

# PLANNING APPLICATION REPORT

**Case Officer:** Mathew Dalton-Aram  
Yealmpton

**Parish:** Newton and Noss **Ward:** Newton and

**Application No:** 3976/16/FUL

**Agent/Applicant:**

Mr Jon Hallett  
42 Circus Street  
Greenwich  
London  
SE10 8SN

**Applicant:**

Mr Hallett  
Ferry Cottage  
Noss Mayo  
PL8 1EU

**Site Address:** Whitegates, Parsonage Road, Newton Ferrers, PL8 1AS

**Development:** Demolition of single dwelling and the erection of two detached dwellings.

**Reason item is being put before Committee:** At the request of Cllr Baldry who considers that the proposal is over development of the site and is concerned that that apart from a reduction in the number of dwellings from 3 to 2 there is little variation in the design and footprint from the previous application on this site, which was refused.



**Recommendation:**  
Conditional approval

**Conditions:**

1. Time limit
2. Approved plans
3. Details of material prior to installation
4. Details of landscaping and boundary treatments
5. Removal of permitted development rights
6. Access points to be completed prior to occupation
7. No mud, stones, water or debris to be deposited on the public highway
8. Protection of existing trees and hedgerows
9. Construction hours

**Key issues for consideration:**

Principle, design/landscape, amenity, highways/access, ecology and contaminated land

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**Site Description:**

'Whitegates' is a detached bungalow at the northern edge of Newton Ferrers, a village on the river Yealm. It occupies a large plot (785sqm) that contains two mature trees in the rear garden. Like its neighbours the property occupies an elevated plot, above Parsonage Road, the main road through the village.

The surrounding area is low density residential in character. To the south lies Archers Court, a small housing complex, separated from the site by a residential service road and beyond that St Catherine's Place, retirement bungalows. To the north 'Elmcroft', a single storey dwelling and, to the east open fields. 'Elmcroft' has a number of windows and glazed doors on its western elevation facing towards Whitegates. A concrete block boundary wall separates the two properties.

**The Proposal:**

Planning permission is sought for the demolition of the dwelling and the erection of two detached dwellings.

Plot 1 would be a two storey, 2 bedroom dwelling with a pitched roof. Plot 1 would contain a kitchen, living area, study, utility, wc and a hall way at ground floor with stairs which leading up to a first floor where there would be 2 bedrooms each with an ensuite. Plot 1 would be finished externally with manmade slate tiles, a mix of rendered walls and cement board cladding.

Plot 2 would be a larger 4 bedroom dwelling which at ground floor level would contain a hallway, study, bedroom and a large open plan kitchen, dining and living area laid out in a linear fashion projecting from the rear wall of the dwelling. At first floor level plot 2 would provide 3 bedrooms, one with an ensuite, and a family bathroom. Plot 2 would be finished externally with grey ridge tiles, natural slate tiles on its roof, and its walls would be clad with a mix of stone, timber cladding and render.

The proposed site layout shows two buildings with a shared driveway and parking court with two separate entrances from the main road in front of the proposed properties. The garden to the proposed properties would be laid out to the rear of the houses. Plot 2 would have a garage to the rear which would be accessed via an internal link between plots 1 and 2.

**Consultations:**

- County Highways Authority – The Highway Authority has no objections in principle to the proposals it would like to inform the applicant that a licence will be required to adjust the public highway verge to enable the access point to be constructed. A section 171 licence will be required.

**THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, RECOMMENDS THAT THE FOLLOWING CONDITIONS SHALL BE INCORPORATED IN ANY GRANT OF PERMISSION.**

1. Both access points shall be completed prior to occupation of any of the dwellings to the satisfaction of the Planning Authority.  
Reason – In the interests of highway safety.
2. No mud, stones, water or debris shall be deposited on the public highway at any time.  
Reason – In the interests of highway safety.

- Environmental Health Section – No issues raised.
- Newton & Noss Parish Council – No objection.

**Representations:**

At the time of writing this report 5 objections had been received to the proposal raising the following concerns:

- Highway safety, parking and traffic generation
- History of site
- Landscaping
- Over dominance
- Noise disturbance, smells, obtrusive lighting
- Amenity impacts
- Drainage and flooding
- Design and materials
- Excessive bulk and scale
- Loss of trees, hedge and other vegetation
- Domination of nearby buildings
- Conflict with pattern of development
- Visually damaging to the landscape and setting

At the time of writing this report 3 representations have been received highlighting that the proposal would:

- Improve the current site
- Enhance the surrounding area
- Improve the street scene

**Relevant Planning History**

Planning permission for the demolition of the existing dwelling and the erection of one detached single dwelling and two semi-detached single dwellings was previously refused under application 0699/16/FUL. Planning permission was refused as, among other things, the Local Planning Authority considered the proposal would:

- represent overdevelopment of the site that would result in a cramped and contrived layout that would be out of keeping with, and detrimental to, the character of the area; and
- adversely impact upon the amenities of the neighbouring property, Elmscourt, due to mass and bulk of the proposed single dwelling, located immediately to the south west.

## ANALYSIS

### Principle of Development/Sustainability:

The existing bungalow is a detached rendered brick structure with hipped tile roof. While its scale is comparable to single storey neighbouring properties it is in a poor state of repair and has no special architectural merit that would be worthy of retention. The site is located within the defined settlement of the village of Newton Ferrers which is considered a sustainable location where development is, in principle, considered to be acceptable under policy CS1 (Location of Development) of the South Hams Core Strategy.

