

PLANNING APPLICATION REPORT

Case Officer: Mr Alex Sebbinger

Parish: Salcombe

Application No: 41/1023/15/F

Agent/Applicant:

Chris Ellerton
Kay Elliott Architects
5-7 Meadfoot Road
Torquay
TQ1 2JP

Applicant:

De Sable Property
Mr I Lovatt
62a Gosberton road
Balham
London SW12 8LQ

Site Address: Spion Lodge, Bennett Road, Salcombe TQ8 8JJ

Development: Demolition of existing dwelling and erection of building to contain 6No apartments with associated landscaping and car parking

Reason item is being put before Committee: *This item is before Committee at the request of Councillor Pearce due to the size and scale of the proposed building.*



Recommendation:

Conditional approval subject to the completion of Section 106 Legal Agreement.

Conditions:

Time limit for commencement

In accordance with plans

Materials

Unsuspected contamination

Works to adhere to measures within Ecological Survey

Landscaping

Construction Management Plan

Key issues for consideration:

The main issues with this application are the principle of development of demolishing the existing building and replacement with a building of six apartments on this site within the Salcombe development boundary. The design and appearance of the building, together with any impacts upon the AONB, any effects on neighbouring properties and highway matters are other key issues. In addition, any financial contributions and the impacts upon ecology are matters for consideration.

Site Description:

The application site comprises a detached dwelling located within a residential area on the northern side of Bennett Road. The site is set on a steep incline, and is accessed via a steeply sloping drive off Bennett Road. The surrounding area is characterised by a mixture of predominantly detached dwellings of varying styles and appearance. The site is located within the Salcombe Development Boundary and is within the AONB.

The Proposal:

This application is for the demolition of the existing building and for the erection of six apartments with basement car parking and associated landscaping. Although the building is to contain accommodation over five levels (with a basement car park), due to the topography, the building has the appearance of a two-storey structure (with accommodation within the roof), set on terraces comprising the parking level, and two further floors of accommodation.

Consultations:

- County Highways Authority – No objections subject to conditions.
- Environmental Health Section - Recommend Unsuspected Contamination condition.
- Town Council - No objection was raised to the design but there were concerns with regard to such excavation and construction works for this site and its impact on the hillside, neighbouring properties and wellbeing of the town. Therefore timing of such building works would be of paramount importance to the visitor trade. A Construction Management Plan was to be sought and it was requested that town council be involved in such discussions due to their unique knowledge of the town. There was a further concern

noted that this development was only providing 6 onsite parking spaces for 20 bedrooms. As this was to be six units town council wished to be advised of the offsite contribution.

- Natural Environment & Recreation Team – No objections subject to conditions and S106 for Open Space, Sport & Recreation Contribution to the sum of £20,475.
- Devon County Council Education – Contribution towards education infrastructure sought to the sum of £16,416.90 for secondary school provision and £3,800 towards school transport costs.
- AONB Team – From an AONB point of view, although the building is larger than existing it will be set into the hillside slope and when viewed against the general backdrop of the town and against the neighbouring (even larger) buildings, it is unlikely to appear unduly prominent in the wider landscape setting. No objections are raised on AONB grounds.
- Affordable Housing Officer – Contribution of £176,315 towards off-site provision of affordable housing required.

Representations:

Around three letters of objection and eleven letters of support making the following broad points, in no particular order:

Objections:

- Another Salcombe property being ruined for profit
- Do not need more second homes
- More affordable homes required.
- Proposal will not benefit town
- Too many apartments in Salcombe
- Increase in vehicle movements
- Overlooking of neighbours

Support:

- Will replace ugly 1950s dwelling
- More planting
- Dangerous drive will be improved
- Enhancement to surrounding area
- In keeping with the local environment
- Protects vista of estuary
- Concerns of traffic and parking have been addressed

Relevant Planning History

None relevant.

ANALYSIS

Principle of Development/Sustainability:

The application site is located within a residential area within the Salcombe Development Boundary. This application is for the removal of an existing detached property and for the redevelopment with a larger building to comprise six apartments. As the site is within a residential area, within a Development Boundary the principle of development of an additional residential unit is considered acceptable in principle under established planning policies.

It is noted that Saved Policy KP11 from the 1996 South Hams Local Plan states that "Development which would alter the character of the low density development...will not normally be permitted". This policy is now considerably out of date. The National Planning Policy Framework (which post-dates this Policy) advises that from a twelve month period (that expired in March 2013), due weight should be given to relevant policies in existing plans dependent on their consistency with the NPPF. It is not considered that saved Policy KP11 can carry significant weight given its age and how its scope does not accord with the principles that are found within the NPPF. Moreover, Paragraph 14 of the NPPF states that where relevant policies are out of date, planning permission should be granted unless there are any adverse impacts of doing so, that would significantly and demonstrably outweigh the benefits when assessed against the framework.

Consequently it is considered that the principle of a redevelopment of this nature is acceptable subject to compliance with all other relevant development control policies.

