

PLANNING APPLICATION REPORT

Case Officer: Jeremy Guise

Parish: Bigbury **Ward:** Charterlands

Application No: 1621/16/FUL

Agent/Applicant:

A B Design (Poole) Ltd
The Studio,
17 Curlieu Road
Oakdale
Poole, Dorset
BH15 3RJ

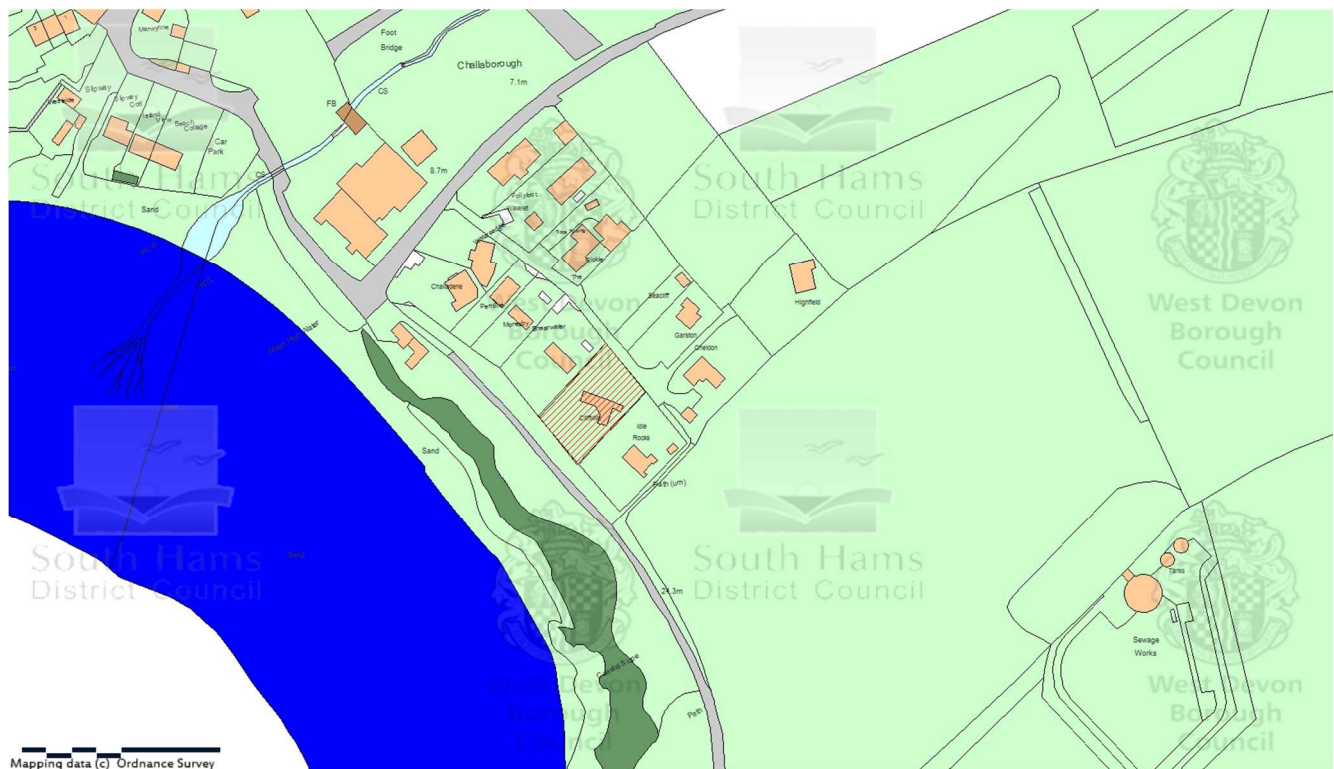
Applicant:

Mr & Mrs Long
"Toads Hole"
Castle Farm Road
Lychett Matravers,
Poole
BH16 6BZ

Site Address: Waves Edge, Road To Highfield, Challaborough, TQ7 4JB

Development: Erect replacement dwelling

Reason item is being put before Committee: At the request of Cllr Huntley who would like the application to be considered at Planning Committee as there are concerns about the height of the proposed building



Recommendation: Conditional approval

Conditions

1. Time limit
2. Approved plan
3. Landscaping scheme submitted prior to commencement
4. Materials to be provided prior to installation
5. Unsuspected contamination
6. Removal of permitted development rights
7. Details of Foul Drainage
8. Details of surface water drainage
9. Details ground level changes prior to commencement

Key issues for consideration:

- Principle/sustainability
 - Design/landscape
 - Neighbour Amenity:
 - Highways/Access:
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Site Description:

'Waves Edge' is a single-storey dwelling house located on the south-east edge of Challaborough, situated on raised ground over-looking the sea and coastal path, with vehicle access from the road to its rear. To south-east is dwelling named Idle Rocks, to the north-west Shearwater and to the rear (north-east) are the dwellings of Seacliff, Garston and Cheldon. The land rises towards the south and to the east away from the coastal path.

The site is located within the South Devon Area of Outstanding Natural Beauty and the Heritage Coast.

