking are to be provided below the house at road level.

Until recently the boundary between The Rough and Burberry was defined by dense, tall vegetation including trees. The owners of Burberry have recently cut a lot of this back including the felling of a large tree that was located between the properties on Burberry's northwest boundary. Despite this pruning there remains a substantial vegetative screen between the two sites.

The site is located within the development boundary of Salcombe and is within the South Devon Area of Outstanding Natural Beauty.

### **The Proposal:**

It is proposed to demolish The Rough and to replace it with a much larger dwelling which will include the provision of access and garaging at road level. Whilst the principal accommodation will be provided within the 2 storey element of the house located towards the rear of the site it is proposed to use the space above the garage as additional rooms and to incorporate a lift shaft onto the front of the building. This gives the appearance of a four storey building, particularly when viewed as a 2D drawing. The main part of the house (upper 2 levels) however will be set back from the front of the garage (lower 2 levels) by approx. 9m.

This application follows two earlier submissions both of which were withdrawn in an attempt to respond to objections that had been raised, the latest of these application was presented to Committee and a site visit took place, the application was withdrawn after the site visit.

The main changes in the current application compared to the scheme that was presented to Committee are as follows:

- The building is sited approx. 1m further away from the north east site boundary (boundary with the neighbour Burberry) which allows a wider landscaping buffer of between 2.8m and 2.5m. The building has been rotated so it is parallel with the north east boundary so that the planting remains a constant width.
- The most prominent part of the previous scheme, the lift shaft tower has completely been removed from the scheme. A lift shaft is still included but the roof above has been changed to a mono-pitch and there is no single tower – this part of the building is also set back even further on the upper 2 levels.
- The front the main part of the house has been set back between 4m and 1.4 m into the site
- The house projects between 1m and 1.4 m further to the rear (northwest).
- The building is sited between 1m and 0.8m closer to the south west (boundary with St Marie).
- The main roof ridge has dropped by 0.5m and is now only 0.7 m higher than the original existing roof ridge.
- Removing the tower element of the building has resulted in a very significant reduction in the massing of the building, particularly when viewed from the north east and south east, Devon Road elevation.
- The top floor conservatory with balcony has been removed from the scheme, reducing the potential for overlooking.
- Timber cladding is now also proposed on the front elevation of the upper floor of the garages, previously this was white painted render.
- Since submission the scheme has been revised to induce a further obscure window in the north east elevation in a response to concerns about overlooking raised by the neighbour at Burberry

The development proposes a 4 bedroom house with one main living/kitchen area, study, studio, double garage, utility and games room; it is a large house but is not as big internally as it may seem due to the changes in levels within the site. There will be outdoor terraces at ground floor level wrapping around

the building. A modest balcony is proposed at first floor (upper) level set within the lower pitched roof, the side of the roof which will restrict overlooking from the balcony to Burberry.

The scheme includes landscaping on all boundaries.

Whilst contemporary in design the development does not follow the current trend of large glazed gables but includes a more traditional roof shape. The palette of materials includes natural slate, natural stone, timber cladding and painted render.

### **Consultations:**

- County Highways Authority - no objection subject to condition to prevent mud and stones being deposited on the highway
- Environmental Health Section - no objection, recommends unsuspected contamination condition
- SHDC Drainage – no objection subject to conditions
- Town/Parish Council – objects for the following reasons:

*This was felt to be overdevelopment of the site due to its mass and scale as the view from the front presented an overbearing building that appeared to the eye to be 4.5 storeys. It was also clearly visible from the estuary providing a significant impact on the street scene and AONB.*

### **Representations:**

Four letters have been received raising issues including the following:

Burberry (Neighbour) – welcomes changes but requests that the window to bedroom 1 of first floor NE elevation be removed. This has now been amended to be obscure, the revised plan was sent to the neighbour but no further comment was made.

