

Recommendation: Conditional approval

Conditions

Time

Accord with Plans

Retention of parking in perpetuity

Accord with landscape scheme

Details of foul discharge prior to commencement

Details of surface water soakaway prior to commencement

Section of green roof prior to commencement

Hardstanding finish material details prior to commencement

Cladding details prior to installation

Joinery details prior to installation

Natural stone sample panel

Work to conform to submitted tree protection measures

Removal of permitted Development Rights

Unsuspected contamination

Key issues for consideration:

The main issues are the design, scale, appearance and visual impact of the development, its impact on the character and appearance of the Salcombe Conservation Area and wider AONB, any impact on the amenity of neighbouring dwellings, drainage, ecology, access and parking.

Officers acknowledge the location of the site within the Salcombe Conservation Area and also the positive contribution that these Victorian garden areas have within his sensitive historic environment. However, the specific location for the proposed dwelling is only readily viewable from Allenhayes Road. From that public vantage point the new dwelling will appear as an addition to a location already characterised by simple, utilitarian buildings of varying size, quality and age. The landscape scheme is well designed and will further assimilate the development into the townscape. For these reasons officers conclude that the development will preserve the character and appearance of Salcombe Conservation Area.

The addition of one more dwelling utilising the existing lane and access on to Allenhayes Road is not considered to constitute a severe impact on highways safety. Adequate parking provision is proposed.

Trees removed do not justify retention and trees of note are retained within the submitted landscape strategy. The impact on neighbouring properties is considered to conform to the level of amenity generally accepted within the locality. All other material planning considerations can be adequately addressed through planning conditions.

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan policies. This application is therefore recommended for approval subject to appropriate conditions.

Site Description:

The application site is the garden of a large Victorian villa called 'The Hollies' within Salcombe, The site is located within the Development Boundary and the Salcombe Conservation Area. It is also within the wider South Devon Area of Outstanding Natural Beauty.

The Hollies is one of the semi detached villas which characterise the area around Devon Road, which embodies the Victorian extension of the town. The streetscene is dominated by these high status, grand buildings which sit in generally large gardens which provide important green spaces and relief between the built forms.

The Hollies currently has all of its parking at this rear part of the site, accessed via a back lane. The presence of an historic stable nearby, now a dwelling, suggests that this back lane is at least contemporary with the villas. The lane is now used for vehicular access, and as such, there are a number of modern garage outbuildings in the area. The Hollies also has the remnants of what could have been a stable, at the rear.

The Proposal:

Planning permission is sought for the demolition of the existing ruinous structure and erection of a new dwelling and installation of a raised parking area. The parking area will provide parking spaces to serve the new dwelling and replacement spaces to serve the existing Hollies building. Access would be from the existing rear lane.

The proposal is for a two bedroom house over two storeys, partially dug into the hillside. Bedrooms are located at the lower level, with living rooms and kitchen at first floor, which is actually ground floor level adjacent to the access road. The dwelling is simple and contemporary in form with render and cladding under a flat, green roof.

Consultations:

- County Highways Authority

No objection – standing advice

- Environmental Health Section

Suggest unsuspected contamination condition

- Salcombe Town Council

It was noted that this site was positioned on a little lane which ran from Allenhayes Road just below Coombehaven and fed on to several properties. Also the objections that had been placed on the District website by residents were noted wherein most felt it was not right for a Conservation Area and the current garden was being decimated. The proposal was to build a two storey dwelling with two parking spaces but noted this was to be at the bottom of the garden of The Hollies and infill the remainder of the current garden by creating further parking spaces for The Hollies. Objection as this was felt to be overdevelopment of the site by back garden development and therefore not appropriate in a Conservation Area and was increasing dwellings in this location. Town Council were concerned that this proposal would front an un-named un-adopted road. There were also slight concerns that the property being demolished, although in some disrepair, was generally a property that had architectural importance and it was requested that District investigate this assertion

- SHDC Ecologist

No objection request informative regarding clearance of vegetation

- SHDC Tree Officer

No objection subject to condition ensuring compliance with Tree Protection Plan

Representations:

14 letters of representation have been received at the time of writing this report, 12 letters objecting to the scheme and 2 letters in support. Concerns raised within the letters of objection which are material to the consideration of the application are summarised as follows

- The scheme will be harmful to the Conservation Area
- Will be harmful to the AONB
- The design is out of keeping
- Use of the lane and existing access is inappropriate
- The new dwelling would harmfully overlook and impact neighbouring properties
- The proposal represents overdevelopment of the site
- Will probably be a second home, bringing no housing benefit to Salcombe

Comments made in support of the application are summarised as follows:

- There are already buildings in this area of similar scale and form
- The scheme retains adequate garden space for The Hollies

Relevant Planning History

9/41/1588/98/3 – Powderham Villa – Erection of new dwelling - Refused

41/1391/82/4 - The Hollies, Devon Road, Salcombe - Alterations and extension of Coach House – Refusal

41/0430/14/PREMIN – The Hollies, Devon Road, Salcombe - Pre-application enquiry for proposed erection of dwelling within the site curtilage with associated parking and garden areas – Officer support forthcoming on a without prejudice basis

41/0311/78/4 - Regularise present use as a holiday cottage - Conditional approval

Analysis

Principle of Development

The site is located centrally within Salcombe and within the development boundary. As such, the principle of new residential development in this location is supported by policy, subject to all material planning considerations. The site is also in a sustainable location with regard to access to services, being well connected to the various services offered within the Town.

