

PLANNING APPLICATION REPORT

Case Officer: Clare Stewart

Parish: West Alvington **Ward:** Salcombe and Thurlestone

Application No: 2432/16/FUL

Agent/Applicant:

Andrew Lethbridge Associates
102 Fore Street
Kingsbridge
TQ7 1AW

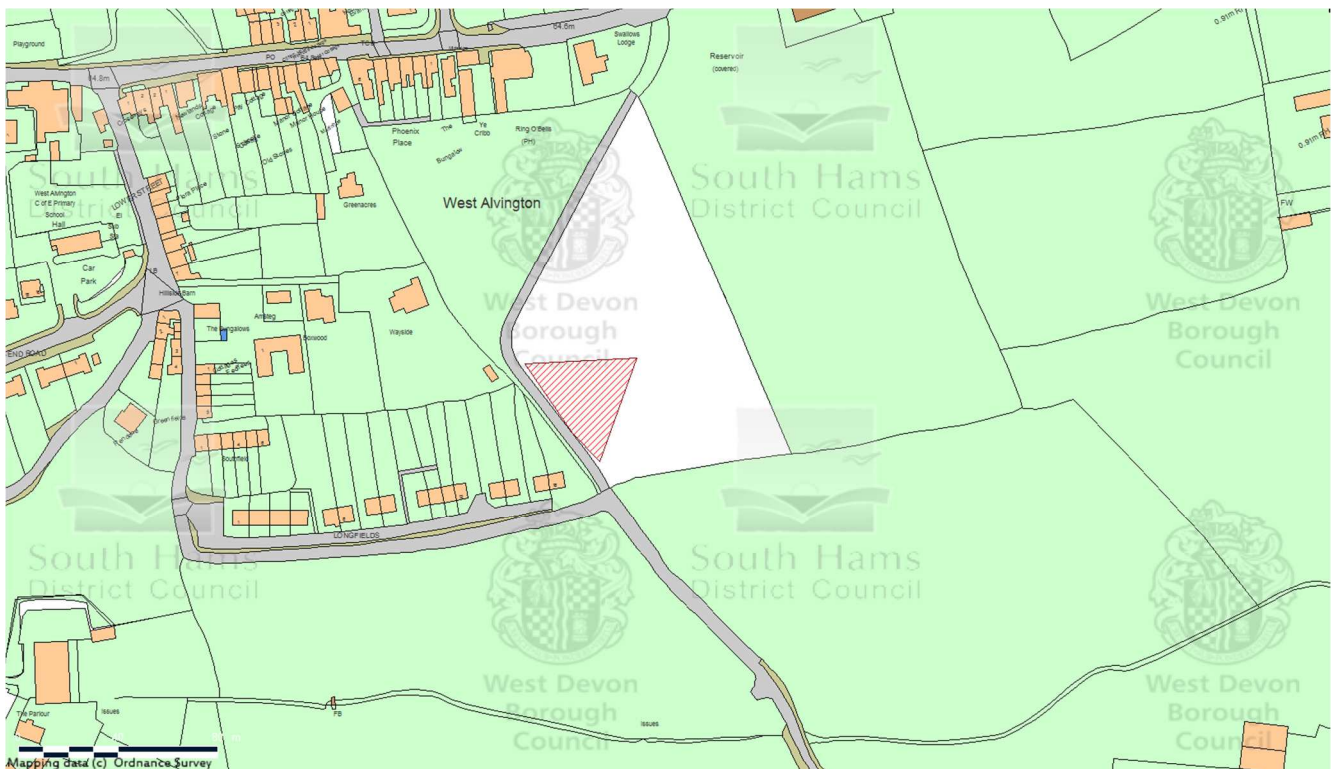
Applicant:

Mr & Mrs D&C Horton
Woodhouse Farm
West Alvington
Kingsbridge
TQ7 3QQ

Site Address: Land south of The Ridings, West Alvington, Devon, TQ7 3PP

Development: Construction of new dwelling with integral garaging

Reason item is being put before Committee: The Ward Members has requested the application be put before Committee on the following grounds: " within the AONB with no exceptional circumstances to justify a single dwelling of this size and the loss of privacy to neighbouring dwelling"



Recommendation: Conditional approval

Conditions:

1. Time limit
2. Accord with plans
3. Landscape planting specification and maintenance
4. Drainage connections
5. Drainage scheme to be implemented prior to occupation and thereafter maintained
6. Parking/turning to be made available prior to occupation

Key issues for consideration:

Principle of residential development, design, landscape impact, highways, drainage, residential amenity.

Site Description:

The site is situated on the southern edge of the village of West Alvington, adjacent to a previously approved development of 17 dwellings known as The Ridings which is currently under construction (LPA Ref. 59/2482/14/F). The land slopes away from the main road through the village to the north, and the site subject of the current application sits at a lower ground level than The Ridings development. There is an existing track to the east of the site which is being retained for agricultural purposes, with a public footpath to the west. The approved plans for the development to the north show a hedge boundary and permissive footpath, with the rear gardens of three new dwellings beyond. The nearest previously existing dwelling lies to the south west at the eastern end of Longfields.