### Design/Landscape:

It is noted that planning permission for the demolition of the existing dwelling and the erection of one detached single dwelling and two semi-detached single dwellings was previously refused under application 0699/16/FUL. The design of the new development seeks to address the shortcomings of the previously refused scheme. 2 detached dwellings are now proposed with a significantly reduced bulk and scale.

A number of objections have been received from neighbouring residents. While the proposed dwellings would be higher than the single storey dwellings to the north of the site, including the immediate neighbour, Elmcroft, the scheme has been designed to take advantage of the gently sloping nature of the site which slopes downwards from north to south. Plot 1 would be sited adjacent to Elmcroft and would be orientated so its gable end faces Parsonage Road. This, along with the use of a pitched roof with a lean-to element next to Elmcroft help to reduce its impact and means that it would not have an over bearing or over dominant impact while also providing a transitional interface between the single storey dwellings, the proposed larger 2 bedroom dwelling (plot 2) and the newer two storey dwellings at Archers Court.

Plot 2 would be constructed with a half hipped roof with a wider front elevation which has been designed to address the street frontage to give it more prominence in the street scene where it would be sited at the corner of the entrance to Archers Court.

The proposal is, therefore, considered to be in keeping with the character and appearance of the surrounding area. It would also respect the settlement pattern of the area and would have a positive impact on the street scene.

### Neighbour Amenity:

Policy DP3, Residential Amenity highlights that development should not have an unacceptable impact on the living conditions of occupiers of nearby properties. Neighbouring residents have objected to the proposal, on the grounds the proposal would be over bearing, over dominant and have an adverse impact on residential amenity.

Plot one would be located adjacent to the boundary with the neighbouring property Elmscroft and due to the oblique nature of the boundary between the properties there would be potential to look out the first floor windows towards Elmscroft. However, Elmscroft itself is sited approximately halfway along its own plot and has its private amenity area to the rear of the property. This situation means that there would be a sufficient separation between the proposed dwellings to provide a satisfactory relationship in terms of residential amenity. In addition, there is also currently a white painted block boundary wall separates the site to maintain privacy.

Plot 2 has been orientated to address Parsonage Road and has a linear single storey extension that would project in a linear fashion from the rear wall of the dwelling. The design of the single storey element of plot 2 which does not include any windows in its north elevation would prevent adverse amenity impacts in terms of loss of privacy and overlooking.

It is noted that concerns have been raised by occupants of properties on Archers Court, however, it is considered that the proposal would provide an adequate level of separation distances between these

properties to prevent adverse impacts in terms of loss of privacy or overlooking. Further, no windows are proposed in the side elevation of plot 2 which faces towards Archers Court and it is proposed to landscape the boundary of the site which adjoins Archers Court.

It is, therefore, considered that the proposed development would not have an over bearing or over bearing impact on surrounding properties nor would it give rise to adverse amenity impacts on neighbouring properties. It would also provide a satisfactory level of residential amenity for both surrounding properties and future occupants of the proposed dwellings which is considered acceptable in accordance with policy DP3.

#### Highways/Access:

Policy DP7, Transport, Access and Parking requires, among other things, that development proposals "...have safe and adequate means of access, egress and internal circulation/turning arrangements for all modes of transport relevant to the proposal and d. not materially impair highway safety or traffic movement; and e. not detract or conflict with the transport function of the road."

It is noted that the Local Highways Authority has assessed the application and is satisfied with the proposal subject to securing conditions requiring both access points to be completed prior to occupation of the dwellings and to prevent mud, stones, water or debris being deposited on the public highway at any time.

The proposal is, therefore, unlikely to give rise to significant levels of additional traffic and would not have an adverse impact on highway safety. The proposal would also provide an adequate level of parking provision.

#### Other Matters:

##### Ecology

A Preliminary Ecological Appraisal (bats and nesting birds) prepared by Western Ecology has been submitted in support of the application. The Appraisal identifies that following surveys of the site no further survey work or mitigation is required or recommend for bats and nesting birds.

##### Contaminated Land

A Preliminary Risk Assessment (Contaminated Land) has been submitted in support of the application which identifies the likelihood of the site being contaminated is low given its historic domestic use. However, it is recommend that an unsuspected contamination condition is secured to deal with potential contamination should it be discovered during construction.

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

#### **Planning Policy**

##### ***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

**South Hams Local Plan**

SHDC 1 Development Boundaries

MP 12 Newton Ferrers and Noss Mayo

**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**

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 numbers 160(PP)001 (Site Plan), 160(PP)008 (Proposed Ground Floor Plan, 160(PP)009 (Proposed First Floor Plan), 160(PP)010 (Proposed Roof Plan), 160(PP)011 (Proposed Context Elevations), 160 (PP)012 (Proposed Elevations 01 & 02), 160(PP)013 (Proposed Elevations 03 & 04), 160(PP)014 (Proposed Elevations 05 & 06), 160 (PP)015 (Proposed Garage) and the Drainage Assessment prepared by Queste Structured Consulting dated 2/12/16 and drawing no s2786/10 (Soakaway Location) received by the Local Planning Authority

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. 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

5. The development 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 plots.

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.

6. 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.

7. Both access points shall be completed prior to occupation of any of the dwellings to the satisfaction of the Planning Authority.

Reason: In the interests of highway safety.

8. Construction work and related deliveries of construction materials shall only take place between the hours of 8am and 6pm Monday to Friday and between 8am and 1pm on Saturdays and at no time on Sundays or public holidays.

Reason: In the interests of the amenity of neighbouring residents.

9. No mud, stones, water or debris shall be deposited on the public highway at any time.

Reason: In the interests of highway safety.