The existing structure to be demolished is of architectural and historic merit but is very small and in an extremely degraded, ruinous state. Due to its current state, small scale and relatively isolated location, this structure is not considered to have a significant enough positive contribution to the Conservation Area to enable officers to justifiably seek its retention.

Design, scale and appearance and impact on Salcombe Conservation Area

The application site is located sensitively within the Salcombe Conservation Area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, when Authorities consider an application which affects a Conservation Area, *'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*.

This need for this consideration is reflected at local planning policy level with adopted policies DP1, DP6, CS7 and CS9 of the Local Development Framework. The SHDC Salcombe Conservation Area Appraisal SPD also adds that *'The large historic land plots of Devon Road and Allenhayes allow room for lush planting fronting the roadside and landscaped and cultivated gardens to the rear, which also contribute to the townscape due to the steep terrain.'*

Clearly the large gardens which serve the villas along Devon Road are a fundamental element of the character, settlement pattern, grain and appearance of the Conservation Area and are therefore extremely sensitive to change. However, this is the largest of the gardens, with an irregular shape, with development potential in the far south western corner. This corner is not actually visible if viewed from the east and therefore cannot be seen from important public receptors along Devon Road and its associated pedestrian footpaths. The dwelling in this location will therefore have a neutral impact on the Conservation Area from these vantage points. The main view of the site is from oblique views when passing down Allenhayes. In addition as discussed further below, the subdivision is sensitively proposed, with a staggered boundary and the retention of notable existing trees and additional soft landscaping. This arrangement has been arrived at though pre-application discussions.

From this vantage point above the site, you are able to very clearly look across the rear elevations of the Devon Road villas and into their back gardens. The landscaped lawns are legible, and the surrounding area has a sylvan character. A back lane provides access down towards the site and officers would presume that this access lane has some provenance and was used for stable access in the 19C. This is evidenced by the presence of a small ruin within the Hollies site, which may have been a stable, and a more complete 19C utility building to the rear of the neighbouring villa.

There is therefore historic precedent of buildings being located at the rear of the garden areas. The existing historic building demonstrates that these would have been simple structures, utilitarian in appearance, with a simple palette of materials which would have contrasted with the larger, more finely decorated villas at the front of the sites. Furthermore, the historic outbuilding has been converted into a dwelling through the issuing of a planning permission in 1978.

Use of the back lane access has continued with cars replacing the horses. As a result, there are now a number of large modern garages in this area. The character of this part of the Conservation Area has therefore always been utilitarian, with a number of simple low profile buildings sitting within a sylvan context, located around, and served by, the back lane.

The proposed dwelling is considered acceptable within this context. The specific design takes clear reference from surrounding buildings and is itself simple, low profile and utilitarian. It will therefore be read as a simple addition to the existing built form within this location. After careful consideration, officers therefore conclude that the building will have a neutral impact on the character and appearance of the Conservation Area.

Although the new parking area constitutes an engineered structure within the garden, officers also acknowledge that it is not a new intervention, but the extension of an existing parking area

which, along with parked cars, is already visible from the public realm. In addition, the plans have been revised at officer request to reduce the size of this area, and allowing more scope for planting along its western edge. This planting can provide a level of screening which will effectively screen the parking platform from views at Allenhayes Road, and partially screen the dwelling beyond whilst being consistent with the high levels of structural domestic type planning already present in these rear gardens. Similarly the materials proposed are in-keeping with the vernacular and are conditioned to ensure high quality materials, such as are required in the conservation area, are achieved.

Access and Highways

Officers acknowledge the limitations of the access from the lane onto Allenhayes Road and also that this has led to refusals in the area during the 1980s and 1990s. However, planning policy has changed in the intervening years, most notably at a national level, where the NPPF now obligates authorities to only refuse applications '*on transport grounds where the residual cumulative impacts of development are severe.*'

In this instance, the addition of one new modest-sized dwelling served by the existing access lane is not considered to intensify use of this access to a degree which could be considered 'severe'. In addition, the highways officer has issued no objection to the proposal, instead requesting consideration of the DCC Standing Advice.

Re-landscaping and impact on trees

The subdivision of the site and building work requires re-landscaping of the existing rear garden. However, as above, the subdivision is considered by officers to be sensitively proposed, with soft, discrete boundary treatments and the retention of existing trees of note. The Council's tree officer has considered the proposal and is not objecting to the loss of other trees which are not of significant public amenity value subject to conditions ensuring compliance with the submitted tree protection plans.