The site is located outside the West Alvington Development Boundary. It is within the South Devon AONB.

The Proposal:

The current application seeks to construct a single dwelling with associated parking and garden areas. The new dwelling would be accessed via the previously approved track to the east of The Ridings. It would be a large two storey pitched roof structure with a glazed gable feature on the south elevation and an external terrace at first floor. The dwelling would be cut into the slope so that it would appear as a single storey building when viewed from the north. External finishes would include natural slate roofing, colour coated aluminium doors and windows, and a mixture of natural stone and painted render walls in keeping with the neighbouring development. Internal accommodation would comprise a garage, bedroom with ensuite, utility and storage at ground floor level with the main kitchen/living space and further bedrooms/bathrooms above.

The submitted plans show Devon banks along the boundaries to the east and west of the new dwelling. A new Beech Hedge would be planted along the northern boundary and a post and wire boundary fence constructed.

Consultations:

- County Highways Authority – No comments received
- Drainage – Condition implementation and maintenance of submitted details
- South West Water – Applicant/Agent advised to contact SWW if unable to comply with their requirements. Planning condition in respect of connection to public foul or combined sewer. Proposed surface water disposal for development is acceptable.

- West Alvington Parish Council – Objection – Development does not accord with the provisions of the development plan; the site adjoins/affects a public right of way; site is in an AONB and close to a Conservation Area, no exceptional circumstances to justify a single, non-affordable dwelling; PC were previously advised this site would not be built in, had intentions been clear from the start the whole development would have been improved.

Representations:

One letter of objection have been received, with concerns raised summarised as follows:

- Loss of privacy to neighbouring dwelling
- Design

Relevant Planning History

As detailed above, planning permission has been granted for residential development on adjoining land which is currently under construction:

- 3460/16/NMM: Non-material amendment to approval 59/2482/14/F to replace window with French Door and added window to side elevation of garage. Land at Home Field. Conditional approval: 02 Nov 16
- 3108/15/VAR: Application for variation of condition 2 of 59/2482/14/F to allow installation of PV arrays to roof, changes to windows and doors and external alterations, change to UPVC windows, change of road surface and amendment to ground profiles. Land at Home Field. Conditional approval: 25 May 16
- 0285/16/ARC: Application for approval of details reserved by condition 4 (Schedule of landscape maintenance), 7 (Construction issue drainage drawings), 8 (Details of drainage maintenance), 9 (Foul drainage), 11 (Construction Management Plan) and 12 (Details of design layout, materials, method of construction); 59/2482/14/F. Land at Home Field. Discharge of condition approved 23 May 16
- 3080/15/ARC: Application for approval of details reserved by conditions 5, 6, 13, 14, 16 & 17 of planning consent 59/2482/14/F. Land at Home Field. Discharge of condition approved 23 May 16
- 59/2482/14/F: Erection of 17 mixed tenure dwelling with associated access road, parking, hard/soft landscaping and farm access. Residential development at Home Field West Alvington TQ7 3QQ. Conditional approval: 10 Jul 15

ANALYSIS

Principle of Development/Sustainability:

The site is located outside the Development Boundary for West Alvington. More up-to-date guidance contained within the National Planning Policy Framework supports development in sustainable locations. The site is physically well-related to the existing settlement which provides access to local services. The site is considered to be a sustainable location for new residential development under the terms of the NPPF, and as such the principle of a single dwelling on the site can be supported. Notwithstanding objection made by the Parish Council, the fact that the development is not in accordance with the Development Plan is not in itself a reason to refuse the application in this case having regard to the more recent national guidance contained within the NPPF.

Design/Landscape/Heritage:

The proposal is for a single detached dwelling, which although large is not entirely out of keeping with the character of the area. Having regard to the previously approved dwellings now under construction to the north, it is considered the proposed dwelling is acceptable in design terms. The proposed pallet

of external finishes would be in keeping with the adjoining development. Given the location of the site within the AONB (which in itself brings restrictions in respect of permitted development rights), and the proposed siting of the dwelling within the plot it is not considered necessary to remove permitted development rights by condition.

West Alvington Parish Council consider there are no special circumstances to justify a single dwelling in the AONB and in close proximity to a Conservation Area. As the application is not for major development the exceptional circumstances test set out in paragraph 116 of the NPPF does not apply in this case. Great weight still needs to be had to conserving the AONB in accordance with paragraph 115 of the NPPF. The current proposal is for a single dwelling which would be well-related to the existing village. As such it is considered the character of the AONB would be preserved should the development now proposed be approved. This is subject to a condition to secure a detailed specification and maintenance plan for the proposed new Devon hedges around the site.

The boundary of the West Alvington Conservation Area lies to the north west of the site, and is separated from it by a number of existing dwellings. Given the scale and location of development proposed as part of the current application, it is considered the setting of the Conservation Area would be preserved.

Ecology:

The current application is accompanied by the ecological surveys which were provided as part of the neighbouring development, as these also covered the site subject of the latest proposal. It is considered there are no ecological reasons why the current development proposal should not proceed.