Undecided – welcome improvement but still massive and inappropriate. Roof height seems to have increased above that of current house

2 x Objection – Overdevelopment, Higher than original, overlooking from balconies

### **Relevant Planning History**

41/0121/15/F

Householder application for garden landscaping to include a new access and garage along with associated works

The Rough Devon Road Salcombe TQ8 8HJ

Conditional approval: 04 Mar 15

0116/16/FUL

Demolition of existing house and building of new dwelling and associated works.

The Rough, Devon Road, Salcombe TQ8 8HJ

Withdrawn

1307/16/FUL

Resubmission of application number 0116/16/FUL being the demolition of an existing house and the building of a new dwelling and associated works

The Rough, Devon Road, Salcombe TQ8 8HJ

Withdrawn

## **ANALYSIS**

### **Principle of Development/Sustainability:**

The site is within the development boundary of Salcombe where the principal of residential development is acceptable subject to all other material planning considerations.

### **Design/Landscape:**

The character of Devon Road has been described above (site description). This western end of Devon Road includes a number of properties such as the Rough that still maintain their elevated front gardens and have no vehicular access. Where vehicular access has been provided elsewhere on Devon Road this has often required significant excavation and the construction of large retaining walls which makes a significant change to the character of the area and the street scene.

In 2015 planning permission (41/0121/15/F) was granted at The Rough for the provision of a vehicular access from Devon Road and the construction of a triple garage, set into the hillside with a large retaining wall above. Viewed from a distance, with the 2 storey house above, this will appear as four levels of built development on the site. The principal of significantly increasing the built up appearance of the site and loss of garden has therefore already been accepted on the site.

The principal of development at street level has also been accepted at the adjoining dwellings of Burberry, Sunny Ledge and Little Mewstone. Officers consider that it is this loss of garden and introduction of built form at street level that most impacts on the character of the area and street scene and this principal is already accepted.

The principal of 3 and 4 storey dwellings is also well established within Devon Road.

The 2D drawings do give an impression of a tall, imposing building but the majority of the main part of the house (upper 2 levels) is set some 9m back from the garage with rooms above (lower 2 levels), this articulation will significantly reduce the impact and dominance of the building.

The main, upper two stories of the dwelling are set approx. 1m behind the front building line of the neighbour Burberry. The remaining forward elements (Levels G and 1) are much lower and due to the topography will only be visible head on.

Set well back into the site the building will not be prominent in the street scene when approaching from up and down Devon Road. Proposed landscaping will soften and reduce any visual impact. The building will be of a scale and massing comparable to other dwellings in Devon Road where 3 and 4 storey buildings are already present.

Distant views of the site are possible from the estuary which is within the AONB. However due to the 9m setback between the upper and lower parts of the dwelling and the use of different materials the development will not read as a solid, single built form and will not be unduly prominent in the landscape.

The development proposes to use a palette of materials that, with the exception of the timber cladding, fit with the local vernacular. The proposed materials will help the building to assimilate into its surroundings.

It is considered that the design of the dwelling is acceptable and there will be no significant, adverse impact on the street scene, the character of the area or on the AONB.

## **Neighbour Amenity:**

The previous application was strongly opposed by the neighbour, Burberry on grounds of overbearance, loss of light and loss of privacy. This neighbour has welcomed the changes in the current application but made a request that a window in bedroom one be removed to prevent overlooking. The plans have been amended and this window is now proposed as obscure.

The main part of the building is now set further back into the plot and the massing has been dramatically reduced, particularly when viewed from the north east. The building is now closer to the other neighbour, Ste Maxime, however also set further back and this will have a reduced impact on their outlook.

The development will not have an overbearing impacts on its neighbours

The building is sited approx. 1 m further back into the site compared to the previous scheme, extending 3.5m behind the rear building line of Burberry, but is now further from the common boundary. Burberry is set at a lower level to The Rough and has high retaining walls to its rear, an external stairway provide access to a small raised platform which is the main amenity area on this side of the house (there being a main patio at the front facing the estuary). There will be a separation of approx. 10m between the rear, side elevation of Burberry and the new dwelling. Having regard to the existing relationship between Burberry and the application site and the presence of existing vegetation is it considered that whilst there may be some loss of evening sunlight on the rear raised terrace, this impact would not prejudice the amenity of Burberry significantly.