Officers are of the opinion that the subdivision of the rear garden has been designed in such a way that it will not be easily distinguishable when viewed from public areas. The allocated external amenity area for both dwellings is considered adequate. In fact, due to the central location and relatively small scale of the unit, officers would potentially have supported no/more limited external curtilage for the new dwelling. In this case the introduction of the small area of garden space is motivated by the desire to achieve an appropriate neighbour relationship between the two units by ensuring that overlooking is predominately into garden areas serving the new dwelling.

Ecology

The Council's specialist ecologist has considered the ecological implications of the development and has concluded that no objection is necessary, subject to an informative highlighting to the applicant the potential sensitivity of the site during vegetation clearance.

Drainage

The submitted plans indicate that soakaways will be provided on site, within the rear garden area. In addition, the proposal incorporates a green roof which will also deal with surface water. Officers conclude that the drainage details are acceptable subject to the addition of conditions requesting further technical detail regarding foul and surface water discharge and

requiring a technical section of the green roof to demonstrate its effectiveness in providing surface water soak away and its correct design for success in the area and climate.

Neighbour impact

Officers have carefully considered the impact of the proposed development on the amenity of all neighbouring properties. The starting point for this assessment is policy DP3. Importantly, policy DP3 states that the impact on neighbouring properties must be *'judged against the level of amenity generally accepted within the locality...'*

In this instance, the surrounding area is punctuated by high levels of mutual overlooking between properties and from the access lane and Allenhayes Road down into back garden areas. In addition, as previously noted, the former stable building serving the neighbouring villa has already been converted, and therefore there already exists a similar relationship between two separate properties within the locality.

Overlooking towards Springfield Villa is certainly in conformance with existing neighbour relationships. Overlooking from the new unit will be largely past the Hollies or towards its southern elevation, which contains only a single obscure glazed window. The dwelling will be no higher, and therefore have no greater an impact, than the shared vegetation on the south eastern property. The proposal will therefore have no materially harmful impact on the villa to the south east.

After careful consideration, officers conclude that the neighbour impact associated with this development conforms to the level of amenity generally accepted within the locality, with no materially harmful additional overlooking, dominance or loss of light which could constitute a material reason to refuse the application which could be sustained at any subsequent appeal. Similarly the proposed dwelling will benefit from an adequate level of privacy and private space,

Neighbouring site history

Officers acknowledge the refused application for a new dwelling at Powderham Villa in 1998, which is a site nearby on Devon Road. However, that application differed from this for a number of reasons. In particular, the garden size and shape is different to that serving the Hollies, the proposed dwelling was located in a different position, with a different scale and design. In addition, the rear garden of Powderham Villa contributes differently to the Conservation Area. In the intervening years a number of domestic garages have also been approved and constructed in this immediate area which has changed the character and pattern of this part of the Conservation Area.

Officers are still duty bound to consider the specific merits of this application and reach a balanced recommendation. Similarly officers have considered the refused application for conversion of the ruinous stable in 1982. The planning system was greatly different in the early 1980s and subsequently less weight must be given to this application. Officers have carefully considered this current application with regard to extant local and national planning policy and conclude, on balance, that it can be supported.

Conclusions

The main issues are the design, scale, appearance and visual impact of the development, its impact on the character and appearance of the Salcombe Conservation Area and wider

AONB, any impact on the amenity of neighbouring dwellings, drainage, ecology, access and parking.

Officers acknowledge the location of the site within the Salcombe Conservation Area and also the positive contribution that these Victorian garden areas have within his sensitive historic environment. However, the specific location for the proposed dwelling is only readily viewable from Allenhayes Road. From that public vantage point the new dwelling will appear as an addition to a location already characterised by simple, low profile utilitarian buildings of varying qualities and ages. The landscape scheme is well designed and will further assimilate the development into the townscape. For these reasons officers conclude that the development will preserve the character and appearance of Salcombe Conservation Area.

The addition of one more dwelling utilising the existing lane and access on to Allenhayes Road is not considered to constitute a severe impact on highways safety. Adequate parking provision is proposed.

Trees removed do not justify retention and trees of note are retained within the submitted landscape strategy. The impact on neighbouring properties is considered to conform to the level of amenity generally accepted within the locality. All other material planning considerations can be adequately addressed through planning conditions.

The siting of the proposed dwelling is wholly within the developed area of Salcombe and, as such, is read against this development in all views. For this reason its impact on the AONB is considered negligible and acceptable

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan polices. This application is therefore recommended for approval subject to appropriate conditions.

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

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP5 Conservation and Wildlife

DP6 Historic Environment

DP7 Transport, Access & Parking

Salcombe Conservation Area Appraisal SPD

National Planning Policy Framework

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.