The Proposal:

The application seeks permission for the demolition of the existing single storey dwelling and the erection of a replacement four bedroom dwelling. The application has been subject to several design changes during the course of consideration which have reduced the bulk, massing and scale of proposed dwelling in relation to the original submission.

The replacement dwelling would largely follow the footprint of the existing house however the front elevation, which faces away from the sea, would extend forwards by up to 4 metres. In addition there would be a largely subterranean attached garage further to the rear. The revised proposal is of a simple form with a hipped roof with a rear element with a glazed gable element with views out of the sea. In terms of its height the dwelling would be 5.5m high which would be approximately 1.4m higher than ridge of the existing dwelling roof. The amount of proposed glazing has been substantially reduced to a level that is consistent with dwellings in the surrounding area.

The proposed floor space of the dwelling would be 150 sq m with a 27sq.m garage.

Consultations:

- County Highways Authority – standing advice

- Environmental Health Section – General condition recommended on suspected contamination
- Bigbury Parish Council – Comments on original plans - objection on the grounds: should only be single-storey (as will be established in Neighbourhood Plan) loss of amenity from increase in height, out of keeping, scope for the replacement dwelling to be located closer to the coastal path to reduce impact on those to the rear.

Comments on revised plans –maintains objection it still conflicts with DP17, detrimental to character and appearance of the area, the building has not been repositioned further down the site to reduce the ridge height, harm amenity of neighbours from increased massing.

- SHDC Drainage – Based on the information provided we would support the current proposal. Sufficient information has been provided to demonstrate a workable scheme, the final design will need to be agreed with the LPA. Therefore if permission is granted please include conditions to finalise the drainage design.
- South West Water – General advice on connecting to SW Water network
- SHDC Landscape and AONB team –
Original proposal. Objection

Comments on revised proposal

The amended drawings have principally addressed the landscape concerns raised previously. The reduction in proposed height and significant reduction of glazing bring the overall character and appearance of the replacement dwelling more in line with those adjacent and nearby. There remains some concern that the additional roof height would be a notable change to the modest appearance of bungalows at the edge of the settlement at Challaborough, but when viewed in its wider context, it is considered that the proposed dwelling would not be visually dominant or overly prominent when viewed alongside the existing pattern of built form, and consequently wouldn't result in harm to the character or natural beauty of the AONB or the local landscape character. I would therefore raise no objection to the proposals under the South Devon AONB Management Plan, and under policies CS9 and DP2 which seek to conserve and enhance landscape character.

If you were minded to recommend approval of the application, please condition a full landscape scheme (hard and soft landscaping, to include locations, species, sizes and densities of plants) and detailed ground level changes (existing and proposed spot heights and cross-sections), both to be secured prior to commencement of works on site. Both would be required in the interest of conserving the character and appearance of the sensitive coastal landscape.

Representations:

33 letters of objection to the original proposal on the grounds that:

- Impact of increase in ridge height on amenity of adjoining properties
- Precedent for further enlargement of dwellings
- Out of keeping with properties on cliff frontage that are low rise
- Overbearing

- Design is out of keeping
- First floor extension not acceptable
- Adjacent to SW coastal path and within AONB so sensitive site
- Covenant prevents development above ground floor
- The amount of glazing within south elevation is not energy efficient
- Increase in traffic to the area from use as rental
- No consultation with local residents pre-application submission
- Impact on utilities in the area (water/electric)
- Should be excavated down rather than going 2m higher

11 letters of objection in response to the revised plans on the grounds that:

- The replacement dwelling would still be 1.4m higher than existing which is not acceptable
- Increase in floorspace is also unacceptable
- Overdevelopment of the site
- Harm the views of the area and AONB
- Design and Access Statement was not amended
- Still out of keeping
- Still conflicts with local policy DP17

Relevant Planning History

None relevant.

ANALYSIS

Principle of Development/Sustainability:

In terms of the principle of a replacement dwelling, while Challaborough comprises a small coastal village, it is not identified in policy CS1 and as such is defined as countryside. Policy DP17 addresses replacement dwellings in the countryside and the principle of the replacement dwelling is considered acceptable provided there will be 'no detrimental effect on the character, appearance and amenities of the site and surroundings'. In addition, DP17 provides further detail on the consideration of replacement dwellings and of note to this case is (b) and (d) as below:

(b) the size of the new replacement dwelling shall not be significantly larger than the original house volume;

(d) any new replacement dwellings should be positioned on the footprint of the existing dwelling, unless on design, landscape, highway safety, residential amenity, or other environmental grounds a more appropriate location can be agreed.

In terms of part (b) the replacement dwelling would have a total footprint of 150 sq m which compares to 89sq m of the original dwelling. While it is noted that the proposal dwelling would be larger than the existing dwelling it would largely be constructed on the footprint of the existing house. Further, while the roof would be higher than the existing dwelling it would only result in an increase of 1.4m. It is, therefore, considered that the proposed dwelling following various design revisions would not be significantly larger than the existing dwelling and would, therefore, comply with the requirements of policy DP17.

The impact on the character, appearance and amenity of the surrounding residents are considered in the following subsections.