There will be no significant overlooking of Burberry subject to the provision of the obscure windows which can be controlled by planning condition.

There is one side facing bedroom window which will overlook the front garden of St Marie, this has been reduced in size from the first withdrawn scheme and the impact is considered to be acceptable.

The rear elevation has a number of windows that will overlook the garden which is now in the ownership of Ste Marie; it would be unreasonable for the new owners of this land , which was until recently the garden of The Rough, to expect privacy in this area.

There will an acceptable level of overlooking as a result of this development.

The impact on residential amenity is acceptable.

## **Highways/Access:**

The principal of providing a new vehicular access into this site has already been accepted. Adequate on-site parking and turning is available.

## **Conclusion:**

This application has been considered with particular reference to Policies DP3 (Residential Amenity), DP1 (High Quality Design) and DP2 (Landscape Character) of the South Hams Local Development Framework and for reasons set out in this report is considered to be in accordance with these policies; as such Conditional Approval of this application is recommended.

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

## **Planning Policy**

*NPPF*

### **South Hams LDF Core Strategy**

CS1 Location of Development  
CS7 Design  
CS9 Landscape and Historic Environment  
CS10 Nature Conservation  
CS11 Climate Change

### **Development Policies DPD**

DP1 High Quality Design  
DP2 Landscape Character  
DP3 Residential Amenity  
DP4 Sustainable Construction  
DP5 Conservation and Wildlife  
DP7 Transport, Access & Parking

### **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.

### **Proposed 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(s) SE:23:10, SE.23.20B rev B, SE:23:52C, SE:23:100B, SE:23:101B, SE:23:102C, SE:23:103C, SE:23:104C, SE:23:105A, SE:23:106D, SE:23:107B, SE:23:108C, SE:23:109A, SE:23:110A, SE:23.

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 roofs hereby approved shall be clad in natural slates, a sample of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: In the interests of the amenity of the area.

5. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 as amended (or any Order revoking, re enacting or further amending that Order), no development of the types described in Schedule 2, Part 1, Classes A-H of the Order, including the erection of extensions, porches, garages or car ports, the stationing of huts, fences or other structures shall be carried out on the site, other than that hereby permitted, unless the permission in writing of the Local Planning Authority is obtained.

Reason: To protect the appearance of the area to ensure adequate space about the buildings hereby approved and in the interests of amenity

6. **PRE-COMMENCEMENT CONDITION.** No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the site and details of any to be retained, together with measures for their protection in the course of development. All planting, seeding, turfing or hardsurfacing comprised in the approved landscaping scheme shall be carried out by the end of the first planting and seeding seasons following the occupation of the buildings or completion of the development, whichever is the sooner.

Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. The landscaping scheme shall be strictly adhered to during the course of the development and thereafter.

Reason: To ensure the provision of an appropriate landscaping scheme in the interests of the visual amenities of the locality and to assimilate the development into its surroundings.

7. **PRIOR TO COMMENCEMENT** Prior to the commencement of the development, details of the surface water design shall be submitted to and approved in writing by the local planning authority. Such approved drainage details shall be completed and become fully operational before the development is first brought into use. Following its installation the approved scheme shall be permanently retained and maintained thereafter.

Reason: To safeguard the amenities of the locality and environment and to ensure that the development is adequately drained

8. The recommendations, mitigation and enhancement measures of the Ecological Report, by George Bemment Associates on 19 January 2016, 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

9. Prior to occupation of the dwelling hereby approved details of a 1.8m



privacy screen to be erected on the north east end of the first floor balcony shall be submitted to and approved in writing by the Local Planning Authority. The privacy screen shall be installed in accordance with the approved details and thereafter retained and maintained as such.

Reason: In the interests of the amenity of the adjoining neighbour.

10. All the windows indicated on the approved plans as obscure shall be obscure glazed, non-opening and permanently retained as such.

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