Drainage:

Additional drainage information was submitted during the life of the application, and subject to the implementation and ongoing maintenance of the submitted drainage scheme the Council's Drainage Specialist is satisfied with the proposal.

Neighbour Amenity:

Concern has been raised by a third party in respect of overlooking, specifically in relation to 16 Longfields. The application site is elevated above this neighbouring property, but is not orientated directly towards it. Some sense of separation is already provided by the public footpath which runs between the application site and 16 Longfields, as well as the physical distance (in excess of 30 metres). The proposed new Devon hedge along the western boundary of the site would also provide some screening. On balance it is considered that the proposed development would not result in substantive harm to the amenities of the neighbouring dwelling such that the application can be refused on this basis.

Highways/Access:

Devon County Highways have not offered any specific comments. Vehicle access would be via a previously approved track which was originally intended to provide ongoing access for agricultural vehicle. It is considered that the impact of a single dwelling sharing this route is unlikely to raise a significant highways safety issue. A condition is recommended to ensure parking/turning within the site is made available prior to occupation to ensure there is no conflict with the farm access.

Other Matters:

During the consideration of this application the SHDC Ward Councillors queries the nature of the boundary between the application site and the neighbouring new residential development, with a suggestion that this should include a Devon bank. The Agent confirmed that the proposal is for a post and wire boundary fence and a Beech Hedge (as detailed above), as the construction of another Devon

bank would severely enclose the permissive path to the north (which already as a Devon hedge on the north side). Officers consider the proposal as submitted would provide appropriate enclosure for the new dwelling.

The Ward Members also queried whether the new dwelling could be re-orientated to help mitigate the impact on 16 Longfields. The Agent considers this would compromise the parking/turning area for the new dwelling without providing any real benefit to the existing neighbouring dwelling. Having regard to the above assessment of the neighbour relationship, it is considered the proposal can be supported as submitted.

The Parish Council raised objection on a number of grounds as detailed above, including concern that if the site had been included in the wider scheme for development to the north the result would have been an overall improvement. The Council has a duty to determine the application as currently presented, and this matter does not form planning grounds for refusal.

It has been noted that the distance from the dwelling to the nearest adopted highway may cause an issue in respect of refuse collection. There are lots of examples of dwellings in the South Hams where this is the case, and as the application is for a single dwelling it is considered this issue is not significant enough to warrant refusal in this case.

The application was delayed from consideration at an earlier DM Committee meeting, as concern had been raised that the access track to the site (which was approved as part of the previous permission for the residential development to the north) had been constructed in the wrong place. Further investigations have since revealed that the access track had been constructed in a different alignment to help facilitate the physical buildings works on the adjoining site. The Council has received confirmation in writing that the intention is to revert back to the access track as previously approved (and as indicated on the plans submitted with the current application), and restore the land where what is actually a temporary access track to its original state. It is understood that works to this end have now commenced on site.

The Planning Balance:

The principle of a single dwelling on this site is acceptable having regard to the NPPF, and detailed matters can be appropriately addressed by condition. Concern regarding neighbour impact is not considered to constitute substantive grounds for refusal in this case having regard to the context of the site and the provision of the additional Devon hedge proposed. The application is therefore recommended for approval subject to conditions as detailed above.

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

Planning Policy

NPPF

NPPG

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
DP6 Historic Environment
DP7 Transport, Access & Parking
DP15 Development in the Countryside

South Devon AONB Management Plan

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.

Recommended 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 numbers ACL.933.001 Rev A, ACL.1069.200, ACL.1069.201, ACL.1069.202, ACL.1069.203, ACL.1069.204, Design and Access Statement, Extended Phase 1 Habitat Survey, Bat activity survey, Phase 1 Contamination Assessment Report received by the Local Planning Authority on 5th August 2016; 10799.C01.MM.lw (drainage details) received by the Local Planning Authority on 12th October

2016.

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. PRE-COMMECEMENT CONDITION: No development shall take place until a detailed landscape planting specification, timescale for implementation and maintenance plan have been submitted to and agreed in writing with the Local Planning Authority. The landscape scheme shall thereafter be implemented and maintained in accordance with the approved details.

Reason: In the interests of visual amenity and to help assimilate the development into its surroundings.

4. Foul drainage from the Development (and no other drainage) shall be connected to the public foul or combined sewer.

Reason: To ensure the discharge of drainage from the Development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment.

5. The approved drainage scheme shall be implemented prior to occupation of the dwelling hereby approved, and thereafter retained and maintained for the lifetime of the development.

Reason: In the interests of the prevention of pollution.

6. The dwelling hereby approved shall not be occupied until the parking, servicing, garaging areas relating to it and shown on the submitted drawings have been properly consolidated, surfaced, laid out and constructed. The parking, servicing and garaging areas shall be kept permanently available

for the parking and manoeuvring of motor vehicles in connection with the development hereby permitted.

Reason: To ensure that adequate and satisfactory provision is made for the garaging and parking of vehicles clear of all carriageways in the interests of road safety and amenity.