Design/Landscape:

Waves Edge has a prominent position within Challaborough being sited on elevated ground facing the beach and coastal path on the edge of this village, as well as being within an Area of Outstanding Natural Beauty (AONB) and the protected Heritage Coast which affords it the greatest protection.

In the eastern direction, the land rises from Challaborough towards Bigbury. Modest, single storey bungalows, step up with the underlying topography before petering out into fields, one dwelling beyond 'Waves Edge'. There is an important unbuilt area of coast between 'Idle Rocks', the last bungalow in the row, and the built edge of Bigbury which occupies a more distant cliff top and skyline.

Within this part of Challaborough, some of the 'bungalows', closer to centre of the settlement, have been rebuilt as two storey chalets and others, particularly in the second row back from the coast frontage, have had modest roof extensions – but the general pattern is of reducing size and height as you go eastwards. Westwards, the character of the area is heavily influenced by the static holiday Caravan Park and associated shops, cafes and reception buildings. However, in the middle distance on the opposite side of the valley there are smaller, single storey, dwellings.

'Waves Edge' is currently a modest sized bungalow with a shallow pitched roof, typical of the original unimproved bungalows in the area. In its amended form the proposal would increase the footprint and overall roof height of the dwelling. Although contested by some locals, the increase in the size of the footprint is considered to be acceptable. The property has a reasonably sized plot that is capable of accommodating a building with a larger footprint and 'Shearwater', the immediate neighbour to the west, already sprawls across its plot as a result of a number of single storey extensions and additions.

The proposed 1.4m increase in roof height is the result of both the larger footprint (increased width to span) and the steeper pitch of the roof. The applicants have been asked to consider reducing the height of the roof still further, by using a shallower pitch - as this would reduce the size of the proposal in relation to the sensitive coastal landscape. However they are of the opinion that the extensive amendments and compromises already undertaken are as far as we are prepared to go. They point to the long process of consultation and amendment already undertaken in relation to these concerns, the problems with maintenance access associated with shallow pitch roofs, the alleged aesthetic attractiveness of steeper roofs and that fact that 'Garston', the property immediately behind the application site, is approximately 4.75m higher than that of "Waves Edge", and "Cheldon" is even higher. The application therefore falls to be determined in its latest amended form.

Whilst there remain some residual concerns about the overall increase in roof height, it is considered that the height is not excessive when viewed in the context of the existing settlement and that, on balance, it is acceptable in relation to the AONB and sensitive coastal location.

Neighbour Amenity:

The revised proposal is considered acceptable. There are adequate separation distances between the proposed dwelling and its neighbours, particularly Garston which is located immediately to the rear. The revised proposal would not give rise to adverse impact on neighbouring properties in terms of being over bearing or over dominant, or by resulting in a loss of amenity in terms of overlooking or loss of privacy.

Highways/Access:

The proposed parking and access arrangements are considered acceptable. It is acknowledged that the redevelopment of this plot would result in general disturbance from increased vehicle movements through the build project.

Conclusion

The revised proposal is considered acceptable and would not harm the character and appearance of the surrounding area or the AONB and would not have an adverse impact on the amenity of neighbouring properties. The proposal is, therefore, recommended for approval.

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

Planning Policy

All standard policies listed (delete where not relevant, add others as relevant, including 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

DP6 Historic Environment

DP7 Transport, Access & Parking

DP15 Development in the Countryside

DP16 Conversion and Reuse of Existing Buildings in the Countryside

DP17 Residential Extensions and Replacement Dwellings in the Countryside

South Hams Local Plan

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, with the pre-submission version formally approved by South Hams District Council, West Devon Borough Council and Plymouth City Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered to be consistent with the policies of the Framework, as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

The policies relevant to this development proposal are:

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

SPT11 Strategic approach to the natural environment

TTV1 Prioritising growth through a hierarchy of sustainable settlements

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

TTV31 Development in the Countryside

TTV32 Residential extensions and replacement dwellings in the countryside

DEV1 Protecting amenity and the environment

DEV24 Landscape character

DEV25 Undeveloped coast

DEV27 Nationally protected landscapes

DEV36 Community energy

DEV37 Managing flood risk and Water Quality Impacts

DEV38 Coastal Change Management Areas

DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the Framework itself and guidance in National Planning Practice Guidance (NPPG).

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.

Full wording of 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 015/001/04 Rev A received by the Local Planning Authority 30/01/2017 and 015/001/07 received by the Local Planning Authority 15/12/2016.

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. The building works 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.

4. 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.

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. Prior to the commencement of the development hereby approved, details of the disposal of foul water shall be submitted to and approved in writing by the Local Planning Authority and the approved foul water system shall be installed prior to occupation of the dwelling. Following its installation the approved scheme shall be permanently retained and maintained thereafter.

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

7. 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 in 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

8. Prior to the commencement of the development, details of any ground level changes shall be submitted to and approved in writing by the Local Planning Authority. Any works shall subsequently be undertaken only in accordance with the approved scheme.

Reason: In the interests of securing satisfactory development and maintaining the amenities of the area.

9. The dwelling hereby approved shall not be occupied until the parking area relating to it and shown on the submitted drawings shall have been properly consolidated, surfaced, laid out and constructed. The parking area 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.