

# PLANNING APPLICATION REPORT

**Case Officer:** Wendy Ormsby

**Parish:** Stokenham

**Application No:** 53/2267/15/F

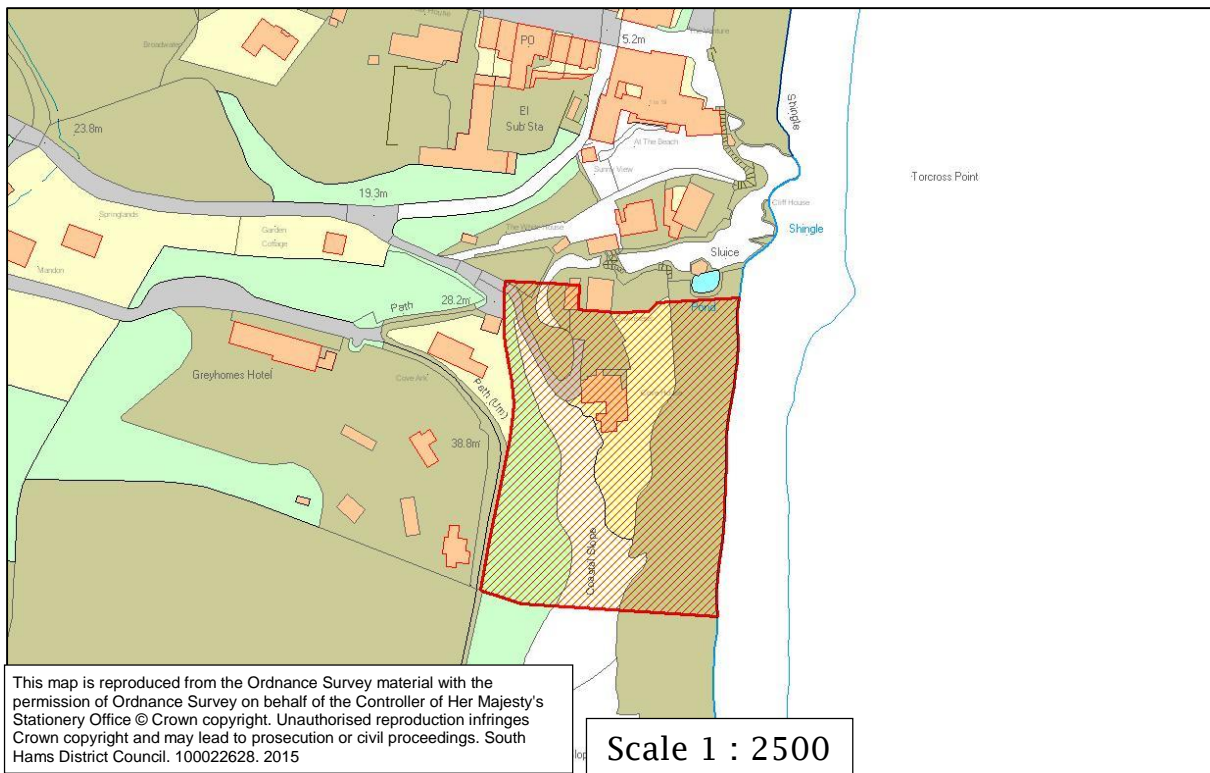
**Agent/Applicant:**  
Nigel Cant Architects  
Peppercorn Cottage  
Woodland Head  
Yeoford  
Crediton  
EX17 5HF

**Applicant:**  
Mr P Charlton  
c/o agent

**Site Address:** The Cove Guest House, Torcross, Kingsbridge, TQ7 2TH

**Development:** Erection of replacement single dwelling

**Reason item is being put before Committee:** At Ward Members request; due to sensitive site location, to allow Committee review of the design and scale.



