

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander

Parish: Totnes **Ward:** Totnes

Application No: 3071/17/FUL

Agent/Applicant:

Mr Justin Sluce
9 Archers Court
Parsonage Road
Newton Ferrers, Plymouth
PL8 1BD

Applicant:

Mr Scott Ramsey
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Site Address: 18A & 18B, Leechwell Street, Totnes, TQ9 5SX

Development: Replacement of existing 2 no.2 storey dwellings with a single new dwelling with room in the roof and roof top terrace.

Reason item is being put before Committee:

The site is owned by South Hams District Council.



Recommendation: Approval

Conditions:

1. Time limit
 2. Accord with plans
 3. Samples of materials
 4. Unexpected contamination
 5. Construction Management plan
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Site Description: The site lies in a in the centre of Totnes, within a courtyard style development of homes. The existing building has been built on land to the rear of 18 Leechwell Street. It sits within the courtyard of more contemporary housing scheme of 3 storeys.

The building behind the site is listed. And the site lies within the Conservation Area.

The Proposal: The proposal is to replace two dwellings with a single dwelling. The existing dwellings are in a poor state of repair. The applicant, has suggested that from a housing need and environmental impact perspective it is considered better to replace the existing building with a new one. The heritage statement submitted with the application, suggests that the impact of the proposed replacement is limited owing to the setting of the dwelling in the modern courtyard.

The building proposed is two storey but utilises the roof space for accommodation and there is a terrace at the roof top level. The design of the proposed building reflects the design which is on the existing contemporary dwellings in the courtyard.

An internal garage is located on the ground floor.

In terms of materials, aluminium or timber doors are proposed and aluminium/timber or upvc windows are proposed. The roof is currently tiled, but zinc coloured sheet membrane is proposed. The walls are proposed as render finish, but also includes cladding in metal and natural stone.

An ecology report has been submitted in support of the application. However it confirms that no evidence of bats or nesting birds have been found at the site.

Consultations:

- County Highways Authority: No comments
- Environmental Health Section: No comments
- Town/Parish Council: No Objections
- Historic England: No need to consult on this application.

Representations:

None received

Relevant Planning History

56/2403/88/3 -Single storey extension (18b) Conditional approval: 08 Feb 89

56/0386/96/10: OPA -Outline application for office/community use Regulation 3 LPA own development pursuant to a decision by the Policy & Finance Committee minute No. PF

123/95Conditional approval: 25 Apr 96

56/2105/09/DC: RE3 -Resubmission of planning application 56/1210/09/DC for alterations and extension to existing dwellings to create a single dwelling Regulation 3 LPA own development Chief Executive delegated authority dated 26th June 2009Conditional approval: 11 Feb 10

56/2255/05/CA: RE3 -Conservation Area Consent for the demolition of ancillary adjoining structures to no.'s 13 16 and 18b Leechwell Street freestanding stone wall and the public conveniences -

Regulation 3 LPA own development pursuant to a decision by Council Minute No. 5 Conditional approval: 22 Dec 06
56/0385/96/10: OPA Outline application for residential development Regulation 3 LPA own development pursuant to a decision by the Policy & Finance Committee minute No. PF 123/95 Conditional approval: 25 Apr 96

ANALYSIS

Principle of Development/Sustainability:

The principle of development within the built up area of Totnes is acceptable as it lies within the development boundary. The site is an area which is currently residential in nature.

Design/Landscape:

The design of the proposal is considered to reflect the immediate modern context. It does not reflect the more traditional cottages on Leechwell Street, however as it is set within the courtyard setting, it is considered that the immediate context is contemporary.

In terms of materials the site does lie within the conservation area and is adjacent to a listed building. The applicant has indicated that they will use either timber, aluminium or upvc for the windows. It would be preferable if timber or aluminium is used as it is possible to create much more appropriate profiles in the window surrounds. The application proposes render walls and metal and natural stone cladding. Such materials on a contemporary building is considered acceptable.

Neighbour Amenity:

The proposal is shoe horned into the site, which is tight knit. However it is similar to other properties in the vicinity which is a dense form of development. In such areas there is naturally going to be an impact of neighbours because of the close proximity of the dwellings. However it is not considered that the situation than would be the case were the existing dwelling to be refurbished and used. There is therefore not considered to be an impact on neighbour amenity as a result of this development.

Highways/Access: No comments have been received from the Highway Authority on this proposal. The proposal includes an in built garage space and so does provide for some parking. It is also a town centre site where the lack of dedicated parking is less of an issue because of the accessibility to public transport networks and the ability to walk to obtain all essential facilities.

Other matters: A contaminated land assessment was submitted in support of the application, which indicates that there is unlikely that the land is contaminated. However it is considered appropriate to add a condition should any contamination be found.

In addition in light of the location and the very tight knit development it is considered appropriate to include a condition requesting a construction management plan so as to ensure that the impact on neighbouring properties are kept to a minimum during the construction of the dwelling.

Conclusion: It is considered that the proposal is acceptable and is therefore recommended for approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

CS10 Nature Conservation

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

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. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

**PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION
(as considered by the Full Councils end Feb/Early March 2017)**

SPT1 Delivering sustainable development

SPT2 Sustainable linked neighbourhoods and sustainable rural communities

SPT3 Provision for new homes

DEV10 Delivering high quality housing

DEV20 Place shaping and the quality of the built environment

DEV21 Conserving the historic environment

DEV28 Protecting and enhancing biodiversity and geological conservation

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

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).

2. The development hereby approved shall in all respects accord strictly with drawing number(s) 1602/EX01 Location Plan; 16021/SD303 Proposed north elevation and section; 16021/SD031 Proposed floor plans; 16021/SD302 proposed elevations, received by the Local Planning Authority on 14th September 2017.
Drawing number T56/043 Drainage Plan, received on 12th October 2017

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-COMMENCEMENT CONDITION**

No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

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 amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: This condition is required where no desktop study has been carried out or if the desktop study failed to completely characterise a site.

5. No development whatsoever shall be commenced unless a traffic management plan has been submitted to and approved in writing by the Local Planning Authority. This plan should include details of the timetable of the works, daily hours of construction, road closure, number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits, hours during which no construction traffic will be present at the site and the means of enclosure of the site during construction works. This plan shall be strictly adhered to during the construction of the development hereby permitted unless variation is agreed in writing by the Local Planning Authority.

Reason: In the interests of public and highway safety.