

PLANNING APPLICATION REPORT

Case Officer: Wendy Ormsby

Parish: Thurlestone

Application No: 55/2213/15/VAR

Applicant:

Mr N Readfern
3 Penhaven
Middle Leigh
Newton Ferrers
Plymouth
PL8 1DS

Site Address: 8 Whimbrels Edge, Thurlestone, Kingsbridge, TQ7 3BR

Development: Variation of conditions 3 (approved plans), 9 (Landscaping) and 11 (Boundary Enclosure) of planning consent 55/2164/12/RM to allow re-siting and screening of air source heat pump and revisions to boundary treatment

Reason item is being put before Committee: The Ward Member considers this application is outside the property's curtilage and, as a result, may have an adverse impact on neighbour amenity.



Recommendation: Conditional Approval

Conditions

Accords with plans

External materials and finishes to be retained as approved

Implementation and maintenance of landscaping scheme

PD removed

Boundary treatment to be constructed in accordance with approved details

Parking areas within boundary wall to be retained in perpetuity

Privacy screen to be retained

No access to sedum roof

Wicker screen to be retained in accordance with approved details unless otherwise agreed.

Planting forward of and within 1m either side of the ASHP shall not be pruned to a height below 1.5m, should planting die or become diseased replanting shall occur in accordance with details to be agreed.

Informatives

Conditions within OA/WX/119 still in force

Details agreed pursuant to 55/2164/12/RM remain relevant except where plans have been substituted.

Site Description:

The site is the plot of a single, 2 storey dwelling recently constructed at the end of Whimbrels Edge, a cul-de-sac in Thurlestone.

The site is located within the South Devon AONB

The Proposal:

The property, 8 Whimbrels Edge gained reserved matters approval in 2012 and is the last dwelling to be constructed at this end of the cul-de-sac. The approved plans included a shared access drive curving in front of the plot, providing access to No 8 and No 7. The plans showed an open frontage to No 8 and an Air Source Heat Pump (ASHP) was shown located adjacent to the northern boundary, forward of the dwelling but within approx. 3m of the dwelling.

This application is part retrospective. A stone faced boundary wall with gate has now been constructed across the front of the property separating the perceived residential curtilage of the dwelling from the land outside of the front wall. Within the land forward/outside of the wall a parking space has been created and the Air Source Heat Pump (ASHP) has been sited here, opposite the exit from No 7. A block wall, approx. 1m high has been constructed to support the ASHP on its northern side.

A wicker screen has been sited on the south side of the ASHP and planting has been put in with the intent of screening the development.

This application seeks to authorise these amendments by submitting an alternative landscaping scheme and alternative boundary treatment scheme to the approved reserved matters application.

Consultations:

- County Highways Authority - no comment
- Environmental Health Section - noise assessment undertaken on site - no objection subject to condition requiring block wall to be increased in height.

- Parish Council – objects for reasons including the following:
 - Contrary to Policy DP3 and NPPF
 - Adverse noise impact on neighbours
 - Could be better located elsewhere within the dwellings curtilage

Representations:

Four letters of objection raising concerns including the following:

- ASHP is outside the domestic curtilage
- Adverse noise impact
- Contrary to Policy DP3 and NPPF
- Location further from the house and screen planting mean the ASHP will be less efficient and therefore it is not sustainable development.
- Noise information is ambiguous.
- Could be better sited elsewhere
- Unsightly
- Precedent for ASHPs outside of a curtilage
- New parking space does not allow sufficient space for screen planting
- Location is contrary to Building Regs

Relevant Planning History

WX/1193 – Outline planning permission granted in 1960 and extended to cover the whole of the Mead development in February 2005.

55/0624/02/RM – Approval of site layout, drainage and strategic landscaping

55/2660/07/RM – Amendments to reserved matters application 55/0624/02/RM

55/2164/12/RM - RM pursuant to outline application for erection of dwelling

ANALYSIS

Design/Landscape:

The proposed alterations to the boundary treatment involving the construction of a stone faced wall with gate and creation of an additional parking space forward of the boundary wall is acceptable in design terms.

The key area for detailed consideration is the re-sited ASHP. Objections have been received on the grounds that this is unsightly.

When originally put in situ, the ASHP and supporting block wall were visually prominent and incongruous in the street scene. Subsequently a wicker screen has been placed on the southern side of the ASHP where it fronts plots 6 and 7 and screen planting has been planted. Concerns were raised that the proximity of the adjacent parking space would make planting impossible for the full length of the wicker screen, but planting has now taken place. The combination of the wicker screen and planting has softened the appearance of the development and as the planting matures the visual impact will reduce further.

The approved plans have already accepted the location of the ASHP forward of the dwelling, but closer to it; as the frontage of the dwelling was to be open this approved location of the ASHP would also have been visible from the public domain, although less prominent it would not have a wicker screen, only planting.

On balance the impact of the relocated ASHP together with the screening is considered to be acceptable.

Neighbour Amenity:

Concerns have been raised with regard to noise impact and consequent adverse impact on neighbour amenity. The Council's Environmental Health Officer has visited the site and measured the sound levels during operation. The noise levels are within acceptable limits.

Impact on neighbour amenity is considered to be acceptable.

Highways/Access:

No highway issue arise.

Other Matters:

Comments have been received stating that the location of the ASHP outside of the residential curtilage is contrary to Building Regulations. The grant of planning permission does not override Building Control Regulations therefore if it is not compliant then Building Control can take action accordingly.

It is stated that the ASHP is less efficient due to the length of pipes now needed and impact of screen planting and as such the development is not sustainable. These concerns are not substantiated and are disputed by the applicant. The relative impact on sustainability would not be sufficient to be a material planning consideration.

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

CS7 Design

Development Policies DPD

DP1 High Quality Design

DP3 Residential Amenity

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.