## **Recommendation:** Conditional Approval

### **Conditions**

1. Time limit
2. Accord with plans
3. Development in accordance with geo-technical report
4. Schedule of materials and finishes
6. Natural local stone
7. Details of non-reflective glazing
8. Removal of permitted development rights
9. Details of hard and soft landscaping scheme
10. Reptile mitigation strategy
11. Garage to be retained for vehicle storage
12. Unsuspected contamination
13. Construction Management Plan to include detail to show how vehicular access to Downsteps will be maintained at all times
14. Privacy screen on north end of balcony
15. Balustrading to the north side of the roof terrace to be obscure

### **Site Description:**

The site is situated to the south of Torcross, occupying an elevated position above the cliff face. Part of the site was previously occupied by a substantial building most recently used as a guest house. The building has been demolished, with some hardstanding remaining; the site has an untidy appearance. Access to the site is via a steep driveway.

The site is located outside any Development Boundary. It is within the South Devon Area of Outstanding Natural Beauty. The eastern edge of the site lies within Flood Zones 2 and 3 and the Slapton Ley SSSI. A Public Right of Way runs to the west of the site.

### **The Proposal:**

It is proposed to build a large contemporary two storey dwelling on the site. The dwelling will have a floor area of approx 480 sq m. It is a linear shape, sited with the principal elevation facing east towards the sea. The dwelling will have a flat sedum roof which will incorporate a sunken garden/terrace area on top. An outdoor swimming pool with terrace will be located on the southern end of the building, with a gazebo garden building at the southern end of the swimming pool.

A first floor balcony with overhang above will run along the eastern elevation, articulating the frontage and providing shade from the summer sun.

The existing steep access drive will be widened to make it more user friendly. A pedestrian access to the building will be taken from the mid point corner of the access drive. A double garage is proposed at ground floor level with additional parking and turning in front.

The elevations will incorporate a significant amount of non-reflective glazing, grey metal cladding, local natural stone and stained grey timber slats and sliding screens.

The gardens surrounding the house will be landscaped.

## **Consultations:**

- County Highways Authority - standing advice
- Environmental Health Section - no comment
- Ecology – no objection subject to reptile mitigation strategy to be agreed
- Drainage – no objection
- Natural England - no objection
- AONB Unit – No objection
- Parish Council - Objects for reason summarised as follows:
  1. Overdevelopment
  2. Out of keeping with area due to scale and materials
  3. Sensitive SSSI and AONB location
  4. Concern re instability of cliffs
  5. Difficult access – narrow roadway and driveway
  6. Construction Management Plan required
  7. Access roads back to A379 should be made good
  8. Safety of mariners could be compromised by amount of glazing
  9. Light pollution in SSSI

## **Representations:**

7 letters of objection and 1 letter of comment received. Objections raised included the following:

1. Out of scale and character with the area
2. Overlooking of adjoining property Downsteps from balcony and roof terrace
3. Potential to disrupt access to Downsteps
4. Larger than previous approval
5. Overdevelopment
6. Possible landslides/subsidence
7. Vibrations and quakes from piling
8. Need a Construction Management Plan
9. Dominates Downsteps
10. Disruption during construction, will also impact on tourism economy
11. Adverse impact on SSSI and AONB

## **Relevant Planning History**

53/2609/14/F – Erection of single dwelling on site of demolished guest house – Conditional Approval

53/3160/11/F, Renewal of extant planning application 53/0136/09/F (demolition of guest house and replacement with single dwelling), The Cove Guest House, Torcross – conditional approval

53/0136/09/F, Demolition of guest house and replacement with single dwelling, The Cove Guest House, Torcross – conditional approval

53/1775/08/F, Demolition of existing guest house and replacement with new residential dwelling, The Cove House, Torcross – withdrawn

## **ANALYSIS**

### **Principle of Development/Sustainability:**

There is an extant planning permission for a substantial dwelling on the site. Despite the site's countryside location the principal of redeveloping the site for a single dwelling has been accepted. There have been no material changes in circumstances since that grant of planning permission.

The principal of redeveloping the site for a single dwelling is therefore acceptable.

### **Design/Landscape:**

The extant planning permission is for a dwelling with a floor area of approx 500 sq m; the proposed dwelling has a slightly smaller floor area of approx 480 sq m. The width of the principal elevation of the extant consent and proposed dwelling is also comparable at approx 30m. The proposed dwelling is taller than the approved scheme; the principal elevation being approx 9m high rather than 7m as in the approved scheme. The proposed scheme is significantly less deep than the approved scheme.