Design/Landscape:

The proposed development will, in terms of accommodation and scale of built works, be significantly larger than the building that it will replace. The proposal will excavate a large proportion of the site to provide the underground parking area as well as the lower two levels of accommodation. The building will be set into the hillside and will take advantage of the topography to provide these lower levels. The 'two storey' (with accommodation within the roof-space) part of the building above these lower level "terraces" reads, from a design and appearance perspective as part of the existing pattern of development and is broadly representative of the scale of the existing building. The ridge of the building is comparable to that which it will replace, and it will not appear out of character when compared with the scale of surrounding buildings.

It is acknowledged that this is ostensibly a five storey development. However, due to the way in which the site is set into the hillside, and given the use of carefully considered materials (stone) for the lower levels (which can be controlled by way of condition), from the wider perspective it will appear as a two-storey development. A carefully considered landscaping scheme will also ensure that the development reads as a two-storey building on top of the lower terrace of accommodation. The application has been revised throughout submission to improve the parking arrangement, which has necessitated alterations bringing the retaining walls closer to the road. Although the scale of the proposed works is acknowledged as being large, on balance it is considered that the design that has been adopted is acceptable, and given comparable roof-lines with existing development that refusal on the basis of size and scale would be difficult to justify on appeal.

In terms of the impact on the AONB, the South Devon AONB Unit have raised no objection, citing that against the backdrop of existing development and the fact that it is to be set into the hillside means that it would not be unduly prominent.

Overall, no design or landscape issues are considered to arise from this redevelopment.

Neighbour Amenity:

Concern has been raised regarding overlooking, however given the fact that no part of this development would be significantly taller than the existing building to be replaced, and bearing in mind it is sited broadly in the same position, levels of overlooking from the upper levels of the proposed building would be no worse than the current situation. It is acknowledged that the works will remove the existing steep driveway and access, revealing more built development to the public perspective, but properties opposite the site are considered to be of significant distance away from this development (across the road) to ensure that levels of overlooking would not be serious or adverse.

Due to the siting of the proposal in relation to surrounding properties (and the fact that the majority is to be set into the hillside), it is not considered that any aspect of the proposals would be overbearing or give rise to loss of light.

Highways/Access:

The application as submitted received objections from the Highways Officer, on the basis of parking provision and visibility splays being inadequate.

The applicant provided a speed survey and the results showed that the proposed splay is close to the standards prescribed in the Manual for Streets 2007 and they have advised that on balance, given the improved access alignment resulting from the proposals, the Highway Authority lifted that objection.

As submitted, the application proposed eight car parking spaces. The applicant argued that local census data suggests that car ownership would be lower than the 14 spaces which the Highway Authority sought, and the applicant suggested that ten spaces would be sufficient. The application has since been amended to provide 12 spaces, with the loss of the cycle parking in the undercroft garage. Topographical constraints of the site are cited by the Highway Authority as meaning that cycling is likely to be less attractive in the area and should any occupiers of the flats own a bike, this could be stored in the apartments.

No objections are now raised to the revised proposals, subject to a construction management plan condition.

Financial Contributions:

Due to the size of the development, it becomes eligible for a financial contribution towards the provision of off-site affordable housing. The Council's Affordable Housing Officer has advised that the contribution due is £176,315.

The Council's Natural Environment and Recreation Team have advised that given the scale of the proposed development, an additional 21 residents (based from calculations) would contribute to existing deficiencies towards Open Space, Sport and Recreation (OSSR) within Salcombe. Based upon evidence gathered through the South Hams and West Devon Playing Pitch Strategy (Consultation Draft, January 2015) there is an existing requirement for improving drainage on the football pitch at "The Berry", in order to meet existing need and additional pressure from new residents. Based upon the anticipated 21 additional residents, a Section 106 contribution of £12,495 is sought towards improving pitch drainage at The Berry and a contribution of £7,980 towards improvements in play facilities at The Berry.

Devon County Council's Children's Services have advised that the secondary school that would serve the area of development is Kingsbridge Academy, which currently has a shortfall of pupil spaces, so a contribution of £16,416.90 is sought towards additional school facilities. In addition, as the development is further than the recognised safe walking distance to school for the secondary aged pupil, it is further required for the development to contribute to transport costs to the sum of £3,800.

The applicant has agreed to these contributions, all of which comply with the relevant Community Infrastructure Levy Regulations, and this recommendation is made subject to the completion of a Section 106 Legal Agreement to secure these payments.

Ecology:

The Council's Ecologist raises no objections to the application, stating that the submitted ecological survey finds no evidence of protected species using the existing dwelling, and satisfactory mitigation of removal of existing vegetation being demonstrated. A condition is recommended to ensure that the recommendations of the ecological survey are put into practice.

Conclusion:

The application is considered to be acceptable and is therefore recommended for APPROVAL subject to the completion of a Section 106 Legal Agreement.

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

South Hams Local Plan

SHDC 1 Development Boundaries

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.