Both dwellings are located within a similar part of the site, occupying that flat area of the site previously developed as a guest house.

The proposed dwelling is taller than the approved scheme but in all other respects the scale of the building is similar to that already approved on the site. Due to its linear nature the height of the building is proportionate and, set with rising ground behind it, the scale of the proposed building is considered to be acceptable.

The first floor of the east elevation contains large glazed areas with sliding vertical timber panels attached to the front of the balcony. The balcony projection and overhang above reduce the impact of the large glazed area by creating shadow: it is also proposed to use non-reflective glazing. A significant amount of local stone is also proposed in the elevations which help to blend the building into its surroundings. The swimming pool appears as a stone retaining wall; the use of tall stone retaining walls is a typical feature of coastal areas within the South Hams.

The flat sedum roof and use of stone in the west elevation reduces the visual impact of the building to users of the nearby public footpath.

Officers consider the mix of traditional and contemporary materials and building patterns to be well conceived and if built to an appropriate standard this development could enhance this area of the AONB which is currently has an untidy, abandoned appearance. The scale of the building is clearly much greater than other properties in the area, but this is a unique site, previously occupied by a large building, but where redevelopment for a larger number of smaller units would be undesirable.

The building incorporates principles of passive energy design.

The design and landscape impact of the proposed dwelling is considered to be acceptable.

### **Neighbour Amenity:**

Concerns have been raised about potential overlooking of Downsteps from the balcony and roof terrace. The extant permission at the site includes an east facing balcony, however it is not unreasonable to look to provide privacy for Downsteps if possible. The provision of a privacy screen at the northern end of the proposed balcony would give greater privacy to occupiers of Downsteps whilst still allowing occupants of the new dwelling wide views. This can be controlled through a planning condition.

The proposed roof terrace is sunken into the roof, set back from the edge of the roof and is topped with a glass balustrade, which would achieve a height of 1.5m above ground level. If the glass balustrade is opaque on the northern side this would minimise loss of privacy to Downsteps to an acceptable level. Again this can be controlled by a planning condition

The side elevation of Downsteps is some 16m from the side of the proposed dwelling, the principal elevation of Downsteps faces east towards the sea and not towards the proposed new dwelling. There would be no significant loss of light to Downsteps nor would the new dwelling appear unduly overbearing. The relationship is similar to that already approved at the site.

Construction inevitably brings a degree of disturbance to neighbouring properties, this can be minimised through the agreement of a Construction Management Plan.

The impact on residential amenity is considered to be acceptable.

### **Ecology:**

In accordance with the recommendations of the bat and protected species survey submitted with the previous applications a slow worm survey of the site has been carried out, and the findings form part of the current application submission. Six slow worm specimens were found during the survey. The report recommends that a reptile mitigation strategy be drawn up at the earliest opportunity to ensure the recommended management operations can be carried out at the correct time of year. A prior-to commencement condition in this regard therefore forms part of the recommendation

### **Highways/Access:**

The current access road is very steep with a tight curve. The application proposes to widen this access; this will improve access to the site for the occupiers of the new dwelling and the neighbour Downsteps.

Concern has been raised regarding the impact of construction traffic using the narrow access road and the Parish have asked that the access road back to the A379 be made up. Having regard to the extant consent on the site it is not reasonable to require improvements to the road. A Construction Management plan can help to manage traffic flows along this access route.

## **Flood Risk:**

The site and access to the proposed dwelling lies outside the Flood Zone 2 and 3 areas. As such a Flood Risk Assessment is not required.

## **Other Matters:**

Concern has been raised about possible landslides and vibrations during construction in this sensitive coastal location. This application raises no unusual construction issues when compared to the extant consent on the site. Construction method and safety is a matter for the Building Control process.

***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***

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

DP7 Transport, Access & Parking

DP17 Residential Extensions and Replacement Dwellings in the Countryside

## **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.